

the gentleman from Pennsylvania (Mr. DENT) that the House suspend the rules and agree to the concurrent resolution, H. Con. Res. 136. 7

The question was taken; and (two-thirds having voted in favor thereof) the rules were suspended and the concurrent resolution was agreed to.

A motion to reconsider was laid on the table.

GENERAL LEAVE

Mr. DENT. Madam 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 Concurrent Resolution 86, House Concurrent Resolution 135, and House Concurrent Resolution 136, the matters just considered by the House.

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

There was no objection.

RECESS

The SPEAKER pro tempore. Pursuant to clause 12(a) of rule I, the Chair declares the House in recess until approximately 5:30 p.m. today.

Accordingly (at 3 o'clock and 44 minutes p.m.), the House stood in recess until approximately 5:30 p.m.

□ 1740

AFTER RECESS

The recess having expired, the House was called to order by the Speaker pro tempore (Mr. BOOZMAN) at 5 o'clock and 40 minutes p.m.

PERSONAL PRIVILEGE

Ms. JACKSON-LEE of Texas. Mr. Speaker, I rise to a question of personal privilege.

The SPEAKER pro tempore. On the basis of House Report 109-51 and certain media coverage thereof, the gentlewoman may rise to a question of personal privilege under rule IX.

The gentlewoman from Texas (Ms. JACKSON-LEE) is recognized for 1 hour.

Ms. JACKSON-LEE of Texas. Mr. Speaker, I yield myself such time as I may consume.

I rise today, Mr. Speaker, because I believe in the integrity of this House, the specialness of this House, and the specialness of my colleagues.

I also believe that this time that I will have to share with my colleagues and to share with the American people is a moment for us to be able to move forward and not to recount or to go back over a pathway that is not productive.

A few weeks ago we were discussing legislation that of its very name is extremely controversial. In the course of that legislation, H.R. 748, the Child Interstate Abortion Notification Act, CIANA, the debate was vigorous; and I

know that in this Congress we have had our differences of opinion as it relates to the question of choice, the ninth amendment, the right to privacy, and, in this instance, the question of parental consent.

It is interesting to note that those of us who may side on the position of choice and the right to privacy recognize the intensity and the questions being raised about children who are put in harm's way, whether or not that means that a child without counsel, because of some tragedy in her life, has to seek an abortion.

The vigorousness of the debate centered around the idea of the enormous range of differences of opinion expressed by different States. I think they are equally divided, 23, 22, 27, some States having no provisions for parental consent as it relates to a child securing an abortion, some States having a very complicated process with judicial review, and some States having a medium process.

The debate in the Committee on the Judiciary by members on my side of the aisle really centered and focused on the structure of the legislation that seemingly would close the door shut on a child that would seek counsel beyond the parent in this very troubling time in their life. It also sought to clarify whether an innocent bystander who could provide a mode of transportation might, in fact, be held criminally liable under this particular law. So there were a number of amendments being offered that would hopefully clarify this very difficult question.

Mr. Speaker, this is a time when passions rise high, temperatures rise high as well. As I said, there is a vigorous disagreement about this question of abortion and even more vigorous when it involves a child who is under the age of majority.

□ 1745

So there were a number of amendments offered by my colleagues, one offered that, in particular the description of the amendment simply offered by the gentleman from New York (Mr. NADLER), allowed an adult who could be prosecuted under the bill go to a Federal court and seek a waiver to the State's parental notice laws if this remedy was not available.

Subsequently, there was a House Report, 109-51, and in that report, a series of amendments were described in particular to give license to sexual predators. May I repeat that again, Mr. Speaker, to give license to sexual predators.

I started out by saying, and I do intend to follow that charge that I have made, that this is an effort to go forward, to be able to highlight a mistake, an indiscretion, a pathway that hopefully we will not return to and allow us to heal on our own, if you will, but also to cite that this is not the way to run the People's House.

That amendment simply stated that it allowed an adult who could be pros-

ecuted under the bill to go to the Federal District Court and seek a waiver to the State's parental notice laws. Remember I started out, Mr. Speaker, by saying State parental notice laws are varying around the Nation. It was ultimately written to suggest that that particular gentleman from New York had an amendment that would have created an additional layer of Federal Court review that could be used by sexual predators to escape conviction under the bill. It suggested that that roll call, that particular amendment, was defeated 11 to 16.

Subsequently, there was another amendment by the gentleman from New York to exempt a grandparent or adult sibling from the criminal and civil provisions in the bill, again, simply stated as plain as can be. And, by the way, Mr. Speaker, though I am not intending to challenge legislation that has already been passed on the floor of the House, albeit I disagree with it vigorously in terms of the restraints it puts on the interaction between a child and confidante, a trusted adult who can help steer them in the right direction, let me just suggest this was a constructive amendment because it was to give the child an ability to consult with someone that may be out of the pipeline and be out of the child's distress area, meaning we have never looked at the point that possibly the parent could be the predator or could be engaged in incest. All of these are terrible things to discuss, but in a responsible debate, these were the considerations why these amendments were authored.

Ultimately, that amendment to allow a grandparent or sibling to confide or that child to confide in that particular adult or that particular sibling, adult sibling, it was described by the gentleman's amendment, was described as having exempted sexual predators from prosecution under the bill and suggested that it was defeated in a roll call vote.

Subsequently, the gentleman from Virginia offered an amendment to protect innocent bystanders who might have someone take their mode of transportation, a taxicab, a bus or other mode of transportation, not knowing who they are carrying, and ultimately caught up in the legislation and be prosecuted. So this was to exempt innocent bus drivers, taxicab drivers and others who would be transporting individuals, and, again, the amendment was described as exempting sexual predators.

A subsequent amendment that limited liability to the person committing the offense in the first degree was ultimately described and suggested that it would aid and abet criminals.

Then an amendment that I offered, the amendment was to exempt clergy, godparents, aunts, uncles or first cousins from the penalties in the bill, again to give a young woman a greater latitude of who to seek comfort and counsel from, and ultimately, that amendment was described, "Ms. JACKSON-LEE

offered an amendment that would have exempted sexual predators from prosecution under the bill if they were clergy, godparents, aunts, uncles or first cousins of a minor."

Then, Mr. Speaker, though I had two separate amendments, one a GAO study that would have determined whether this particular legislation was necessary and whether or not the confusion of the States with different bases of determining parental consent, whether or not that created an added problem, the description in House Report 109-51 just lumped them all together, which reads, "that would require a study by the Government Accounting Office."

So, in essence, Mr. Speaker, my amendment was described as exempting clergy, godparents, aunts, uncles or first cousins of a minor and suggesting that I was exempting sexual predators. And then, adding insult to injury, if I might use a phrase, that I then wanted a GAO study. Completely wrong. Complete misconstruing of the amendment and of the intent.

So we had a vote last week that ultimately wound up correcting the language in some form. It did not, however, distinguish that I had two amendments and did not ask for a study of sexual predators who happened to be godparents, clergy, aunts, uncles or first cousins.

First of all, might I say in the prosecution of this particular entity, I do not believe that any prosecutor worth his or her salt would allow this legislation to exempt an individual who happened to be a relative who happened to be a sexual predator. There is no basis in the bill. And if that was the case, then it means that the parents, the very underlying crux of the bill, parental consent, it means that the bill also protects parents that are sexual predators if you follow that line of reasoning.

So, Mr. Speaker, this is an attempt to have us go forward and not backwards. The amendments were very clear on their face. The amendments stood alone: "The General Accounting Office shall conduct a study detailing the impact of the number of unsafe and illegal abortions performed on minors who would be affected by this law."

You see, Mr. Speaker, I have lived through a time when women went to back alleys, and a coat hanger was a medical device. So I thought it was appropriate that if we were going to pass a legislative initiative that we thought would help secure young lives, then we needed to have a study that would determine whether or not it was in fact securing them or endangering them. And the idea, of course, was to suggest that we needed to find out more about the impact of this legislation.

This ultimately got construed, I do not know how, as a GAO study of sexual predators. This is not a nice word to say on the floor of the House, because as we have seen the rash of attacks on our children, two young ba-

bies killed just in the last 24 hours; little precious Danielle having been decapitated and identified decapitated a couple of years ago; as cochair of the Congressional Children's Caucus, we were briefed by Alonzo Washington on that tragic case; the cases in Florida, the cases in Texas.

No one wants to promote the extending of any criminal exemptions for the likes of those who prey on our children. Nowhere in this GAO study would that say that. And might I say that the war against sexual predators and child predators and child sexual predators is a bipartisan war. It is not a frivolous desire of any of us to stand up against those heinous actors that will go against our children. I would not in the least be hesitant to stand alongside of any Member in this body and know full well of their undying commitment to weed out, ferret out, prosecute and incarcerate those individuals with the most evil intent to do harm to our children.

That is why a number of Members took to the floor of the House to express such outrage; not because we do not accept the fact that there could be mistakes. There are politics in this House, games that are played at all times. There is vigorous debate on the question of choice, parental consent. But it was the very fact that something so sacred, our children, could fall victim to such a divide.

As we went to the Committee on Rules we would hope it would have been cleared up through that matter. Let me also just cite the other Jackson-Lee amendment that was plain and simple, the prohibitions of this section do not apply with respect to conduct by clergy, godparents, aunts, uncles or first cousins, simply to say that they could stand in place, for example, if there was some Achilles heel, some failure in the parental structure, that this child needed to go outside of the family home. A simple process; no more, no less.

So, we had hoped that there would have been some solution to this in the Committee on Rules. As I indicated, this report was filed Thursday, April 21, and the accompanying report was 109-51.

The point that should be part of the rules of this House that I hope that we will as we go forward make really part of our institutional fabric is that House reports from now on or from last Thursday on should describe recorded votes with objective, non-argumentative captions.

The Committee on the Judiciary majority cannot do that in House Report 109-51 by captioning the five amendments that I mentioned with remarks that would suggest that we are harboring, that we are kowtowing, playing to sexual predators.

The opportunity that was given, Mr. Speaker, to address this question in the Committee on Rules was troubling, because questions were posed as to why such language was utilized.

Might I say as an aside, Mr. Speaker, you realize that the House reports and my colleagues realize the House reports are used in history. They are used by historians and political scientists, students, researchers of all kinds, policymakers. They are used to tell the story of America. That is why we rise to the floor of the House and raise our voices and consent and dissent. That is why we pay tribute to Americans on this floor. That is why, each morning, we say the Pledge of Allegiance, and the chaplain or one who has been so designated offers a word of prayer. It is for all of America to reflect and read. It is a document that leaves a legacy that 2 days from now or 5 weeks or 1 year or 10 years from now cannot be changed.

So, to ask the question why, or to suggest to my colleagues that I only stand here today to remind you that if we can find any sense of unity in this very fractured Nation and divided House and Senate, I would simply ask that it be adhering to the rules of this body and the simple reporting of the work we do here every day.

The reason why, again, I would cite this as an important request and one that I hope the correction of last week will not be simply the correction of that time, but it will be embedded that we try and work not to do it again, is because when we get on this floor, Mr. Speaker, and there are words that are not befitting or becoming of the debate, albeit the Member did not intend any wrongdoing or missteps, but because someone else found those words to be inappropriate, we have a procedure called to take the words down. Why do we do that? We do that to protect the integrity of this record.

□ 1800

And I think that is the right thing to do. In the furor of debate, sometimes we step beyond the pale. We are committed, we are passionate, we believe in what we are standing for, and we are Americans. We stand in debate with our eyes on the Flag of the United States and the words "In God We Trust." This Nation's underpinnings allow us to do so. But when sometimes in the heat of debate words flare, we are allowed, and some will ask, that the words be taken down. And in the course of the debate and the vote occurs, there is a procedure to address that issue. That means that we care about the integrity of this process and the written word that will then be there for thousands and thousands and millions and millions and years and years to be reviewed. We are owed that kind of respect.

So this statement today should not be considered an effort to recount or repeat. It is, hopefully, an effort in a moment, of evenhandedness, to suggest that this kind of mischaracterization not take place anymore in the committees of the House, the final reporting, and/or the Committee on Rules, and that we strictly stick to the conciseness and integrity of the process which

is a nonargumentative, objective reporting of the work of an individual Member.

And certainly, Mr. Speaker, words such as “predator” and “sexual predator” and “child predator,” to be thrown in the direction of Members who leave their homes and their jurisdictions every day in the backdrop of some heinous criminal act, maybe affecting their own constituents, maybe some child law.

Because as I was driving on the freeway yesterday in Texas, because of the AMBER Alert that all of the Members of this House were willing to support, there unfortunately was a highlight of another kidnapped child from New Mexico, possibly on the run into Texas, not knowing whether there was an issue of sexual predator or child predator. It was a kidnapped child, a child that was vulnerable.

So it is not something that I personally take lightly, and I would just suggest that the gentleman from New York and the gentleman from Virginia who raised their voices, I would think that their integrity also is well-known, and that to associate their work with that definition is one that is enormously frightening.

This clarification is used as well when you can find that the entity or the act or the actions have subjected you to public ridicule. Well, a story is a story, Mr. Speaker, and this was written about. So that will not be able to be taken down. There will be articles that would suggest that amendments by the named persons exempted sexual predators. We cannot go back to that. We cannot pull that down. That is in the annals of news that will be able to be researched.

So, frankly, I thought it was enormously important that this misdeed be called again to the attention of my colleagues. Why? Because I hope going forward we will not do it again.

Allow me to quote from the ranking member of the Committee on Rules who said that it was not indicated how this was brought to our attention. The Committee on Rules discovered yesterday that the Committee on the Judiciary report on this very bill, which was authored by the majority staff, contained amendment summaries which had been rewritten by committee staff for the sole purpose of distorting the original intent of the authors. So, in essence, no one contacted our offices to be able to determine whether or not we actually intended that exemption, meaning as the report was being written. If it had not been for the staff of the Committee on Rules, we would not have had the opportunity to clear the air.

I do want to pay tribute to the Committee on Rules in this instance, Republicans and Democrats, who listened to our protest, if you will. And frankly, Mr. Speaker, I had hoped and thought that that matter could be resolved there in the Committee on Rules. The response of the majority of the Com-

mittee on Rules is to stand by it, or they stood by those amendments as they were described. It appeared as stated by the ranking member that the representations being made in the Committee on Rules is that one, the majority stood by it; and, two, that the alterations to our amendments were deliberate. When asked again why such an out-of-the-ordinary approach was taken, the majority responded and suggested that it was the tone of the debate that caused such to be done. Because we oppose the legislation, the “got-you” game was being played.

Mr. Speaker, that is why I rise today, because I would like to have today, May 10, 2005, really be the last, last day that we would entertain such actions. No matter how vigorous the debate in opposition, how be it that we would step away from the integrity of this House, the respect for the three branches of government and do as was done. The exact quote, as I understand, and I repeat it here, the majority offered to say, “You don’t like what we wrote about your amendments, and we don’t like what you said about the bill.”

Mr. Speaker, that can take us all over the map. That is why we are in this place. That is why a President of the United States can stand with the Georgian people and talk about democracy and hold his head up high, because we are allowed to stand on the floor and vigorously disagree in a manner where we will not be punished.

So I would ask as we go forward that this kind of tone, this kind of approach not be utilized. I do not know what you would call it, but I certainly know that it has no place here.

So the resolution that was offered and debated on asked for a number of actions. I think now I should applaud one of the actions. In the emergency supplemental in the rules that were passed last week, the opportunity was taken to clarify the amendments. I am not sure whether or not any formal apology was made; but I imagine, Mr. Speaker, that when the record is corrected, we have received a response that addresses the historical record of this body. So it serves no purpose to ask for an apology today. I do think we were a little bit off our mark, and I would hope that having not asked for an apology and having not received it and seeking only the straightforward clarification, that will be the approach that we will take. One, that we will be allowed to debate in this body, whether it be in committee or on the floor, and vigorously disagree, and that in that disagreement, there will be no punishment.

The only factor that we should have as the test of whether we are right or wrong or whether or not we prevail is that vote. And, in many instances, the majority, now in control of the House, the Senate, the Supreme Court, the executive, by one party, prevails. In the instance of the Committee on the Judiciary, in this occasion on these amendments, the majority prevailed.

The minority, however, felt passion about the amendments and, in fact, believes that they were right; and I personally believe that two amendments, one to do a study of the negative impact of this legislation, if it might occur, or what dangerous procedures might occur of this legislation, where would a child seek to go because they were fearful of getting parental consent, that was a sincere amendment to get important facts. And giving a child the opportunity to talk to godparents or aunts and uncles or cousins, clergy or grandparents was not sinister; it was simply to protect lives.

So I would hope that that would be where we would divide on our beliefs, our reasons for the legislation; not on how we talked about a bill. For there have been many legislative initiatives that have had vigorous talk, and Members have agreed and disagreed about the vigorous talk. But the only criteria for prevailing or not prevailing is that vote, not a characterization by someone else that you are the leader of exempting sexual predators. Saying it over and over again, of course, may cause some to cringe, and it is not my intent, Mr. Speaker, but I think clarification is very important.

And in the course of the battle of that particular legislation, you can be assured as it was being debated, if the glimpses of the words that were gotten were only that it was something to do with sexual predators, that just muddies the water of the good intentions that you might be having and the intent of what you wrote in that amendment.

It would almost be like those who are abhorring drug cartels and drug dealers, that if they were to have an amendment dealing with a GAO study, determining the extent of drug cartels’ influence in the United States or the growth of drug cartels between 1990 and 2005, and all of a sudden it was characterized as an amendment for the GAO to promote drug dealership and drug cartels, you would not want to hear that on the floor; but it certainly would be the complete opposite of your intent, and it would have mischaracterized the debate where you were standing and trying to determine whether some legislation promoted drug cartels more so than broke them up.

The Constitution allows us the opportunity for three branches of government, and I think that this country is unique because of it, very unique. In its uniqueness, we have checks and balances. The checks and balances do not purge into the inner workings of each body. So we are the holder of our own records. And it leaves little room sometimes in another body to go and complain about the workings of one specific body, particularly the words that are spoken.

□ 1815

And so there are no other grounds or no other opportunities to clear the air

other than to seek this personal privilege. Mr. Speaker, I hope that in the course of this discussion, it was not rendered in anger or anguish. It was simply rendered to say that what occurred deserved the greater attention of this body and that it was on the brink of abuse, and the sadness is that we had to rise to the floor more than once before it was ultimately corrected in the waning hours of last week's legislative session. Does that speak well of us? It does not. The Rules Committee is a place where we ferret out rules. Our respective committees is a place where we vigorously oversee legislation and provide our input and insight and our thought processes to do what is right. I would venture to say there has not been one committee hearing and markup where some Member promoted the criminal elements that would do harm to America. And if any thought came to the mind of a colleague that that was the intent of that Member, I would assure you that the best approach of that particular colleague would be to query that Member in that committee room. None of us were queried about the question of the intent of our amendments, whether or not they had to do with predators, child sexual predators, sexual predators. No one was queried. And therefore, the interpretation that was attributed to us was purposeful. And here on this floor, the same courtesy should be extended. And if you are misunderstood, if you misspeak, from the integrity again of this record that would be for all to see, someone should query you and give you the opportunity to correct your words, or in the alternative, when the height of the debate is so furious there is a challenge by someone at some point, that the words be called out.

There are a lot of papers here, Mr. Speaker, because I am looking at this debate that went on, and so I will not add to some of the accusations that were made in the debate going back and forth. I am simply going to conclude by asking, again, that it not ever be done again and asking that we respect the individual rights of Members to defend and represent their constituents and to offer vigorous debate, both consent and dissent, and as well the right to vigorously disagree on a legislative initiative. If we can hold to those tenets and the idea of the Constitution, which I hold very dear, which I will read briefly into the record, "the sacred rights of mankind", a statement by Alexander Hamilton, 1775, "are not to be rummaged for among old parchments or musty records. They are written as with a sunbeam on the whole volume of human nature by the hand of the divinity itself and can never be erased or obscured by mortal power."

Of course, this is high language to talk about the rights bestowed upon mankind, humankind, that they are not found in paper. And this quote is correct.

But one thing is right as well, Mr. Speaker, is that although all is not said and done on the written word, it certainly is a parallel to our rights, because we look to a written document for our rights. We look to the written word. We look to the Madison papers to determine our rights. And therefore, the written word is extremely important.

We have had our say on this, and I hope that it has been a deliberate statement. We will do work in the Judiciary Committee in the coming days and weeks and months. We will have many opportunities to vigorously disagree.

I might say, Mr. Speaker, we have had many opportunities to agree. And I expect that we will find common ground throughout the days and weeks and months, Democrats and Republicans, around issues of importance to the Nation. But when we use this document to exercise our job and to debate vigorously and disagree, we should not be cited for what we have said about a bill, or punished because we have said something about a bill that others would not agree with.

Our final act will hopefully be one that is respectful of this House and of this place. To the Judiciary Committee Members as we gather on a daily basis, weekly basis, I believe they will all agree that we have the right to disagree and to debate vigorously in the committee, in the Rules Committee and on this floor.

Again, Mr. Speaker, I close by saying I hope never again, never again.

Mr. Speaker, I rise to raise a point of personal privilege under rule IX, clause 1 of the House Rules. This point, as did the point raised by my colleague on the Judiciary Committee from New York, Mr. NADLER, relates to the malreporting by the Republican Leadership of the Committee on the Judiciary with respect to H.R. 748, the Child Interstate Abortion Notification Act of 2005.

While I appreciate the efforts of the Chairman of the Judiciary Committee for having filed a supplemental report (part 2 of House Report 109-51), I must raise this point of personal privilege nonetheless in order to emphasize the fact that the accuracy and the veracity of House committee reports carries tremendous weight and implications for the reputation, professional record, and personal life of Members of Congress.

Again, while the supplemental report to 109-51 makes some corrections to the mistakes made in Part 1, the report still contains an inaccurate representation of the amendments that I, Representative SHEILA JACKSON LEE, offered in committee on April 13, 2005 in room 2141 of Rayburn. I offered two amendments en bloc that read as such:

Amendment No. 1, designated as DL-005,
Page 3, after line 2, insert the following:
"(3) The prohibitions of this section do not apply with respect to conduct by clergy, godparents, aunts, uncles, or first cousins."

Amendment No. 2, designated as DL-006,
Add at the end the following:
SEC. 4. STUDY BY THE GENERAL ACCOUNTING OFFICE.

The General Accounting Office shall conduct a study detailing the impact of the

number of unsafe and illegal abortions performed on minors who would be affected by this law, and report to Congress the results of that study within 1 year of the enactment of this Act.

Again, while I offered these amendments en bloc, they were separate and distinct amendments. The Supplemental Report, page 2 states that:

Ms. JACKSON LEE offered an amendment that would have exempted from the Act any clergy, godparents, aunts, uncles, or first cousins, and would require a study by the Government Accounting Office (emphasis added). This combination of the two distinct amendments give an inaccurate representation of the amendments that I offered during Committee and therefore, muddled the import of the very substantive amendment on which I joined my colleagues during our debate of the bill on the Floor on April 27, 2005.

I would like to cite the insightful and sagacious words of my colleague, the distinguished ranking member of the Committee on Rules on April 27, 2005 on this matter:

There is no question that we can debate and disagree over the impact the bill can have. We can argue over the impact the bill can have. We can argue over how well it has been written or what language it should include to be more effective; but regardless of the way the debate turns out, the caption on the top of that bill or amendment serves to instruct the American people as to what the original intent of the legislation was.

It serves as an unbiased reading on what the amendment aims to accomplish. To falsify and rewrite that description as a political attack is not only unprecedented; it is fundamentally dishonest and an abuse of the power given to the majority by the American people and their votes.

As my colleague stated, the amendments "instruct the American people as to what the original intent . . . was." It took a resolution of privilege introduced by the Ranking Member JOHN CONYERS, a point of personal privilege, and a wealth of time and debate before the Committee on Rules to move the leadership of the Committee on Rules to even tender an action to redress the problem. The lack of accuracy in the supplemental report just underscores and reiterates the initial mal-intent to commit a malfeasance.

Under rule IX, paragraph (1) of the House Rules, Mr. NADLER justifiably asserted his point because not only his but my "rights and reputation" have been offended by the conduct of the Chairman in publishing House Report 109-51. To reiterate, the language used in pages 45-49 patently malreported and maligned the authors of amendments to H.R. 748, the Child Interstate Abortion Notification Act of 2005.

On May 3, 2005, the ranking member of the Committee on the Judiciary led debate on his resolution of privilege, H. Res. 253 that concerned the ways in which the act of the Chairman of the Judiciary Committee negatively affected the "rights of the House collectively, its safety, dignity, and the integrity of its proceedings."

So too, was this resolution properly and justifiably introduced because, in that case, the privileges of "dignity" and "the integrity of [the House's] proceedings" have been patently violated. To purposefully misreport the good-faith amendments that have been offered by Members of this venerable House debases the nature and trustworthiness of the House Report.

After this debacle, Members will still have to scan committee reports with a fine-toothed comb—not for substantive value, but for accuracy and veracity of their reporting value. This is the diminution of the dignity of the process. This is the diminution of the integrity of the House.

The American people must be made aware that we, the authors of the amendments on pages 45–49 of House Report 109–51 do not associate ourselves with the misreported portions thereof.

House Report 109–51 not only improperly made negative inferences as to the import and intent of my amendments, and the supplemental report still combines two distinct and separately-offered amendments into one.

In terms of the personal privileges violated by the report, the misreporting—and the malreporting of the amendments offered by my colleagues Mr. SCOTT, Mr. NADLER, and me affected our rights, reputation and conduct. As founder and chair of the Congressional Children's Caucus, a report that cites an amendment offered by me that would exempt sexual predators from liability is at the very least offensive.

My constituents and the constituents of my colleagues do read House Reports, and the nefarious language that the chairman avers as representative of his true intentions should be highlighted as contrary to the ideals on which this House, this Government, and this Nation were established.

[From the U.S. Fed News, Apr. 26, 2005]

HOUSE REPUBLICANS: ARROGANCE UNCHECKED

WASHINGTON, DC.—Rep. Louise M. Slaughter, D-NY (28th CD), issued the following statement:

Rep. Louise M. Slaughter (D-NY-28), Ranking Member of the House Committee on Rules, delivered the attached statement on the House Floor this morning regarding the gross abuse of power by Chairman James Sensenbrenner and the Majority on the Judiciary Committee this week.

Chairman Sensenbrenner and his staff rewrite the captions of five Democratic Amendments to distort their meaning and intent in the Judiciary Committee Report on H.R. 748. The goal of the distortion was to clearly suggest that the amendments were written to protect the rights of sexual predators, which is absolutely false.

Rep. Slaughter stated during her floor speech, “. . . to falsely rewrite the intent of an amendment submitted by another member, to intentionally distort its description as being designed to protect sexual predators, is no different than accusing a fellow member of Congress as being apologists for sexual predators themselves. That is in effect what the Chairman of the Judiciary Committee has done here . . .”

The “Sensenbrenner Standard” is a Clear Abuse of Power.

Chairman Sensenbrenner maintains that he was justified in changing the captions, because the language of the amendments did not expressly provide exceptions for grandmothers and grandfathers who also happen to be sexual predators. But the ridiculousness of this argument is easily apparent.

The amendments didn't have language that expressly included the possibility that the grandparents may be terrorists either, but that doesn't mean it is not still illegal to be a terrorist. In fact, there are an infinite number of possible exceptions that would have to be expressly addressed in every single amendment or bill offered if this new standard were properly utilized. This is called the “Sensenbrenner Standard.”

For example, the tax cuts which passed this last Congress do not include specific exceptions for sexual predators. If the “Sensenbrenner standard were properly applied, it should be renamed the “Sexual Predator Tax Relief Act”.

Likewise, the Small Business Bill of Rights, which the House is considering today, would be renamed the “Sexual Predator Bill of Rights,” as there are, no doubt, sexual predators who own small businesses in America which are not specifically excluded in this legislation.

“For Republicans to deem it their right to falsify and distort the work of other Members of Congress is the height of arrogance and another abuse of power,” states Congresswoman Slaughter. She added “The Sensenbrenner Standard is a dishonest and offensive Republican tactic that further damages the waning credibility of this government. Mr. Sensenbrenner and the Republican leadership of this body owe an apology to the Democratic Members of Congress whom they have maligned.”

The following amendments were offered and voted down by recorded votes in the Judiciary Committee markup of H.R. 748—The Child Interstate Abortion Notification Act (CIANA):

The following chart demonstrates how Judiciary Committee Republicans blatantly mischaracterized these amendments in their official committee report on the bill. This is in a public document containing the legislative history of this bill:

Description of Amendment: (1) A Nadler amendment allows an adult who could be prosecuted under the bill to go to a Federal district court and seek a waiver to the state's parental notice laws if this remedy is not available in the state court. (no 11–16)

Amendment description in House Report 109–51: Roll Call No. 1. Mr. Nadler offered an amendment that would have created an additional layer of Federal court review that could be used by sexual predators to escape conviction under the bill. By a roll call vote of 11 yeas to 16 nays, the amendment was defeated.

Description of amendment: (2) A Nadler amendment to exempt a grandparent or adult sibling from the criminal and civil provisions in the bill (no 12–19)

Amendment description in House Report 109–51: Roll Call No.2. Mr. Nadler offered an amendment that would have exempted sexual predators from prosecution under the bill if they were grandparents or adult siblings of a minor. By a roll call vote of 12 yeas to 19 nays, the amendment was defeated.

Description of amendment: (3) A Scott amendment to exempt cab drivers, bus drivers and others in the business transportation profession from the criminal provisions in the bill (no 13–17)

Amendment description in House Report 109–51: Roll Call No.3. Mr. Scott offered an amendment that would have exempted sexual predators from prosecution if they are taxicab drivers, bus drivers, or others in the business of professional transport. By a roll call vote of 13 yeas to 17 nays, the amendment was defeated.

Description of amendment: (4) A Scott amendment that would have limited criminal liability to the person committing the offense in the first degree (no 12–18)

Amendment description in House Report 109–51: Roll Call No.4. Mr. Scott offered an amendment that would have exempted from prosecution under the bill those who aid and abet criminals who could be prosecuted under the bill. By a roll call vote of 12 yeas to 18 nays, the amendment was defeated.

Description of amendment: (5) A Jackson-Lee amendment to exempt clergy, godparents, aunts, uncles or first cousins from the penalties in the bill (no 13–20)

Amendment description in House Report 109–51: Roll Call No. 5. Ms. Jackson-Lee offered an amendment that would have exempted sexual predators from prosecution under the bill if they were clergy, godparents, aunts, uncles, or first cousins of a minor, and would require a study by the Government Accounting Office. By a roll call vote of 13 yeas to 20 nays, the amendment was defeated.

Text of Rep. Slaughter's Floor Speech:

“. . . but I want to talk for a minute about another abuse which has occurred in this chamber, a personal affront to three of our colleagues I have never witnessed in my near twenty years serving in this House.

The Rules Committee discovered yesterday that the Judiciary Committee Report on this very bill, which was authored by the Majority Staff, contained amendment summaries which had been rewritten by committee staff for the sole purpose of distorting the original intent of the authors.

This Committee Report took liberty to mischaracterize and even falsify the intent of several amendments offered in Committee by Democratic Members of this body.

At least five amendments to this bill, which were designed to protect the rights of family members and innocent bystanders from prosecution under this bill, were rewritten as amendments designed to protect sexual predators from prosecution and were then included in the committee report as if that was the original intent of the authors.

The thing is, sexual predators were not mentioned anywhere in any of these amendments.

These amendments were no more about sexual predators than they were about terrorists or arsonists or any other criminal class in our society. These amendments were about the rights of grandmothers and siblings and clergy and innocent bystanders.

I asked the Chairman of the Judiciary Committee about this deception yesterday afternoon at the Rules Committee hearing.

And instead of decrying what I certainly expected would be revealed as a mistake by an overzealous staffer . . . The Chairman stood by those altered amendment descriptions. He made very clear to the Rules Committee that the alterations to these members' amendments were deliberate.

When pressed as to why his committee staff took such an unprecedented action, the Chairman immediately offered up his own anger over the manner in which Democrats had chosen to debate and oppose this unfortunate piece of legislation we have before us today.

In fact . . . He said, and I quote . . . “You don't like what we wrote about your amendments, and we don't like what you said about our bill.”

To falsely rewrite the intent of an amendment submitted by another member, to intentionally distort its description as being designed to protect sexual predators, is no different than accusing a fellow member of Congress as being an apologist for sexual predators themselves.

That is in effect what the Chairman of the Judiciary Committee has done here, with all deliberation.

And he has ensured that these amendment descriptions will be encapsulated in the record for all time by including those unfair and incorrect amendment summaries in the Committee report.

This is a new low for this chamber Mr. Speaker.

This is a clearly dishonest, unethical attack on the credibility and character of another member. And sadly, it is just the latest in a pattern of unethical and abusive tactics employed by this Majority.

How incredibly arrogant is this majority . . . that they believe they have

the right to tamper with official congressional documents for their own political purposes?

How unbelievably arrogant is the leadership of this Congress . . . that they would force their own politicized interpretation of another member's work upon this body and upon the American people, in an official committee report?

The Majority's actions are not only an affront to all members of this house, but they are also an affront to the American people.

There is no question that we can debate and disagree over the impact a bill will have.

We can argue over how well it has been written or what language it should include to be more effective. But regardless of how that debate turns out, the caption on the top of that bill or amendment serves to instruct the American people as to what original intent of that legislation was.

It serves as an unbiased reading on what that amendment aims to accomplish.

To falsify and rewrite that description as a political attack, is not only unprecedented, it is fundamentally dishonest and it is an abuse of the power given to the Majority by the American people.

And I have no doubts Mr. Speaker, no doubts, that unless the Congressional Record is amended to reflect the true captions of these amendments, then we will surely see these erroneous captions again in the form of campaign attack mail pieces.

In fact, when we pressed last night in the Rules Committee to have the record amended to reflect the honest and accurate captions that belong on those amendments, we were defeated on a party line vote.

So now, these honorable and hardworking Members of Congress will be forever branded in the official record as having offered amendments which were designed to protect

sexual predators, when nothing, nothing could be further from the truth.

Mr. Speaker, I have often heard the Chairman of the Rules Committee as well as other Republicans talk about the loss of civility in this chamber.

But perhaps they will be the last to realize, that in order to regain some of that lost civility, they need look no further than their own abusive, unethical and arrogant administration of this House of Representatives.'

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The Judiciary Committee Republicans blatantly mischaracterized these amendments in their official committee report on the bill. This is in a public document containing the legislative history of this bill.

Description of amendment	Amendment description in House Report 109-51
(1) a Nadler amendment allows an adult who could be prosecuted under the bill to go to a Federal district court and seek a waiver to the state's parental notice laws if this remedy is not available in the state court (no 11-16).	Rollcall No. 1. Mr. Nadler offered an amendment that would have created an additional layer of Federal court review that could be used by sexual predators to escape conviction under the bill. By a rollcall vote of 11 yeas to 16 nays, the amendment was defeated.
(2) a Nadler amendment to exempt a grandparent or adult sibling from the criminal and civil provisions in the bill (no 12-19).	Rollcall No. 2. Mr. Nadler offered an amendment that would have exempted sexual predators from prosecution under the bill if they were grandparents or adult siblings of a minor. By a rollcall vote of 12 yeas to 19 nays, the amendment was defeated.
(3) a Scott amendment to exempt cab drivers, bus drivers and others in the business transportation profession from the criminal provisions in the bill (no 13-17).	Rollcall No. 3. Mr. Scott offered an amendment that would have exempted sexual predators from prosecution if they are taxicab drivers, bus drivers, or others in the business of professional transport. By a rollcall vote of 13 yeas to 17 nays, the amendment was defeated.
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(5) a Jackson-Lee amendment to exempt clergy, godparents, aunts, uncles or first cousins from the penalties in the bill (no 13-20).	Rollcall No. 5. Ms. Jackson-Lee offered an amendment that would have exempted sexual predators from prosecution under the bill if they were clergy, godparents, aunts, uncles, or first cousins of a minor, and would require a study by the Government Accountability Office. By a rollcall vote of 13 yeas to 20 nays, the amendment was defeated.

Ms. PELOSI. Mr. Speaker, I thank the gentlewoman from Texas, Ms. JACKSON-LEE, for her courage in bringing this personal privilege before the House.

The very fact that this Member has been mistreated should cause all of us deep concern. It is wrong and unacceptable.

The fact that a report is being supplemented by the Chairman with significant and startling changes attests to the fact that the Majority knew that the original report was wrongly and inappropriately filed. But that does not resolve the matter—an apology is owed to Ms. JACKSON-LEE by the Chairman of the Judiciary Committee.

I know that the distinguished Chairman, for whom I have great respect, would like to call it a drafting dispute or return to a discussion on the merits of the bill.

In fact, I would think that the Chairman of the Judiciary would be sensitive to the treatment of committee reports and would share my view that committee reports should not be misused to hurt a Member, given that the distinguished Chairman was the cosponsor of a resolution in 1983 regarding the alteration of committee reports, a matter of seriousness that was ultimately investigated by the Ethics Committee.

This issue is about fundamental respect for our democracy, for the dignity of the House, and for the integrity of the proceedings of this body. It is about how we treat each other, and it is about trust and the betrayal of that trust.

The bounds of trust that we need to function in this Body are weakened even further by this sorry and disgusting chapter. What the leadership of the Committee on the Judiciary did is just another extension of the abuse of power of the Republican majority in both Chambers of the Congress of the United States.

What they are doing with the filibuster in the other body is to try to silence the Minority and

break the rules. They are using any means to justify their partisan agenda to the far right, even if it violates the rules, the Constitution, and fundamental decency and trust.

Here in the House, there is an attempt to disregard the rules that protect us all, corrupt the integrity of our proceedings, and demean not only the dignity of this House, but going so far as to demean individual Members.

There is an attempt to limit the voice of the Minority, reducing the opportunity for Members to speak on the floor, and offer substitutes and amendments.

Comity and trust between the Majority and the Minority are essential and must be encouraged. That is why the Republican Leadership has an obligation to come here right now on the floor and disavow this disgraceful behavior.

There is no need for this kind of misbehavior and abuse by the Majority. We should follow the rules of this House and treat each other with the proper respect.

To preserve the trust that the American people place in us, the Republican leadership in this House must pledge that this travesty will never happen again.

GENERAL LEAVE

Ms. JACKSON-LEE of Texas. 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 the subject of my question of personal privilege today.

The SPEAKER pro tempore (Mr. BOOZMAN). Is there objection to the request of the gentlewoman from Texas?

There was no objection.

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore. Pursuant to clause 8 of rule XX, proceedings will resume on motions to suspend the rules previously postponed.

Votes will be taken in the following order:

- H. Res. 193, by the yeas and nays;
- H. Res. 142, by the yeas and nays.

EXPRESSING SUPPORT OF THE HISTORIC MEETING OF THE ASSEMBLY TO PROMOTE THE CIVIL SOCIETY IN CUBA

The SPEAKER pro tempore. The pending business is the question of suspending the rules and agreeing to the resolution, H. Res. 193.

The Clerk read the title of the resolution.

The SPEAKER pro tempore. The question is on the motion offered by the gentlewoman from Florida (Ms. ROS-LEHTINEN) that the House suspend the rules and agree to the resolution, H. Res. 193, on which the yeas and nays are ordered.

The vote was taken by electronic device, and there were—yeas 392, nays 22, answered "present" 1, not voting 18, as follows:

[Roll No. 162]
YEAS—392

Abercrombie	Bachus	Bass
Ackerman	Baird	Bean
Aderholt	Baker	Beauprez
Akin	Baldwin	Becerra
Alexander	Barrett (SC)	Berman
Allen	Barrow	Berry
Andrews	Bartlett (MD)	Biggert
Baca	Barton (TX)	Blirakis