Knollenberg
Kucinich
LaFalce
LaHood
Largent
Latham
LaTourette
Lazio
Leach
Lewis (CA)
Lewis (KY)
Linder
Lipinski
Livingston
LoBiondo
Lucas
Manton
Manzullo
Mascara
McCarthy (NY)
McCollum
McCrery
McHugh
McInnis
McIntosh
McIntyre
McKeon
Metcalf
Mica
Miller (FL)
Mollohan
Moran (KS)
Murtha
Myrick
Nethercutt
Neumann
Ney
Northup
Norwood
Nussle
Oberstar
Ortiz
Oxley
Packard
Pappas
Parker
Pascrell
Paul
Paxon
Pease
Peterson (MN)
Peterson (PA)
Petri
Pickering
Pitts
Pombo
Portman
Poshard
Pryce (OH)
Quinn
Radanovich
Rahall
Ramstad
Redmond
Regula
Riggs
Riley
Roemer
Rogers
Rohrabacher
Ros-Lehtinen
Roukema
Royce
Ryun
Salmon
Sandlin
Sanford
Saxton
Scarborough
Schaefer, Dan
Schaffer, Bob
Sensenbrenner
Sessions
Shadegg
Shaw
Shimkus
Shuster
Skeen
Skelton
Smith (MI)
Smith (NJ)
Smith (OR)
Smith (TX)
Smith, Linda
Snowbarger
Snyder
Solomon
Souder
Spence
Stearns
Stump
Stupak
Sununu
Talent
Tauzin
Taylor (MS)
Taylor (NC)
Thomas
Thornberry
Thune
Tiahrt
Traficant
Turner
Walsh
Wamp
Watkins
Watts (OK)
Weldon (FL)
Weldon (PA)
Weller
White
Whitfield
Wicker
Wilson
Wolf
Young (AK)
Young (FL)

NOES—173

Abercrombie
Ackerman
Allen
Andrews
Baesler
Baldacci
Barrett (WI)
Bass
Becerra
Bentsen
Berman
Bishop
Blagojevich
Blumenauer
Boehlert
Bonior
Borski
Boswell
Boucher
Boyd
Brady (PA)
Brown (CA)
Brown (FL)
Brown (OH)
Cardin
Carson
Castle
Clay
Clayton
Clement
Condit
Conyers
Coyne
Cramer
Cummings
Davis (FL)
Davis (IL)
DeFazio
DeGette
Delahunt
DeLauro
Deutsch
Dicks
Dixon
Doggett
Dooley
Edwards
Engel
Eshoo
Etheridge
Evans
Farr
Fattah
Fazio
Filner
Ford
Frank (MA)
Frost
Furse
Gejdenson
Gephardt
Gilman
Gordon
Green
Greenwood
Gutierrez
Harman
Hastings (FL)
Hilliard
Hinchey
Hinojosa
Hooley
Horn
Houghton
Hoyer
Jackson (IL)
Jackson-Lee (TX)
Jefferson
Johnson (CT)
Johnson, E.B.
Kaptur
Kelly
Kennedy (MA)
Kennedy (RI)
Kennelly
Kilpatrick
Kind (WI)
Kolbe
Lampson
Lantos
Lee
Levin
Lewis (GA)
Lofgren
Lowey
Luther
Maloney (CT)
Maloney (NY)
Markey
Martinez
Matsui
McCarthy (MO)
McDermott
McGovern
McHale
McKinney
Meehan
Meeks (NY)
Menendez
Millender-McDonald
Miller (CA)
Minge
Mink
Moran (VA)
Morella
Nadler
Neal
Obey
Olver
Owens
Pallone
Pastor
Pelosi
Pickett
Pomeroy
Porter
Price (NC)
Rangel
Reyes
Rivers
Rodriguez
Rothman
Roybal-Allard
Rush
Sabo
Sanchez
Sanders
Sawyer
Schumer
Scott
Serrano
Shays
Sherman
Sisisky
Skaggs
Slaughter
Smith, Adam
Spratt
Stabenow
Stark
Stenholm
Stokes
Strickland
Tanner
Tauscher
Thompson
Thurman
Tierney
Torres
Towns
Upton
Velazquez
Vento
Visclosky
Waters
Watt (NC)
Waxman
Wexler
Weygand
Wise
Woolsey
Wynn
Yates

NOT VOTING—14

Aderholt
Capps
Clyburn
Dickey
Dingell
Gonzalez
Goode
Hefner
McDade
McNulty
Meek (FL)
Moakley
Payne
Rogan

□ 1339

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

So the resolution was agreed to.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

PERSONAL EXPLANATION

Mrs. CAPPS. Mr. Speaker, during rollcall vote No. 278 on H. Res. 499, I was unavoidably detained. Had I been present, I would have voted ''no.''

PERSONAL EXPLANATION

Mr. ROGAN. Mr. Speaker, on rollcall No. 278, I was inadvertently detained. Had I been present, I would have voted ''yes.''

Mr. CANADY of Florida. Mr. Speaker, pursuant to House Resolution 499, I call up the bill (H.R. 3682) to amend title 18, United States Code, to prohibit taking minors across State lines to avoid laws requiring the involvement of parents in abortion decisions.

The Clerk read the title of the bill.

The SPEAKER pro tempore. The bill is considered as having been read for amendment.

The text of H.R. 3682 is as follows:

H.R. 3682

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 Custody Protection Act''.

SEC. 2. TRANSPORTATION OF MINORS TO AVOID CERTAIN LAWS RELATING TO ABORTION.

(a) IN GENERAL.—Title 18, United States Code, is amended by inserting after chapter 117 the following:

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

''Sec.
''2401. Transportation of minors to avoid certain laws relating to abortion.

''§ 2401. Transportation of minors to avoid certain laws relating to abortion

''(a) OFFENSE.—Except as provided in subsection (b), whoever knowingly transports an individual who has not attained the age of 18 years across a State line, with the intent such individual obtain an abortion, if in fact the requirements of a law, requiring parental involvement in a minor's abortion decision, in the State where the individual resides, are not met before the individual obtains the abortion, shall be fined under this title or imprisoned not more than one year, or both.

''(b) EXCEPTION.—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.

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

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

''(1) a law requiring parental involvement in a minor's abortion decision is a law—

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

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

''(2) 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; and

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

(b) CLERICAL AMENDMENT.—The table of chapters for part I of title 18, United States Code, is amended by inserting after the item relating to chapter 117 the following new item:

''117A. Transportation of minors to avoid certain laws relating to abortion ..... 2401.''.

The SPEAKER pro tempore. Pursuant to House Resolution 499, the amendment printed in the bill is adopted.

The text of H.R. 3682, as amended, is as follows:

H.R. 3682

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 Custody Protection Act''.

SEC. 2. TRANSPORTATION OF MINORS TO AVOID CERTAIN LAWS RELATING TO ABORTION.

(a) IN GENERAL.—Title 18, United States Code, is amended by inserting after chapter 117 the following:

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

''Sec.
''2401. Transportation of minors to avoid certain laws relating to abortion.

''§ 2401. Transportation of minors to avoid certain laws relating to abortion

''(a) OFFENSE.—

''(1) GENERALLY.—Except as provided in subsection (b), whoever knowingly transports an individual who has not attained the age of 18 years across a State line, with the intent that such individual 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, of the State where the individual 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 on the individual, in a State other than the State where the individual 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 individual 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) An individual transported in violation of this section, and any parent of that individual, 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 reasonably believed, based on information the defendant obtained directly from a parent of the individual or other compelling facts, that before the individual obtained the abortion, the parental consent or notification, or judicial authorization 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 individual resides.

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

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

''(1) a law requiring parental involvement in a minor's abortion decision is 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;

''(2) 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;

''(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; and

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

(b) CLERICAL AMENDMENT.—The table of chapters for part I of title 18, United States Code, is amended by inserting after the item relating to chapter 117 the following new item:

''117A. Transportation of minors to avoid certain laws relating to abortion ..... 2401.''.

The SPEAKER pro tempore. The gentleman from Florida (Mr. CANADY) and the gentleman from Michigan (Mr. CONYERS) will each control 1 hour.

The Chair recognizes the gentleman from Florida (Mr. CANADY).

GENERAL LEAVE

Mr. CANADY of Florida. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to revise and extend their remarks on the legislation under consideration.

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

There was no objection.

Mr. CANADY of Florida. Mr. Speaker, I yield 5 minutes to my good friend, the gentlewoman from Florida (Ms. ROS-LEHTINEN), the sponsor of the bill.

Ms. ROS-LEHTINEN. Mr. Speaker, I thank the gentleman from Florida (Mr. CANADY) for his help throughout this process in passing the Child Custody Protection Act.

As a writer stated, of all the rights of women, the greatest is to be a mother. I and every mother will assure the Members that an immediate bond exists as our newborn child is placed in our hands, a bond that is sacred, a bond that lasts forever, a bond that is innate, a bond between parent and child.

This legislation is about one thing and one thing only, Mr. Speaker, protecting the rights of parents from being stripped by strangers who dare to play and pretend to be mothers and fathers with our children.

□ 1345

This bill will make it a Federal misdemeanor for an adult to transport a minor across State lines in order to evade parental consent or notification laws on abortion. Already 16 States have parental consent laws, and 10 more have parental notification laws on abortion.

Unfortunately, these laws are being evaded by those who unscrupulously take our minor daughters to obtain an abortion without our consent or notification. This law-breaking activity is encouraged by the abortion mills in States with consent or notification laws. They advertise in publications in States which do have those laws. They entice law-breaking without consideration of the physical and mental ramifications that this life-threatening medical procedure can have on a minor. Indeed, even the United States Supreme Court noted that the procedure leaves lasting medical, emotional and psychological consequences and, it said, particularly so when the patient is immature.

Parents are required in schools across our Nation to provide consent for our daughters for field trips or even to take an aspirin while in school custody. However, when it comes to our daughters being subjected to a possible life-threatening medical procedure, a stranger can take our daughters with no repercussions whatsoever.

This is simply not acceptable. This bill, Mr. Speaker, does not implement a Federal notification or consent law. It merely helps States to enforce their laws to ensure that parents are able to comfort and advise their minor daughters during this crisis pregnancy. Congress should send a clear message across America that we stand for parental rights, that we will not allow strangers to take advantage and exploit our young daughters.

Today I spoke with Joyce Farley, a mother from Pennsylvania whose inherent right to comfort her daughter during this difficult time was stripped away by a complete stranger. Joyce's daughter became gravely ill after being subjected to a botched abortion where she was taken by the stepmother of the man who raped her. And it was only after Joyce Farley noticed that her daughter was ill that she learned that the abortion had been committed on her daughter.

For mothers like Joyce Farley and her daughter, this legislation is about women's rights, the right of every mother in our Nation to protect her child from the unknown hand of a stranger, the right of every mother to protect her relationship with her daughter. This issue goes above and beyond the abortion issue. It is about your rights, my rights and every single parent's right to protect our children.

The Child Custody Protection Act will provide peace of mind to countless mothers and fathers across this great land. I urge our colleagues to protect our daughters and, of course, to protect the sacred bond that exists between parents and children.

I thank the gentleman from Florida (Mr. CANADY) for yielding me the time.

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

Mr. Speaker, I rise in strong opposition to the bill, H.R. 3682. The bill purports to protect children by making it a crime to accompany them as they travel across State lines to get an abortion if they are not in compliance with their home State's parental consent or notification laws. This bill will endanger children more than it will protect them. It will have the cruel practical effect of requiring young girls to risk their lives by traveling across State lines to obtain a safe and legal procedure, despite the fact that it is in their best medical interest to have someone accompany them.

Make no mistake about it, under this bill it is not a crime, not a crime for the minor to go across State lines without having complied with the parental consent laws. It is a crime to have someone accompany them across State lines. It is not strangers. It is brothers and sisters, grandmothers and grandfathers who would be made criminals. Unfortunately, again we are paying politics with the lives and well-being of women by attempting to pass laws that will have the effect of making it more dangerous to obtain a legal abortion.

The overwhelming majority of minors seeking abortions consult their parents before they undergo the procedure. Even in States that have no mandatory parental consent or notification, more than 57 percent of minors under the age of 16 involve one or more of their parents. No big government mandate can make minors talk to their parents more than they already do.

More than half of all minors not involving their parents in an abortion decision do involve an adult, including many who involve a stepparent or adult relative. These are the very same people that we will make criminals if this law is enacted and the same minors that will be isolated because of this bill.

The compassionate older sibling or grandparent who insists on accompanying a minor in order to ensure their safety will be sent to jail if this bill becomes law. Even those ministers, relatives or family friends who oppose abortion but wish to ensure that the minor undergoes a safe procedure and comes home unharmed will be considered criminals based on the scheme proposed in this bill.

Again, it is not a crime for the minor to go across State lines without complying with parental consent laws if they go alone. It is only a crime if they are accompanied.

For the subcommittee hearing, Mr. Speaker, I had moving testimony from Bill and Mary Bell submitted for the record. The Bells are parents of a daughter who died receiving an illegal abortion because she did not want her parents to know about her pregnancy, but Indiana law required parental notice before she could have a legal abortion. A Planned Parenthood counselor in Indiana informed Becky that she would either have to notify her parents or petition a judge in order to get the abortion, and she responded that she did not want to tell her parents because she did not want to hurt them. And she also replied that if she could not tell her parents, she certainly could not tell a judge who she did not even know. The counselor suggested that Becky travel 110 miles away to Kentucky where she would not need to notify her parents, but instead she underwent a botched illegal procedure closer to home and died as a result.

Although this bill would not have hurt Becky Bell, it will hurt young women in similar situations who are unable to cross State lines with someone else to obtain a safe and legal abortion.

In addition, Mr. Speaker, we heard testimony at the hearing that this bill could make doctors and nurses criminals for the simple task of providing a safe and legal abortion to a woman who happened to live in another State. We should resist at all cost this vile attempt to scare and intimidate doctors and nurses by creating a criminal scheme that could have them thrown in jail even when they are not aware that a minor intends to evade a State's consent laws. By taking down a name and address and setting up an appointment, clinic nurses could be accessories to the crime. Even assisting in having a cab drive a woman home, someone could be found criminally responsible as an accessory after the fact and, therefore, also subject to civil liability.

The civil liability provisions of the bill create a blanket Federal cause of action for a parent who suffers ''legal harm.'' Based on agency principles, the doctor, the nurse, a cab driver, a bus driver could be held civilly liable for providing safe and legal assistance to a minor. This federalization of tort law is unprecedented and counterproductive to what should be the compelling interest of ensuring doctors and other health professionals the freedom and comfort to provide the best medical care available.

How will insurance companies respond to this new Federal tort? Will they force doctors to interrogate any woman looking under the age of 25? Will they require birth certificates and residence cards to prove their residence before they are able to get the medical care they are seeking? The civil liability provision should be eliminated.

For these and many other reasons, Mr. Speaker, I urge my colleagues to pause and take a long, hard look at the consequences that will result from this bill which will be encouraging the isolation and endangerment of the young Becky Bells of the world.

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

Mr. CANADY of Florida. Mr. Speaker, I yield such time as he may consume to the gentleman from Illinois (Mr. HYDE) the chairman of the Committee on the Judiciary.

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

Mr. HYDE. Mr. Speaker, I think the greatest threat to society today is the assault on the family. No matter what direction we look in, the authority of the parents is being eroded. It is particularly true in entertainment. I have yet to see a movie where the parents are smart or know as much as the children do. But the fact is, parental authority is certainly a far cry from what it once was.

Now, this bill seeks to reinforce the primacy of the parent. Parents are most suitable, when it comes to caring for, nurturing care for their young daughter. We pass laws for the normal situation, not the abnormal. We deal with the abnormal situation in the judicial bypass. But the fact is, the overwhelming majority of parents love their daughters, care for their daughters, are concerned for their daughter's welfare, health, safety more than anybody else is, more than a social worker, more than a relative no matter how close. There is something about parental love that is unique.

Now, what about the parents that are not there? What about the abusive parents? What about the child that is terrified that telling a parent would result in some bodily harm or some irrevocable estrangement? That is why we have a judicial bypass. Twenty-two States have these laws requiring parental notification, but every law requires the placement of a judicial bypass for those circumstances where it is inappropriate for whatever reason to try to notify the parents.

How do you get to the judge if you are a young girl and you have this problem pregnancy? Well, the abortion clinic, euphemistically so-called, should require the parents be notified if that is the law of the State. And if the parents are not notified, they can direct the young lady to a social worker who will take care of the judicial bypass. So the mechanics are there. The process is there. But what you have to have is an adult, preferably the parent, the loving, caring, nurturing, uniquely caring parent making a decision, providing advice, supporting, helping the child in this very important operation.

Now, to me it is grotesque that in a school you cannot take a Tylenol, you cannot have your ears pierced without parental consent. But abortion, which is an irrevocable act that has consequences perhaps permanent, if it is not done just properly, if the uterus is damaged or perforated; and that reminds me of another thing, do not forget, follow-up care following an abortion. What if the young lady goes across the State with whomsoever, has the abortion and then comes back and has adverse consequences, starts hemorrhaging?

Well, the clinic that performed the abortion on her is nowhere to be found. That is when you need your parents. That is when you need somebody to care about whether you live or die and that you get the medical care you need.

So it is a terrible mistake to avoid parental authority, parental responsibility, to camouflage that and to go to another State to avoid the laws of the State of residence of the young lady for the purposes of an abortion.

Now, lastly, as a grandparent, I would be very concerned if my daughter were to be young and have an abortion and I not know about it, because I have an interest as a parent, too, in the children of my children. But this protects the child. This provides the follow-up care that may be necessary, if you obey the law.

Let us reinforce the family. Let us not tear it down. I hope Members will support this well thought out, necessary bill.

Mr. SCOTT. Mr. Speaker, I yield 5 minutes to the gentlewoman from New York (Mrs. LOWEY).

(Mrs. LOWEY asked and was given permission to revise and extend her remarks.)

□ 1400

Mrs. LOWEY. Mr. Speaker, I thank the gentlewoman for yielding me this time, and I rise in opposition to this bill. This is a dangerous misguided bill that isolates our daughters and puts them at grave risk. That is why the President has threatened to veto it.

Under this legislation, young women who cannot turn to their parents when facing an unintended pregnancy will be forced to fend for themselves without any help from any responsible adult. Thankfully, most young women, more than 75 percent of minors under age 16, already involve their parents in the decision to seek an abortion, and that is the good news. But not every child is so lucky. Not every child has loving parents.

Now, I believe that those young women who cannot go to their parents

should be encouraged to involve another responsible adult, a grandmother or an aunt, in this difficult decision. Already more than half of all young women who do not involve a parent in the decision to terminate a pregnancy choose to involve another adult, including 15 percent who involve another adult relative, and that is a good thing. Unfortunately, this bill will impose criminal penalties on adults like grandmothers who come to the aid of their granddaughters.

We have tried to address this problem at the Committee on Rules by exempting close family relatives from criminal liability under the bill, but that amendment was denied. As a result, this bill will throw grandmothers in jail for assisting their granddaughters. Mr. Speaker, I am a grandmother of two, and I believe grandparents should be able to help their grandchildren without the risk of being thrown in jail. Unfortunately, this legislation would criminalize that involvement.

And so this bill tells young women who cannot tell their parents, ''Don't tell anyone else. Don't tell your grandmother. Don't tell an aunt. No one can help you. You are on your own.''

Let me give you one tragic example. Ten years ago Becky Bell was 17. Unfortunately, she became pregnant. Hoping to keep the pregnancy from her parents, she went to a local Planned Parenthood clinic. They told her that under Indiana law, if she wanted an abortion, she would have to obtain her parents' permission or ask a judge for a waiver. Well, Becky was ashamed to tell her parents and said, ''If I can't tell my mom and dad, how can I tell a judge, who doesn't even know me?'' So Becky obtained an illegal back-alley abortion, an illegal, unsafe abortion that killed her.

Parental consent laws did not force Becky to involve her parents in her hour of need. Just the opposite. At her most desperate hour, Indiana's parental consent law drove Becky away from the arms of her parents and straight into the back alley.

Mr. Speaker, parental consent laws do not protect our daughters, they kill them. They do not bring families together, they tear them apart. And so I ask the gentleman from Florida (Mr. CANADY), how many young women like Becky Bell will lose their lives because of this legislation? How many more of our daughters will be killed by these misguided laws?

Mr. Speaker, I firmly believe that we should make abortion less necessary for teenagers, not more dangerous and difficult. We need to encourage teenagers to be abstinent and responsible. We need a comprehensive approach to keeping teenagers safe and healthy. We do not need a bill that isolates teenagers and puts them at risk.

I urge my colleagues to vote ''no'' on this legislation.

Mr. CANADY of Florida. Mr. Speaker, I yield 2 minutes to the gentlewoman from Florida (Ms. ROS-LEHTINEN).

Ms. ROS-LEHTINEN. Mr. Speaker, I thank the gentleman from Florida (Mr. CANADY) for yielding me this time because I want to refute what the gentlewoman from New York (Mrs. LOWEY) said, and the other speakers, about this Becky Bell case. It reminds me of what Benjamin Franklin said about the death of a beautiful theory by a gang of brutal facts.

Let me give my colleagues the brutal facts about this Becky Bell case. Abortion advocates claim that this case came from an illegal or self-induced abortion; that this young lady sought this illegal abortion because she was afraid to tell her parents about the pregnancy as required by Indiana law. And certainly that Becky died is a tragedy. However, there is no solid evidence whatsoever to support the claim that she died of an illegal or self-induced abortion.

In fact, several abortion advocates have expressed concerns about using this case as an example of an illegal abortion death. And let me give my colleagues some of the most recent opinions and statements and evidence to date.

The head of forensic pathology at Indiana University said, ''I cannot prove she had an illegal abortion. I cannot prove she had anything but a spontaneous abortion.'' The pathologist on the case found no evidence of internal injury, which he felt ruled out a self-induced abortion. And even the Executive Director of Planned Parenthood said, and I quote, ''I have some reservations about hyping this whole thing when it is so mixed about what actually went on.''

A well-known doctor, very well known on the abortion issue says, and I quote, ''The most reasonable probability is that Rebecca Bell died of an overwhelming pneumonia death, the same condition that puppeteer Jim Henson died of. Ms. Bell probably had an incomplete spontaneous abortion, which is a miscarriage, with tissue still remaining in the uterus, which is typical of a spontaneous miscarriage.''

The facts clearly point to the fact that although it seems like a good example to use, Becky Bell did die, there is no doubt about that, but she did not die from an abortion as a result of not wanting to go to her parents with the news of her pregnancy. Those are the facts.

Mr. Speaker, I submit for the RECORD further documentation relating to the case of Becky Bell.

NEW YORK, NY,
September 4, 1990.

Re Rebecca Suzanne Bell.

BECKY MOORE,
United Families,
Eugene, OR.

DEAR MS. MOORE: There is no evidence of any septic abortion contained in the coroner's report; there is no infection in or around the uterus, no pus, no odor to the uterus and no peritonitis. The serosa of the uterus is described as ''smooth and glistening.'' In the case of a septic abortion this tissue would be shaggy and discolored. Further, all blood cultures were consistently negative. Indeed, there is no evidence for an induced abortion at all: no marks or stigmata of instrumentation (dilation of the cervix by instruments, marks on the cervix, etc.) in the genital tract.

The most reasonable probability is that Rebecca Bell died of an overwhelming streptococcus pneumonia (the same condition that puppeteer Jim Henson died of). Ms. Bell probably had had an incomplete spontaneous abortion (miscarriage) with tissue still remaining in the uterus (typical of a spontaneous miscarriage). The tissue which remained showed absolutely no evidence of infection or inflammation. If the coroner had been convinced of a ''septic abortion'' he should have made cultures of that tissue: if this had truly been a death from septic abortion the cultures of the tissue would have yielded streptococcus pneumoniae. Finally, in the case of a septic abortion the lungs would have shown septic pulmonary emboli, not generalized pneumonia.

In short, the cause of death here was probably overwhelming pneumonia unrelated to the abortion/miscarriage. This was about as superficial and careless (not to say ''negligent'') an autopsy as I have seen in my considerable experience evaluating medico-legal files over the past twenty years.

I would strongly suggest that all slides of tissues examined at autopsy be reviewed by a competent impartial pathologist. I am confident that my opinion will be supported.

Sincerely,

BERNARD N. NATHANSON, M.D.

NATIONAL RIGHT TO LIFE
COMMITTEE, INC.
Washington, DC.

KNOWN FACTS OF THE BECKY BELL CASE

Abortion advocates, including Becky Bell's parents, claim that Becky Bell died in 1988 from an illegal or self-induced abortion. She allegedly sought the illegal abortion because she was afraid to tell her parents as required by Indiana law.

Certainly, that Becky Bell died is a tragedy. However, there is no solid evidence to support the claim that she died of an illegal or self-induced abortion. In fact, several abortion advocates have expressed concerns about touting the Becky Bell death as an illegal abortion death.

Among the most recent evidence and opinions to date:

''I cannot prove she had an illegal abortion. I cannot prove she had anything but a spontaneous abortion,'' said [Dr. John] Pless [head of forensic pathology at Indiana University Medical Center, who performed the autopsy on Becky Bell].—''Abortion debate shifting,'' by Joe Frolik, Cleveland Plain Dealer, page 1, Sept. 9, 1990.

Pathologist She . . . found no evidence of internal injury, which he felt ruled out a self-induced abortion. Nor were there any marks on Becky's cervix that would be left by the instruments commonly used for clinic abortions.—same article.

''I heard about Becky's death right away, but I heard conflicting opinions right away, too,'' said Delbert Culp, executive director of Planned Parenthood of Central Indiana. ''I have some reservations about hyping this whole thing when it's so mixed about what actually went on.''—same article.

''In this case, the pathology report is notable in that while there is evidence of massive infection in the lungs and elsewhere in the body, there is no evidence of infection on the outside or within the uterus . . . [the germ that killed Becky] is a common pneumonia germ . . . which is unlikely to originate from a contaminated abortion procedure.''—Dr. John Curry, former head of the Tissue Bank

at Bethesda Naval Hospital, as quoted in ''A rush to blame in Becky Bell's death,'' by Cal Thomas, Washington Times, Aug. 9, 1990.

Karen Bell [Becky's mother] believes her daughter had someone try to induce an illegal abortion . . . [Heather] Clark [Becky's best friend] insists her friend did nothing of the sort, saying Rebecca talked about getting a legal abortion in Kentucky until she died. She thinks Rebecca had a spontaneous abortion.—''Abortion Law: Fatal Effect?'' by Rochelle Sharpe, Gannatt News Service, Washington, D.C., Nov. 24, 1989.

Note: For more information about the Becky Bell case, including the coroner's report, autopsy report and other news stories, please contact the NRLC State Legislative Department at (202) 626–8819.

NATIONAL RIGHT TO LIFE COMMITTEE, INC.,
Washington, DC.

THE BECKY BELL CASE: NOT AN ILLEGAL ABORTION DEATH

Abortion advocates, including Becky Bell's parents, claim that Becky Bell died in 1988 from complications of an illegal abortion she allegedly sought because she was afraid to tell her parents as required by the Indiana law.

However, the facts of the case do not support the abortion advocates' claims.

Fact 1. Becky, suspecting she was pregnant, went to Planned Parenthood in Indianapolis for advice.

Fact 2. After Becky left Planned Parenthood, she talked about going to Kentucky for an abortion.

Fact 3. Becky was scared and confused.

Fact 4. She considered both adoption and abortion.

Fact 5. Her best friend, Heather Clark, believes Becky miscarried, and did not have an abortion.

Fact 7. On the day before her death, Becky asked Heather Clark to make a Saturday appointment at a Kentucky abortion clinic.

Fact 8. Becky's baby was still alive immediately before she died.

Fact 9. Becky Bell did not die from an illegal abortion.

Heather Clark, Becky's best friend, was, unlikely Becky's parents, in her confidence during the last week of her life. As reported by Rochelle Sharpe of Gannett News Service in Abortion Law: Fatal Effect? (11/24/89), the two girls together: went to Planned Parenthood, where a counselor . . . told them about the Indiana parental-consent law. During the four months of her pregnancy, though, Rebecca wavered . . ., Clark said. She contemplated a trip to Kentucky abortion clinic or running away to California, where she planned to have the baby and put it up for adoption. Most of the time, she said, Rebecca favored the abortion, but she kept postponing her trip out of state.

Karen Bell [Becky's mother] believes her daughter had someone try to induce an illegal abortion . . . Clark insists her friend did nothing of the sort, saying Rebecca talked about getting a legal abortion in Kentucky until she died. She thinks Rebecca had a spontaneous abortion. . . .

Whatever happened, Rebecca got sicker by the day. She was so sick at school on Tuesday, she was crying when she saw her friend Clark. . . .

By Thursday, ''She was so sick, she could not breath,'' Clark said. ''She couldn't lay down all the way.''

Still, Rebecca asked Clark to make a Saturday appointment at the Kentucky abortion clinic. As she lay dying, Clark said Rebecca requested she call one of her friends, who'd gone to the Kentucky clinic. That girl described the procedures to Rebecca.

Mr. SCOTT. Mr. Speaker, I yield 2 minutes to the gentlewoman from Colorado (Ms. DEGETTE).

Ms. DEGETTE. Mr. Speaker, I rise in strong opposition to the deceptively titled Child Custody Protection Act. I am a mother, too. I have two young daughters. And I would hope and pray that my two young daughters would come to me if they got into the tragic situation of an inadvertent pregnancy. But if they could not come to me, I certainly do not want them in a back alley having an unsafe abortion.

Do we want to create a society where young women who face an unintended pregnancy cannot turn to a relative or a close friend for help? Do we want to increase the number of illegal and often lethal back-alley abortions? Do we want to criminalize grandparents for taking their grandchildren to another State for an abortion? Do we want to criminalize a bus driver who transports a minor across State lines for an abortion? Do we want to force the few young women who cannot involve their parents in these decisions into potentially violent and abusive situations by forcing them to get the consent of their dysfunctional parents? I think not. And I think we should vote against the bill for this reason.

Columnist Ellen Goodman said last week, ''You can't write a law forcing parent-child communication.'' But if we try, we are going to see tragedies across this country.

If my colleagues do not like the Becky Bell example, let us talk about Spring Adams, a 13-year-old girl from Idaho who was shot to death by her parent after he learned she intended to have an abortion for a pregnancy that he himself caused.

The proponents of this bill claim it to be constitutional. But it would be the first Federal legislation which would restrict the rights of the adults, of the adults, to cross State lines legally. That is why this bill is unconstitutional. It is wrong. It will not solve the problem and we need to reject it.

Mr. CANADY of Florida. Mr. Speaker, I yield 2 minutes to the gentleman from Arkansas (Mr. HUTCHINSON).

Mr. HUTCHINSON. Mr. Speaker, I thank the gentleman for yielding me this time.

Mr. Speaker, the issue before us today involves two important values: The rule of law and the role of parents. The law before us upholds each of these values.

The practice of transporting a minor across State lines to obtain an abortion is not simply an abstract discussion. In the State of Arkansas, where I live, there are parental notification laws in place to assure parents are consulted. And, yes, there is an appropriate provision for judicial override in those extraordinary circumstances that dictate that parents should not be involved. However, Arkansas borders on three States that do not require parental consent. Abortion clinics do not hesitate to encourage minors to cross State lines to obtain an abortion.

A Texas clinic, for example, has taken out an ad in the Little Rock phone book targeting Arkansas teens by stating that it, ''Specializes in teenage care and in difficult cases.''

In 1996, 746 Arkansas residents traveled out of State to obtain an abortion. Based upon the hearing that was held in the Subcommittee on the Constitution of the Committee on the Judiciary, it is clear a significant number of these 746 abortions were in order to circumvent Arkansas's parental notification law. This is an affront to the rule of law.

But the rule of law is not the only value that will be protected by this law. The bill fortifies parents' responsibilities to provide guidance and care for their child. It is the role of the parent, not the government and, yes, not the grandparent to raise a child. And in critical times like that of an unexpected pregnancy, a child most benefits from the guidance of a parent. To deny the parents the ability to know and to act in the best interest of their child not only harms the parent but harms the child as well.

The long-term physical and emotional consequences of abortion must be taken into consideration. Parents need to be aware of their daughters' situations so that they can provide critical counseling to that child. Regardless of our position on abortion, this law makes sense for all involved. It protects the rule of law, the responsibility of parents, and the well-being of our children.

Mr. SCOTT. Mr. Speaker, I yield 3 minutes to the gentleman from New York (Mr. NADLER).

Mr. NADLER. Mr. Speaker, I rise in opposition to this bill. Mr. Speaker, despite the rhetoric, we all know that the real purpose of this bill is to make it even more difficult for women to exercise their constitutionally protected right to have an abortion. That is the real motivation and that is what is driving this bill, not the concern about parental involvement.

We know, in any event, that 75 percent of women under the age of 16 consult their parents before seeking an abortion. But young woman who feel they cannot confide in their parents will now be unable to confide in their grandparents or any other adult. This bill would punish young women, would force them to risk their health and isolate them from adults who might be able to help them in a time of crisis. This bill would force a young woman to drive by herself for long distances both before and after an abortion rather than allow a responsible adult to accompany her.

The American Medical Association has noted women who feel they cannot involve a parent often take drastic steps to maintain the confidentiality of their pregnancies, including running away from home, obtaining unsafe back-alley abortions, or resorting to dangerous, sometimes fatal self-induced abortions. The AMA has reported

that, ''The desire to maintain secrecy has been one of the leading reasons for illegal abortion deaths since 1973.''

This bill, Mr. Speaker, is a death sentence for many young women. Like all parental consent laws, this bill further risks women's health because it delays abortions. As we all know, the further a pregnancy progresses, the more dangerous any termination procedure becomes. We should be taking action to ensure that abortions are as safe as possible, and we should be strengthening sex education and increasing the availability of contraception to help reduce the number of unintended pregnancies. This bill does not address those issues, and instead seeks to isolate teenagers and makes their lives even more difficult.

This bill also invites families to sue one another for damages. Who gets to sue? Parents. Even parents who have been abusive or have abandoned their children. Fathers who have raped their daughters are allowed to sue for damages. Who can they sue? They can sue doctors, clinics and relatives.

What about the criminal penalties? This bill could force a grandmother to go to jail for coming to the aid of a grandchild. It could criminalize almost any adult relative of a child who tries to help the young woman at this time.

Proponents of this bill ignore these concerns and wave around judicial bypass as a panacea. But the judicial bypass option of many parental consent laws has proven ineffective. Many local judges refuse to hold hearings or are widely known to be anti-choice and refuse to grant bypasses, despite rulings of the Supreme Court that they cannot withhold a bypass under certain conditions.

This bill also promotes a dangerously unconstitutional concept. I know of no other law that seeks to make it criminal to accompany someone to a different State for the purpose of doing something that is legal in that State. Will we next make it illegal to help someone go from New York, where gambling is illegal, to Atlantic City or to Las Vegas? What this bill really says is: We regret forming the Constitution. We regret our Federal union and we want to go back to a series of sovereign States, back to the Articles of Confederation. That is simply foolish and dangerous.

Mr. Speaker, I urge my colleagues to reject this bill and to affirm that in a Federal union we cannot criminalize going to another State to do what is legal in that State.

Mr. CANADY of Florida. Mr. Speaker, I yield 2 minutes to the gentleman from Kansas (Mr. RYUN).

Mr. RYUN. Mr. Speaker, I rise today in strong support of this measure, knowing that another young girl will secretly be taken across State lines and have an abortion without her parents' knowledge. And I want to emphasize that: Secretly taken across State lines without her parents' knowledge. This is done to bypass State parental requirements. This circumvents the State law and it must end, and we are taking a step in that direction today.

H.R. 3682, the Child Custody Protection Act, will make it a Federal offense for adults with no legal parental authority to transport someone else's child across State lines for the purpose of having an abortion. The Child Custody Protection Act will punish those who disregard the safety of our children while, at the same time, returning to parents the authority to make those important medical decisions for their children.

I know as a parent of four children, Anne and I appreciate as much input as we possibly can have in the medical decisions of our children, and that is why I urge my colleagues to support H.R. 3682. We must protect the authority of parents, the welfare of our children, the rights of the unborn, and this is a beginning in that direction.

□ 1415

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

Section 2401(b)(2) specifically exempts prosecution of a young lady who goes by herself across State lines. There is nothing in the bill that prevents skipping around the parental consent laws. So we just want to remind people of that.

Mr. Speaker, I yield 2 minutes to the gentleman from Massachusetts (Mr. MEEHAN).

Mr. MEEHAN. Mr. Speaker, I urge my colleagues to oppose the bill currently under consideration. This bill rests on a fallacy. The fallacy is that we can compel each and every woman to inform her parents or a judge about her desire to have an abortion. The reality is quite different.

Some young women are horrified at the prospect of telling their parents or a judge about a pregnancy, and they will do everything in their power to avoid it. So the question we really should be asking ourselves today is this: What will these young women do if H.R. 3682 were enacted into law? The answer is some will travel across State lines alone to have abortions, while others will be accompanied by trusted friends and relatives to underground illegal abortion providers who offer a way around consent laws.

Can this really be the sort of behavior we want to encourage? We tell adults who have teeth pulled to bring along a friend or a family member to drive them home. Yet some Members of this body apparently have no qualms about seeing young women who cross State lines for abortion take home the bus with strangers.

Mr. Speaker, we all would welcome a world where abortion is less prevalent, but I, for one, will not attempt to usher in that world by erecting obstacle after obstacle in the way of a woman's right to choose. I assure my colleagues we will pay a steep price for that strategy in the currency of many pregnant young women's health and safety. I urge opposition to this misguided legislation.

Mr. CANADY of Florida. Mr. Speaker, I yield 2 minutes to the gentleman from Tennessee (Mr. BRYANT).

Mr. BRYANT. Mr. Speaker, I thank the gentleman for yielding me the time.

I rise this afternoon as a cosponsor of this bill and in strong support of this legislation and urge my colleagues to vote in support of it. While there are fundamental differences between us regarding the prolife and prochoice debate, for many of us there is common ground regarding the protection of parental rights and the health of our teenage children.

And certainly we are talking about teenage children here. We are not talking about women. We talking about young girls that are underage here, teenagers; 9-, 10-, 11-, 12-year-old teenagers up to perhaps, I guess, age 18 before in most States they become a minor.

The truth of the matter is that many of these young pregnant teenagers, these young girls, 12- 13-year-old girls are being impregnated by adult boyfriends, more than 18-year-old men; and they are being carried across State lines by these young men who are 18 or over or by their parents.

We heard cases where the mother of this boyfriend carried this young teenage girl across a State line, unbeknownst to her own parents, so she could get an abortion. And this is a complicated medical invasive procedure we are talking about. We are not talking about crossing State lines to go gambling or to go shopping. We are talking about major surgery here that has, as with any surgery, a very high risk not only during the surgery, but after the surgery.

And to make matters even worse, this mother of the boyfriend or this boyfriend does not know the medical history completely, nor does that child know her own complete medical history that might be of some relevance to this doctor.

Could there be a worse nightmare out there for parents to be in a situation where their child is across the State lines dying perhaps in one of these clinics without their knowledge? And all of this can be avoided by simply passing this law that allows a responsible parent, a guardian, or even a court where there are bad parents to intervene in this type of situation.

This bill guarantees the goals of both sides of this issue, and I urge my colleagues to support this for the health and safety of our teenage children and for the responsibilities of knowing and caring parents.

Mr. SCOTT. Mr. Speaker, I yield 2 minutes to the gentlewoman from California (Ms. WOOLSEY).

(Ms. WOOLSEY asked and was given permission to revise and extend her remarks.)

Ms. WOOLSEY. Mr. Speaker, I rise today in strong opposition to H.R. 3862.

The idea that a girl who has a good relationship with her parents would face an abortion without parental support is absolutely absurd. Some young girls are forced to go behind their parents' back. They have to do that for their own safety.

A third of the young women who do not notify their parents have been victims of family violence. They do not consider it safe to involve their own parents.

I am outraged. Here we are, with the far right majority in Congress wanting to make it a crime to help pregnant girls, when we know that not all parents are loving. Some pregnancies are even caused by a family member. Some parents are in denial. Some are not knowledgeable. They cannot help that young person.

But let us face it, even teenagers can have sex without parental support or consent. Teenagers can continue a pregnancy, receive prenatal care, and deliver a baby without parental consent. Teens can also give the baby up for adoption without parental consent. The only thing they are prevented from doing by this bill is making the decision to end the pregnancy.

This bill seeks only to isolate young women who cannot involve their parents. We should be helping our teenagers. We should be helping our young women. Instead of criminalizing freedom of choice, we should be providing the support services that teens need. They need a better education. They need health care. They need support services.

Many of the same people who are supporting this bill today and oppose a young woman's right to choose constantly oppose teaching our children about birth control, about their options to prevent pregnancies in the first place.

I urge my colleagues to vote against this bill.

Mr. CANADY of Florida. Mr. Speaker, I yield 2 minutes to the gentleman from Kentucky (Mr. LEWIS).

Mr. LEWIS of Kentucky. Mr. Speaker, I rise today in support of this much needed legislation.

The Child Custody Protection Act offers the Members of this Chamber the opportunity to safeguard the rights of their parents and their special responsibility of caring for their children they have brought into this world. It is time for the Congress to speak loud and clear in defense of the family.

Allowing other adults to circumvent State law requiring parental involvement in a minor's abortion deprives the child of the security, love, and wisdom that only a mother and father can provide in the most difficult times.

I fully recognize that the practice of abortion is a divisive issue in our country today, and I hope that one day we will again honor the sanctity of life and reject the killing of millions of preborn babies.

Despite the different views toward abortion, I believe the great majority of Americans remain committed to strong families where children can face difficult decisions with the help of a mother or father. Yes, some parents are better than others, and there are laws to protect their children from abuse or irresponsible mothers or fathers.

The truth is that parents will never be able to offer perfect advice or guidance for their children. However, I know of no better refuge for a child who is confronting a personal crisis than the emotional support of a parent. Encouraging a child to procure an abortion, with all its emotional consequences and health risks, without parental involvement, is an assault on this refuge and historic legal rights of parenthood.

I strongly urge my colleagues to support H.R. 3682. The overwhelming majority of Americans agree that we must protect the fundamental right and responsibility of parents to protect their minor daughters from those adults who have no legal responsibility for the child, but decide that a secret abortion is the preferred option. Let us respect the States' parental notification laws that promote strong families and encourage minors to make wise decisions.

Mr. SCOTT. Mr. Speaker, could I determine the amount of time remaining on both sides, please?

The SPEAKER pro tempore (Mr. EWING). Both Members have 42 minutes remaining.

Mr. SCOTT. Mr. Speaker, I yield 2 minutes to the gentlewoman from Oregon (Ms. FURSE).

Ms. FURSE. Mr. Speaker, I rise today in strong opposition to H.R. 3682.

We have heard a great deal today about the sanctity of parenthood. Well, I am a parent. I think parenthood is a great, great thing. But let us talk about reality as well. I am sometimes very much afraid there is a big disconnect in this institution about reality.

Just assuming that all families are good and kind does not make them so, and I think it is grotesque, yes, grotesque, that there are people in this institution who deny reality and in doing so jeopardize the lives of our daughters.

This legislation assumes that all young women have a safe, warm, loving family, but, however, I know that there are many young women who fear physical and emotional abuse at home and who know that disclosure of pregnancy would bring violence to them.

I am not talking just generally. I want to tell you about one such girl, one such family, one such case: Spring Adams, 13 years old, living in Idaho. Her father, Rocky Adams, raped her, and she became pregnant. She tried to get her mother to take her to Portland, Oregon, where she could have a safe and legal abortion, and her mother was afraid of Rocky Adams, rightly so. He was a violent, violent man.

Spring did not know about a court, that she could go to a judge. She was 13 years old. Eventually a trusted friend said she would take Spring to Oregon, but it was too late for Spring because that night her father, hearing that she was going to get an abortion of this child that he had caused, this pregnancy, he shot her through the head.

Not all families, not all families, are kind and loving. Spring Adams' family was not.

Let us vote for Spring Adams. Let us vote against this bill that will jeopardize our daughters' safety.

Mr. CANNON. Mr. Speaker, I yield 6 minutes to the gentleman from New Jersey, Mr. SMITH.

Mr. SMITH of New Jersey. Mr. Speaker, I think it is becoming abundantly clear to a growing number of Americans that abortion is violence against children. Abortion methods rip and tear innocent, unborn babies to pieces. Abortion methods dismember children with razor blades attached to suction machines. Abortion methods include pumping and injecting deadly poisons into the baby for the express purpose of killing the child.

Abortion methods include killing the baby as he or she is actually being born. The partial birth abortion method, as we now know, entails jamming scissors into the child's skull and then vacuuming the brains out.

Abortion is violence against children, Mr. Speaker. Thus, it seems very clear to me that secretly transporting teenagers across State lines to procure abortions in a State with no parental notification or parental consent compounds the violence by exploiting the vulnerable minor.

Mr. Speaker, my colleagues may recall that when the partial birth abortion ban was debated on this floor many proabortion organizations, including Planned Parenthood Federation of America and their research arm, the Guttmacher Institute, wrote a letter saying that there were and I quote, ''fewer than 500'' partial birth abortions per year in the country, in the entire country.

That statement, just like other statements that they made, has turned out to be totally bogus. It turned out to be a lie. One leading proabortionist even said that he ''lied through his teeth'' on this issue.

It was a New Jersey newspaper, the Bergen Record, that broke the story that just one clinic in my State, the Metropolitan Medical Associates in Englewood, did about 1,500 partial birth abortions each and every year, many of them on teenagers. That's three times the number the abortion industry told us were performed in the entire nation.

Now we know that the Metropolitan Medical Associates and other abortion mills in New Jersey advertise and market their business in Pennsylvania and elsewhere, and use the fact that New Jersey does not have a parental consent or parental notice law as a way of luring young girls to that clinic and to other clinics.

If you look at this yellow page ad, promoting the Metropolitan Medicine

Associates Mr. Speaker, it stresses that pregnancies up to 24 weeks, 6 months, very large, very mature babies, can be terminated, that is—murdered—without parental knowledge, without parental consent. No waiting period, no parental consent, that is how they advertise in the Pennsylvania phone book.

□ 1430

These ads are telling young teens, ''Hey, we can end your baby's life, and your parents never need to know; it will be our secret.'' But if a teenager's secret abortion leads to complications, what then? Where is it written that the person driving the frightened and often very vulnerable 12 or 14 year old to an abortion mill is responsible? Who picks up the pieces of the shattered young girl when the bleeding, when the psychological and the emotional and the physical consequences set in? Obviously it will be her parents, or one of her parents. They will be responsible for and involved in her care after the abortion, when the disaster hits. The parents, should have had the chance to be involved without the circumventing of the more than 20 State laws that require parental involvement in this irreversible decision that takes a human life.

On May 21, Mr. Speaker, Joyce Farley testified before the House Committee on the Judiciary's Subcommittee on the Constitution, and she said, and I will quote her only briefly:

''My daughter was a victim of several horrible crimes between the ages of 12 and 13. My child was provided alcohol, she was raped and then taken out of the State by a stranger to have an abortion. This stranger turned out to be the mother of the adult male who provided the alcohol and then raped my 12-year-old daughter while she was unconscious. The rapist's mother arranged for and paid for an abortion, and it was performed on her child. This woman lied and falsified records.''

And she goes on to say:

''Following the abortion the mother of the rapist dropped off my physically and emotionally battered child in a town 40 miles away from our home. The plan was to keep the rape and the abortion secret.''

Then she goes on to say how, when she discovered the consequences, she then swung into action and did everything humanly possible to help her child who was bleeding and in severe pain.

We need to say, Mr. Speaker, that the law does indeed matter. These State laws are there for a purpose. Other States are contemplating parental-involvement statutes as we speak. We need to say that parents matter, and we need to help those vulnerable children who are being carried across State lines and pushed into abortion clinics by relative strangers and who in many cases have their own reasons for making sure that these girls get abortions.

Finally, Mr. Speaker, Americans overwhelmingly support the Child Custody Protection Act. When asked a very simple question that goes right to the core of parental responsibility, ''Should a person be able to take a minor girl across State lines without her parents' knowledge to get an abortion'', 85 percent of Americans said no; only 9 percent said yes.

Mr. Speaker, I urge my colleagues to support this very pro-child, pro-family, pro-parent legislation that has been offered by the courageous pro-life leader, the gentlewoman from Florida (Ms. ROS-LEHTINEN). I want to thank the gentleman from Florida (Mr. CANADY) as well for his exemplary work in shepherding this legislation through, and the gentleman from Illinois (Mr. HYDE) and all of us who had a part. It is a very important piece of legislation, and it will help our minor girls.

Mr. SCOTT. Mr. Speaker, I yield 2 minutes to the gentleman from West Virginia (Mr. WISE).

Mr. WISE. Mr. Speaker, I thank the gentleman for yielding this time to me.

Mr. Speaker, this is one of those issues we just got to wrestle with and wrestle with our conscience.

I support parental notification, I support the West Virginia statute which requires parental notification except in very limited circumstances, and to the gentleman who just recited a national poll, quoted from a poll saying that 85 percent feel that someone should not be able to take a minor girl across State lines for purposes of having an abortion without parental consent, he can put me down in that if I am asked the question just as he phrased it. But then if I am asked: What about the Spring Adams case where her father molested her and raped her, and because he found out she was going to have an abortion shot her; was he someone that my colleagues would require parental consent of?

What about the limited circumstances? I happen to believe that the case cited, the Joyce Farley case, by the proponents of this legislation is a horror. But I also think that the Spring Adams case, in which she was raped by her father and then shot by her father, is a horror as well.

There is another reason, too, that I oppose this legislation: Because I do not think we want the FBI and the Federal authorities criminalizing brothers and sisters and other loved ones who may feel that this is the only way they can help their pregnant sister.

In West Virginia recently, because of overcrowded jails, and we are not the only State with overcrowded jails, everybody here has them, an inmate was killed because of an overcrowded jail, and the argument now is what kind of criminal offenses are we putting people in jail for? Do we really wanted to subject a brother or a sister to the criminal penalties, to imprisonment, for doing something that they do whether rightly or wrongly they do out of love and trying to help their sister? Is this something that we want frightened couples to be faced with?

I urge us not to compound one tragedy by adding on another tragedy, and so for that reason I oppose this legislation.

Mr. CANADY of Florida. Mr. Speaker, I yield 2 minutes to the gentleman from South Dakota (Mr. THUNE).

Mr. THUNE. Mr. Speaker, I thank the gentleman from Florida for yielding this time to me.

Mr. Speaker, I, too, rise in support today of the Child Custody Protection Act and want to comment, based on listening to the debate on the floor today and the tenure of that debate, that this is not an easy issue, this is a difficult issue, and yet standing for what is right is never going to be easy, and I want to credit the gentleman from Florida (Mr. CANADY) and the gentlewoman from Florida (Ms. ROS-LEHTINEN) for the courage that they have demonstrated by bringing this important piece of legislation to the floor.

I think it really revolves around three basic, fundamental questions. The first is: Does this Congress want to affirm the most basic and fundamental institution in our culture today, and that is the family? Secondly: Does this Congress want to affirm States rights to regulate and impose restrictions on abortions? And finally: Does this Congress want to affirm respect for the sanctity of human life? And if we answer yes on any or all three of those questions, then this is really a very simple and straightforward issue. It is not complicated, and most of the social problems that we encounter and see in America today can be traced back to one very simple basic problem, and that is that the American family has been undermined, eroded and attacked on every front.

Mr. Speaker, the family is disintegrated, and government policy has aided that disintegration on every front by making it more difficult for families to spend time with their children; and opposing this legislation, as those on the other side have indicated they will do, further disenfranchises parents from their children.

This is not a value-neutral issue. This strikes at the very core of our country's and our culture's value system, and far be it from this Congress to stand in the way of life, to stand in the way of families and parents and their children and to stand in the way of the ability of States to affirm their commitment to our most basic and fundamental core values in our culture today.

So I support this legislation and would encourage my colleagues on both sides of the aisle to stand firm in support of families, in support of life and in support of those States out there that are doing what they can to see those values are upheld.

Mr. SCOTT. Mr. Speaker, I yield 6 minutes to the gentlewoman from Texas (Ms. JACKSON-LEE).

(Ms. JACKSON-LEE of Texas asked and was given permission to revise and extend her remarks.)

Ms. JACKSON-LEE of Texas. Mr. Speaker, I thank the gentleman from Virginia (Mr. SCOTT) for his leadership.

This is a very difficult debate. It is one that gains us no friends, no ticker-tape parade, no applause and no positive newspaper headlines.

For those that believe that politics is all about that, it would mean that those of us who oppose this legislation should quietly go to our seats.

But this process of democracy goes further than the latest headline. It is about truth, it is about reason and rationale, it is about reality.

Mr. Speaker, it is a tragedy to think that anyone who opposes this legislation is a bad parent, a bad human being, a bad American, but yet the characterization is for those who have a sense of concern, who want to express to the American people the realities of life, that they are bad people.

There are good people in all places, and there are good intentions, and this legislation has its good intentions. But allow me to share with my colleagues the reality of what happens when we pass this legislation.

First of all, we condemn all teenagers. We take the opposite of a parent that is not responsible. We begin to categorize all of our young people as irresponsible and people who do not have the ability to quietly know they have made a mistake and make their own choices along with the consultation of a private doctor, maybe, or religious leader, or a grandparent.

I wish those two young persons in New Jersey from prominent, well-endowed families, believing that they were in love with each other, had careers ahead of them, were in college. They were just convicted last week for murder of their new born baby. I wish that they had had individuals who they could counsel with to save not only their lives but the life of that baby.

This particular law starts off with the wrong premise, that all of us are blessed with the American apple pie tradition of a mom and a dad, worship on weekends, grandparents, parades and picnics. But one-third of teenagers who do not tell a parent about a pregnancy have already been the victims of family violence. Studies show that the incidence of violence in a dysfunctional family escalates when the wife or a teenaged daughter becomes pregnant. This is the reality of what we are dealing with.

Likewise, how many medical groups were inquired of about this legislation? The American Academy of Pediatrics, the American Medical Association, the American Association of Family Physicians and the American College of Obstetricians and Gynecologists oppose mandatory involvement for minors seeking abortions, concluding that access to confidential services is essential.

Let me tell my colleagues what the proponents say about this legislation:

''Don't worry about the problems. You can go to the courthouse and get a waiver. You can go down to your local courthouse, stand before a judge and tell them about the most personalized act where you were caught up in the quagmire of your emotions. You may go to the courthouse; that is called a judicial bypass.''

Well, my colleagues, that is what this democracy is all about, because I come from an inner-city district where I venture to say that many of my young people, God bless them, could not find the courthouse, would be intimidated by the courthouse, would be intimidated by the process.

I represent young people like Alisha who lives with a single parent who is in a treatment facility for drugs and alcohol. Alisha herself is under treatment for mental dysfunctional aspects of her life. She has no father, and she is pregnant. Now the circumstances may be different, but just put Alisha in the context of seeking an abortion in another State and maybe possibly going to a religious leader, an aunt, or an uncle, or a cousin, or a grandparent. Those people would be fined and put in jail for 1 year.

That is the neighborhood that I come from. I am not ashamed of it. I just recognize it.

Or maybe the single parent with four children: Neither the father of my children are with me to help support or raise my children. I myself did not finish school. I am a dropout. I started my family at age 16. I am on a fixed income of $484, and after paying rent that is what I have as the remaining moneys to support my children. I have a pregnant teen at home.

My colleagues, it is time that we use the floor of the House for a debate with the American people, that we tell them the truth.

Yesterday we joined in support of giving grandparents more rights. We applauded the need to assure that if you give someone custodial rights or visitation rights in one State as a grandparent, they can have it in another. Today we come and deny that same grandparent the right to nurture and to counsel and to be with a child in their distress, and what we do is we say to that grandparent, that friend, that emergency medical personnel, we say to all of them, that religious leader, ''You are criminals, we disregard you, we disrespect you.''

□ 1445

This legislation has good intentions, Mr. Speaker, but I would simply argue that we can do better by teaching preventive measures, by respecting our young people, by embracing them and loving them, by teaching them abstention, by educating them, and by embracing the families that we have; by embracing the families that we have, the single parent family, the household where there is nothing but teenagers, the dysfunctional family.

There is no shame in America to accept all of us as God's children. If we do that, with all of the good intentions of this legislation, we will recognize that the value of everyone's life is important; and that young person who finds comfort not in the home of that incestuous family, that violent family, that dysfunctional family, but may find it with that aunt or uncle or grandparent or responsible friend, will save the lives of many as they go forward to make a very important decision. Maybe we will not have young people incarcerated in prison, like the two young lovers in New Jersey who loved each other but did not understand and find their lives destroyed because they are now in jail because they killed a living being.

Help us to make the right decisions. I would ask my colleagues to defeat this legislation, not because we do not care but because the rights of Americans are being threatened.

Mr. Speaker, thank you for the opportunity to speak on this bill. I hope that my colleagues will consider the importance of this legislation. Our Supreme Court has held that women have the right to seek an abortion. A pregnant minor is in crisis. She needs someone to speak with, and someone to trust. If we force our daughters, granddaughters, our sisters, and our nieces and cousins to act without the guidance of someone they can trust, where will they turn? Perhaps this bill should be called the teen endangerment act!

I am very concerned about children and teenagers in America and I want teenage women to have the right to reproductive health care. We know that in 1992, the Supreme Court decided Planned Parenthood v. Casey. In a highly fractionated 5–4 decision, the highest Court of our Nation reaffirmed the basic constitutional right to for both adult and young women to obtain abortions.

As a result of Casey v. Planned Parenthood, courts now need to ask whether a State abortion restriction has the effect of imposing an undue burden on a women's right to obtain an abortion at any point during her pregnancy. This decision, thereby opened the door to States to legislate issues of parental involvement in minors' abortion decisions.

Currently parental involvement laws are in effect in 30 States. Although my home State of Texas does not require parental consent or notification, Louisiana, which borders my home State requires parental consent before a minor can receive an abortion. If H.R. 3682 is passed, the bill would have the effect of federally criminalizing these laws, extending their effect to States that have chosen not to enact such an obstructive and potentially dangerous statute.

I received a letter from a constituent in Houston, Texas, a fifteen year old girl whose mother, a single parent was in a treatment facility for drugs and alcohol. This young woman found herself pregnant while her mother was still in treatment, and without any offer of help from her boyfriend, she made the decision to have an abortion. As a child herself, she did not feel ready to care for a child.

The true victims of this act will be young girls and young women. The enactment of this law would undoubtedly isolate these young women at a time of crisis. If a minor feels she is unable to tell her parents about her pregnancy, she would have no recourse to receive

the medical treatment she needs at a time early enough in the pregnancy to perform a safe abortion.

We know that confidentiality is essential to encourage minors to seek sensitive medical services and information. Young women must often seek abortion services outside their home State for a variety of reasons.

I agree that adolescents should be encouraged to speak with their parents about issues such as family planning and abortion. However, the Government cannot mandate healthy family relations where they do not already exist. We need to protect our young women from being forced to seek unsafe options to terminate their pregnancies, and we need to encourage them to speak with other family members, religious leaders to guide them through this time of crisis.

In fact, yesterday the House passed legislation which recognized the importance of grandparents in the lives of their grandchildren. Republicans and Democrats alike spoke about how grandparents could offer guidance and love and encouragement to their grandchildren. Yet, the legislation before us today would criminalize grandparents' involvement in their granddaughters' lives.

I am hopeful that my colleagues will vote to oppose this bill in order to allow young women to access adult guidance and safe, legal abortions.

Mr. CANADY of Florida. Mr. Speaker, I yield 2 minutes to my colleague, the gentleman from Florida (Mr. WELDON).

Mr. WELDON of Florida. Mr. Speaker, I thank the gentleman for yielding me this time.

Mr. Speaker, I rise in support of the legislation. I commend the author, the gentlewoman from Florida (Ms. ROS-LEHTINEN) for crafting this piece of legislation.

As many know, I practiced medicine prior to coming to the House, to include working in emergency rooms. I can testify to all of you, one of the things an emergency room doctor fears in the course of his practice is to have a minor child come into the emergency room unaccompanied by a parent or legal guardian in need of acute medical care.

The reason they fear that is because if you sew up a laceration or give a medication and find that the parents were unhappy with that particular intervention, you can get yourself into a lot of trouble. Indeed, in some States you can actually be charged for assault for providing needed medical care to a minor child.

But in the interpretation of Row v. Wade, in many States, I believe 30 of them, that doctor can perform an abortion, without any fear of being charged with assault or prosecution. However, he cannot give that child aspirin for a headache. Indeed, the school nurse cannot give a child aspirin for a headache. The technician who works in the jewelry store cannot pierce the ears of a minor child without parental consent, but in many States that same minor child can go and have an invasive procedure, a surgical procedure, an abortion, a procedure with the associated risks of hemorrhage, infection, infertility, death, but the child cannot have their ears pierced.

Twenty States have appropriately responded to the will of the people, who have recognized in those States that this kind of a legal logic is crazy, and they have passed reasonable parental consent laws. But we have a situation right now, today, where children are being carried across State lines without their parents' knowledge to have abortions performed.

Now we have before us today, before the House of Representatives, I believe a very reasonable and appropriate statute which makes that process illegal. It respects the laws in those States, and I encourage all of my colleagues to vote yes on this legislation.

Mr. SCOTT. Mr. Speaker, I yield 8 minutes to the gentleman from North Carolina (Mr. WATT).

Mr. WATT of North Carolina. Mr. Speaker, I thank the gentleman from Virginia for yielding me time for the purpose of debating this important issue.

Mr. Speaker, I regret that the sponsor of this legislation, the gentlewoman from Florida (Ms. ROS-LEHTINEN) left the floor, because I have the greatest amount of respect for her and I am sure that her intentions in offering this legislation are honorable and with good intentions.

This is a very difficult issue. Some folks tried to make it an issue on whether you support abortion or do not support abortion, or whether you support choice or do not support choice. But there are some very, very complicated issues involved in this legislation, and I regret that the Committee on Rules did not make some proposed amendments in order that would have allowed us to address those issues and vote them up or down. I would like to spend a few minutes talking about some of those issues, if I might.

I said in the debate on the rule that this is unprecedented legislation. I believe it is. The sponsors of this legislation, the proponents of this legislation, have said that this is about trying to protect those 22 States that have parental consent legislation in their States.

Well, what about the 28 States who do not have parental consent statutes in their State? If we owe a duty to protect one in our federalist system, in our system where States have rights to make laws, what obligations do we have to the 28 States?

What, for example, would happen if, as is the case now, we have gambling legal in one State and gambling not legal in the adjoining State? The parallel here would be we would be making it a criminal act for people to transport somebody across State lines to engage in gambling because it was illegal in the State in which it was taking place.

Some States have marital statutes that define the age at which kids can marry. The parallel here would be we would make it a criminal act to transport a minor across State lines if the law in one State said you have to be 18 and the law in the adjoining State says you can be 16 and marry.

So you have some very difficult Federalism issues that have been kind of masked over here because the folks who are proponents of this bill would like to have you believe that they are the defenders of States rights. They are always the defenders of States rights, but when the States disagree with them in writing their laws, then, all of a sudden, they do not defend the states' rights to make those laws. And these have been matters which have been governed by State law. The Federal Government has no statutory rule on when one can have an abortion or when one gets parental consent. All of this is governed under State law.

The second issue: I said in the debate on the rule that this bill is probably unconstitutional. I offered an amendment in the Committee on Rules saying please let us debate this issue on the floor. The Committee on Rules said, no, we will not make your proposed amendment in order. My amendment would have said we are going to put an exception for the physical health and safety of the minor in the bill.

Now, we think the Supreme Court has said that that is required to make this law a constitutional law, and, because of the importance of it, which I acknowledged at the outset of this debate, I would think if it were so important, we would want to make it constitutional.

But what are the practical implications we are talking about here? You have a young girl who is feeling not well. She is pregnant. The closest hospital is across the State line. Somebody other than her parent is at home, and they transport that young girl across the State line.

Under this bill it is criminal, because there is no intent standard in the bill. There is no protection of the health, physical health of the minor in the bill, so you have got to make a choice between trying to save a baby or getting consent, when you might jeopardize the health of that young girl for the rest of her life. She could become a paraplegic.

We were hard on the chairman of our subcommittee because we kept asking him, would you want your daughter to be a paraplegic, trying to save an unborn infant? That is a difficult issue. That does not minimize the issue. It is a difficult issue which this bill does not address, and the fact that we were not able to offer amendments will not allow us to address.

Third, we talk about the family issue. Who is family? Sure, Ozzie and Harriet, it was a mother and father and two children. But in some communities, grandparents have taken over the role of parenting. And, under this bill, if they assume that role responsibly, not as strangers, as my colleagues would have you believe this

bill is all about, but they assume that role responsibly, they become criminals under the bill.

So there are some difficult issues that are not addressed in this bill. We can gloss them over if we want to. The Committee on Rules did not want us to talk about them, obviously, because they did not make my amendment in order which said there ought to be an exception for the physical health of the minor. They did not want us to talk about the fact that there is no intent to violate the law or statute. So even if you transport somebody across the line just because they are feeling bad, if they end up having an abortion in the adjoining State, then you are a criminal. They did not want us to talk about the Jackson-Lee amendment which would have protected the grandparents, not strangers, because we know that, in many communities, grandparents have assumed those roles.

Those issues do not get addressed, and this bill is unworthy and ought to go back. I encourage my colleagues to vote against it.

Mr. CANADY of Florida. Mr. Speaker, I yield 2 minutes to the gentleman from Utah (Mr. CANNON) a member of the Committee on the Judiciary.

Mr. CANNON. Mr. Speaker, I am pleased today to rise in support of this legislation and would like to commend the gentlewoman from Florida (Ms. ROS-LEHTINEN) on her thoughtful work on this issue.

Several of my colleagues will come before you today to speak about their reasons for supporting this legislation. I personally have six; that is, six daughters.

Mr. Speaker, a yes vote on this legislation allows me to protect them. Our State parental notification and consent laws exist for a reason, to guard our children against individuals who would otherwise risk their physical and emotional health and safety.

Allowing the transport of minor children across State lines in order to circumvent these laws makes a mockery of the integral role parents play in the lives of their young daughters. A vote against this legislation transfers to strangers the right of parents to keep their children safe.

Mr. Speaker, to protect the precious lives of my daughters and the daughters of parents nationwide, I urge a yes vote on this important issue.

May I just add, I have great confidence in the American people, and I believe that they can make a distinction between interstate gambling laws and marriage laws, as opposed to laws affecting such important matters as pregnancy and abortion among young women.

□ 1500

Mr. SCOTT. Mr. Speaker, I yield 3 minutes to the gentlewoman from California (Ms. HARMAN).

Ms. HARMAN. Mr. Speaker, I thank the gentleman for yielding me this time.

Mr. Speaker, as a mother of four children, two daughters and two sons, I find this probably the most difficult part of the debate on the right to choose.

Some years back, when I first considered the issue of parental consent, my response was, I am a responsible parent, I have a trusting relationship with my daughters. I want them to talk to me before seeking to exercise their constitutional right to choose. That was my initial position, until I thought about many other families and many other relationships, and until I consulted my own daughters. Their response was, Mom, of course we would talk to you. We trust you, we know you. We know that you would give advice in our interests, and we also have listened to you over the years, and we know that the best thing to do is to avoid unwanted pregnancies. But nonetheless, they said, what about other girls? What about other families? What about other situations where there is no trust relationship? Then what? And their answer, and I believe it is the answer we have heard from speaker after speaker, was those girls will not talk to their parents; those girls will seek to have unlawful abortions or to make other unwise choices, and we have certainly heard the sordid tale of the couple in New Jersey who made a terrible decision and are having to pay for it.

At any rate, my views have evolved on the subject, and I stand here to say that. My views are that I work as hard as possible to keep a trust relationship with my daughters, and one of them is still a teenager, and to make certain that they do consult me about the critical decisions in their lives, not just a decision like this; but that I do not presume that other daughters have the same opportunity that mine do, or that other mothers, even if they have good intentions, have the same success that I have been able to have with my own children.

So my conclusion is that this is a tough subject, particularly tough for parents, but that the right answer is my daughters' answer, and that is to make certain that there is adult consultation, to make certain that young girls get advice, but not to require that they get parental consent, which is, 1, to undermine their right to choose; but 2, to undermine their health. That is why I oppose this legislation.

Mr. CANADY of Florida. Mr. Speaker, I yield 3 minutes to the gentlewoman from Wyoming (Mrs. CUBIN).

Mrs. CUBIN. Mr. Speaker, I am pleased to be here today to speak on behalf of the Child Custody Protection Act, and I want to thank the gentlewoman from Florida (Ms. ROS-LEHTINEN) for her hard work in bringing this important issue to the forefront today.

I believe this Federal law is long past due. I am a parent as well. As a parent, when my children were in school, I used to have to sign a release form to allow them to go to a museum 6 blocks from the school. If they had a headache at school and they wanted to take an aspirin, that required parental consent. How can a parent think that those acts are acceptable, and yet a life-changing act like having an abortion is something that a child should and could decide on their own? We have heard some very tragic cases, and there are very tragic cases on all sides of this issue.

An unwanted pregnancy in and of itself is a tragic situation, but I want to talk to my colleagues about another group of young women, of minors, that have not been discussed here today, and I think they are girls like I think I would have been had I been faced with an unwanted pregnancy when I was a teenager. I had a good relationship with my parents, I had a good relationship with my family. I still do. If I had found that I was pregnant when I was a minor, I would probably have wanted to have an abortion not because of what it would do in my life, and not because I was considering this unknown child that I was carrying, but because I would not want to hurt my mother and my father and my family. That is the wrong reason to get an abortion, and I venture to say there are many, many, many young girls out there who would get an abortion for that reason.

When in the life of a girl does she need the wisdom, guidance, love and support of her parents more than when she is facing an unwanted pregnancy? While I know, I believe there are tragic situations out there that have occurred because parents, some sick parent was notified that the daughter was going to get an abortion, that is the minuscule minority. We have to look at what is best for the vast, vast majority of our young people, and facing an unwanted pregnancy and making the decision to kill one's own child when one is 12, 13, 14 years old is wrong. Those girls need their parents. They need all the love and guidance they can get. They deserve it. Let us pass this law.

Mr. SCOTT. Mr. Speaker, I yield 5 minutes to the gentleman from Pennsylvania (Mr. GREENWOOD).

Mr. GREENWOOD. Mr. Speaker, I would like to begin by associating myself with the remarks made by Members on both sides of this debate about the difficulty of this debate. This is not an easy one. It really divides our own allegiances, those of us who are parents, and many of us have spoken about our parenthood in this debate. It divides our allegiance between the natural tendency of a parent to want to make sure that their children remain under their custody and their control, and our allegiance to want to do something to help those teenagers in America who are not so fortunate, who do not have parents who spend the time with them and talk with them, and who feel alone in these kinds of agonizing decisions.

As a parent of two daughters, I know that for those of us who try as hard as we can to commit ourselves to communicating with and nurturing our children, the laws on parental consent and

parental notification do not make a difference, because they cannot break that bond. The bond that a parent establishes with a child is not going to be broken one way or another by these laws.

But I think I also know, and I think I know some of this from my days as a social worker working with children who were abused and neglected and otherwise had very agonizing and very difficult lives, for those parents who simply will not talk with their children, these kinds of laws cannot make that bond. It would be nice if we could pass this law and suddenly that would engender discussions between parents and children, but that will not be the result.

When we try to legislate in this area, we quickly discover that we are in an area where we do not belong. One cannot build a relationship with three pieces of paper. This is the legislation we are discussing today, three slim pieces of paper, and these three slim pieces of paper, even if signed by the President, and they will not be, they are not going to build a relationship between a mother and a daughter or between a father and a daughter. They are not going to change the behavior; the behavior will remain the same. When we try to legislate in this area, we recognize how foolish it is.

Let me just cite some examples of the way this law does not make any sense and will not have any effect and will not be able to be enforced if a young lady comes to her aunt and says, I think I might be pregnant, and I think I want to go to the neighboring State across the river.

I live in Pennsylvania; right across the river I can see New Jersey. If a young girl in my community went to her aunt and said, I cannot talk to Mom and Dad about this, or I do not have a mom, and my dad will not talk to me about any of this, will you go with me? And the aunt says, honey, I will be with you; I will see you through this decision. And the young lady, 17 years old, goes to the neighboring State of New Jersey and discovers that she is pregnant and decides then and there to have an abortion, and does so, legally, is the aunt that took her there now to be jailed because she transported her across the State line? If she drives her to the bridge in Frenchtown, New Jersey, and says, meet me on the other side, walk across the State line, and I will pick you up on the other side, is she to be jailed for that, or has she escaped these three thin pieces of paper with which we are trying to change this behavior? If the aunt buys her a bus ticket in Pittsburgh and says, I cannot go with you, but here is the bus ticket to New Jersey, will she be subject to these laws? I could go on and on, but the fact of the matter is we cannot fix this with three thin pieces of paper.

I wish we could. I wish that if this law went into effect, teenagers in America would say, hum, I cannot get an abortion out of State without parental consent; now no one can take me over without going to jail. Therefore, what I will do is change my sexual behavior or I will suddenly create a discussion with my parents. That will not happen.

What will happen with this kind of law is most people will not know they are violating it, and most people will not get it enforced, but some people will end up in jail as a result of it, inadvertently. But mostly what will result will be kids alone in strange cities in other States forced to travel by themselves, safely or unsafely, hitchhiking, being driven by another minor, alone and not with someone who cares about them, not a relative, a grandmother, an aunt who would care for them. They will be there alone, they will be there unsafe; they will have their abortions later, because they will delay the decision, and we will have accomplished nothing.

How much better would it be if we could be on this floor of this House of Representatives today actually structuring ways to prevent these teenagers from becoming pregnant, to prevent these teenagers from making the kinds of wrong decisions that they make that lead to the sexual behavior, that lead to the inadvertent pregnancies.

I hope my colleagues will see the wisdom of voting against this bill.

Mr. CANADY of Florida. Mr. Speaker, I would inquire concerning the amount of time remaining on both sides.

The SPEAKER pro tempore. The gentleman from Florida (Mr. CANADY) has 27½ minutes; the gentleman from Virginia (Mr. SCOTT) has 15 minutes.

Mr. CANADY of Florida. Mr. Speaker, I yield 2 minutes to the gentleman from Alabama (Mr. ADERHOLT).

Mr. ADERHOLT. Mr. Speaker, I would like to commend the gentlewoman from Florida (Ms. ROS-LEHTINEN) for working to protect children as well as the rights of the parents.

As has just been mentioned a few moments ago by my colleague, children cannot go to a trip to the museum without their parents' consent. Children cannot be given a minor pain reliever like aspirin without their parents' consent. So the real question becomes, why should a child be allowed to undergo a life-changing and dangerous medical procedure such as abortion without their parents' knowledge and permission?

This act that we are discussing today, the Child Custody Protection Act, will seek to protect the rights of parents to choose what is best for their minor children. I know it has been mentioned here today, but let me mention again that currently 22 States have parental notification laws, but what good will it do if a child can be taken across State lines by a total stranger to the parents and receive an abortion in a neighboring State.

The fact is that some abortion clinics actually advertise in the phone books, with the words, ''No parental consent required.'' It makes it very clear that these young women are being exploited.

This violation of the parents' rights to make medical and moral decisions for the children has gone on for too long. Parents have a right to know what is happening to their children, and this bill that we are discussing today will strengthen those rights and protect young women from those who would seek to capitalize on this kind of vulnerability.

I am proud to stand here today in favor of the Child Custody Protection Act. I urge my colleagues to support this bill that will protect the parents' right to know.

Mr. SCOTT. Mr. Speaker, I yield 3 minutes to the gentleman from Illinois (Mr. DAVIS).

Mr. DAVIS of Illinois. Mr. Speaker, first of all, I want to thank the gentleman from Virginia (Mr. SCOTT) for yielding me this time.

Mr. Speaker, I rise today in opposition to H.R. 3682, the Child Custody Protection Act, although perhaps a more fitting title for this legislation would be, the Teen Endangerment Act. I will tell my colleagues why.

This bill threatens to isolate a young woman from friends, extended family, and other advisors who may help her to make a difficult decision. Regardless of our political views, we can agree that during trying times, every young woman should be surrounded by caring people who will provide comfort, support, and advice. Ideally we all agree that parents should be directly involved. However, we must understand that many young women are not fortunate enough to have one, let alone two, concerned parents.

□ 1515

Yet, this bill would effectively tell these young women that honorable men and women who may not be family, but are as compassionate as family, cannot care for them.

Now, supporters of this bill cite the need to protect young women from overreaching adults who may attempt to assist them, against their will, in traveling into other States where there is no requirement of parental notification or consent.

If this was the case, then I would be in support of this legislation. However, a closer look at the facts show young women in this Nation are not under attack from such ruthless adults. In fact, most young women involve one or both parents in decision-making, and in those cases where a parent is not involved, women turn to trusted relatives or family friends who often provide guidance to them during a very difficult period in their lives. Yet, this bill would criminalize the actions of these compassionate people.

I am troubled, because if we are serious about teaching young women to make rational decisions, then why is this Congress proposing a measure that

does little more than complicate an already delicate situation?

It is our job, Mr. Speaker, as I see it, to ensure that there is no element of coercion in this very serious decision. That is why I urge my colleagues to support the motion to recommit, which would punish those people who would coerce those people to travel across State lines, where there is no requirement, and oppose H.R. 3682, the Child Custody Protection Act, which in actuality, instead of actually helping, does in reality hurt and harm our children.

Mr. CANADY of Florida. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, as I have been listening to the debate here today, I have been struck by some of the rhetoric that has been used. Quite frankly, I have been disappointed by some of the arguments I have heard. I think it is important for the Members to focus on this bill and exactly what it does.

This is a very straightforward bill. It is a bill that is designed to deal with a serious problem. As anyone who has listened to the debate will know, that is the problem of minor girls being transported across State lines for the purpose of obtaining an abortion in defiance of parental notification and consent laws.

Lest anyone think this is not really a serious problem, I would quote Catherine Colbert, who in 1995, as an attorney with the pro-abortion Center for Reproductive Law and Policy, stated ''There are thousands of minors who cross State lines for an abortion every year.'' ''There are thousands who cross State lines for an abortion every year.''

So this is a practice that is going on on a widespread basis. Despite the fact that over 20 States have parental consent or notification laws, vulnerable teenage girls are still being taken from their families to out-of-State abortion clinics, in disregard of the legal protections the States have provided.

Today this House has an opportunity to curb this abuse and to protect the health and well-being of minor girls. The bill before the House today would amend title 18 of the U.S. Code by criminalizing the knowing transportation across the State line of a minor girl with the intent that she obtain an abortion, in abridgement of a parent's rights of involvement under the law of the State where the child resides.

I would ask the Members to focus on this specifically. This requires knowing transportation across the State line with the intent that an abortion be obtained. Some of the examples, some of this parade of horribles we have had, clearly would not take place under this explicit language which requires the knowing transportation with the intent that the minor obtain an abortion.

Under the bill, a violation of a parental right occurs when an abortion is performed on a minor in a State other than the minor's State of residence and without the parental consent or notification, or the judicial authorization that would have been required had the abortion been performed in the minor's State of residence.

The Child Custody Protection Act gives the parents of the minor girl a civil cause of action if they suffer legal harm from a violation of the bill. The bill also, we should note, explicitly provides that neither the minor herself nor her parents may be prosecuted or sued in connection with a violation of the Act. The bill also contains an exception for the life of the mother.

In addition, the bill provides an affirmative defense to prosecution or civil action where the defendant reasonably believed, based on information obtained directly from the girl's parents or other compelling facts, that the requirements of the girl's State of residence regarding parental involvement or judicial authorization have been satisfied. Again, there is a defense here for someone who makes an honest mistake based on compelling facts.

But the argument that is being advanced by the opponents of this bill is, essentially, we should have had an amendment in the bill that provides that ignorance of the law is an excuse, that ignorance of the law would be an excuse. I do not accept that. We do not have those kinds of provisions in the criminal law. In the criminal law of this country, ignorance of the law is not an excuse. I do not believe that, in this context, we should make a special exemption and provide that ignorance of the law is an excuse.

It is also important to understand that the provisions of the Child Custody Protection Act are operative only when the State where the minor resides has adopted a valid constitutional parental involvement law under the standards articulated by the Supreme Court. That is absolutely critical here.

They argue that it is not constitutional. That is absolutely incorrect, because the predicate for the operation of this statute is a valid constitutional State law. That is what we are talking about.

What the opponents of this bill are essentially driven to argue is that there is a constitutional right to travel, to go across State lines, that minors have to avoid the supervision of their parents.

I think if Members think about that for a minute and think about the consequences of that argument, they will see that it is ridiculous and it is unacceptable, and would lead to all sorts of results that we would not want to see.

Members will also hear arguments today that this bill will endanger the lives of young girls. This is a major thrust of the opposition to this bill. But quite the opposite is true. It is when young girls are secretly taken for an abortion without their parents' knowledge that they face serious risks to their health and well-being.

An abortion is a serious and often dangerous medical procedure. When it is performed on a girl without full knowledge of her medical history, which is usually only available from a parent, the risk greatly increases. Moreover, minor girls who do not involve their parents often do not return for follow-up treatment, which can lead to dangerous complications.

In the subcommittee's hearing on this bill, we heard from one mother whose daughter was secretly taken away for an abortion and subsequently suffered serious complications from the botched procedure. Her daughter required additional surgery after the abortion, additional surgery which could only be performed with her mother's consent.

What an irony. What an irony involved in that case. Of course, it was a terrible tragedy for that family, all of the circumstances, but the irony there is that an abortion can be obtained without parental involvement, but if the abortion produces complications, parental consent is required for the necessary medical care.

As Dr. Bruce Lucero, a prominent abortionist and abortion rights advocate, wrote last Sunday on the New York Times op ed page, I would ask the Members of the House to look at this. I know there are Members who would disagree with the views of those of us who support this bill on the general subject of abortion, but I would appeal to all Members to read this piece that appeared in the New York Times. It is under the heading ''Parental Guidance Needed.'' The gentlewoman from Florida (Ms. ROS-LEHTINEN) and I circulated this as a Dear Colleague. It is very instructive.

As Dr. Lucero wrote, teenaged girls who have an abortion without consulting their parents face greater risk to their health than those who consult with their parents. It is the parents who have the fullest access to relevant information concerning the girl's health, and it is the parents who are in the best position to see that any complications are promptly and effectively treated.

While I do not agree, by any means, with Dr. Lucero's views on the general subject of abortion, I believe that his support as a prominent abortionist and a prominent advocate of abortion rights is somewhat noteworthy. I would encourage my colleagues to pay a little attention to this. All of the Members of this House, whatever their position on abortion, they should pay attention to Dr. Lucero's conclusion that passage of this legislation is, and I quote him, ''important . . . to the health of teen-age girls.''

The opponents of parental involvement laws and of this bill argue that the bill needs a health exception. It does not. The bill specifically provides that it would not apply if the abortion was necessary to save the life of the minor. If the concern is about the health risk of a non-life-threatening nature, then the best course of action is involvement of the parents, for the very reasons I have just discussed, and

for the reasons that Dr. Lucero discusses. He has a lot of experience in this particular area.

If there is some compelling reason why the girl cannot tell her parents, then she always has the ability to seek an expeditious judicial review, which all valid State parental involvement laws are required to permit. It must be expeditious. That is one of the fundamental requirements that has been set forth by the Supreme Court.

Finally, Mr. Speaker, we have heard arguments that the parents are not really the people who should have the right to be involved when a minor girl is considering an abortion, but that the grandparents, the aunts and uncles, cousins, siblings, teachers, and pastors should have the right to take the child for an abortion.

But the Supreme Court of the United States has not recognized the rights of teachers and pastors or cousins or siblings or other family members to be involved in a minor's decision to have an abortion. The Supreme Court has, however, recognized the rights of parents, as reflected in State parental involvement laws.

At bottom, the arguments that are being advanced against this bill are really objections to the underlying State parental notice and consent laws, and objections to the Supreme Court rulings on this subject. Those who disagree with parental notice and consent laws ought to take that matter up with the State legislatures and with the Supreme Court. That is where their real objection lies.

H.R. 3682 is not a Federal parental consent law. It is simply a law which protects State laws. As we have already heard, across the country a child cannot even be given an aspirin at school without her parents' permission, yet strangers can take children across State lines for abortion, in circumvention of protective parental involvement statutes. The Child Custody Protection Act will simply ensure the effectiveness of these State laws.

While the abortion industry believes anyone, anyone should have the right to take a minor girl across State lines for a secret abortion, the American public disagrees by an overwhelming margin; indeed, a margin of nearly 9 to 1.

According to a national poll conducted last week, 85 percent of voters asked said that a person should not be able to take a minor girl across State lines for an abortion without her parents' knowledge. I would urge my colleagues to pay attention to what the American people are saying on this subject. I would urge them to vote in favor of the bill.

Ms. ROS-LEHTINEN. Mr. Speaker, will the gentleman yield?

Mr. CANADY of Florida. I yield to the gentlewoman from Florida.

Ms. ROS-LEHTINEN. Mr. Speaker, I just wanted to point out some of the doublespeak that has been going around in our Chamber relating to targeting ads and soliciting and extorting children, this time by the tobacco industry, yet that same kind of outrage is not directed at the abortion industry.

I am talking about certain ads that I agree with, this one put out by certain anticancer groups, that says, ''It is time to keep tobacco companies from addicting any more of our children to their deadly product. Our Nation needs a tough bill that stops the lies, stops the killing, and stops big tobacco now.''

So they are against targeting ads that entice young people to smoke, and I am against that, too. I am against having young people smoke and encouraging and enticing them to smoke. But apparently these legislators who are so incensed over big tobacco ads targeting young people are not equally incensed at the abortion industry that targets young people.

Why are they not incensed that this ad says ''No parental consent required?'' Who is that targeted to, if not a minor daughter? Where else would they need a parental consent, if they are not a minor daughter? Obviously that is an ad that targets young people.

So we are against big tobacco. We say,''Congress Must Choose: Big Tobacco or Kids,'' because we love kids. These cigarette companies should not be targeting our children. I agree.

□ 1530

They are not against these ads that say no parental consent? Who are they targeting? Who are these abortion mills targeting if not young people?

I thank the gentleman for yielding to me. I would love to hear the outrage from all of those Members who are so outraged about big tobacco, I am as well, why do they not get equally outraged about abortion mills targeting young girls and exploiting them in their hour of need?

I thank the gentleman for yielding to me.

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

Mr. SCOTT. Mr. Speaker, I yield 1 minute and 30 seconds to the gentlewoman from New York (Mrs. LOWEY).

Mrs. LOWEY. Mr. Speaker, I would just like to ask the gentleman from Florida two questions. Firstly, he was talking about protecting State laws. I wanted to question the gentleman and wondered if he would protect New York State's gun laws as well. For example, Florida has no gun laws. Could we work together to make sure that the gun laws in New York are enforced if a person goes to Florida? That is the first question.

Mr. Speaker. Mr. Speaker, will the gentlewoman yield?

Mrs. LOWEY. I yield to the gentleman from Florida.

Mr. CANADY of Florida. The answer to that question is no. I do not support the gun laws.

Mrs. LOWEY. So you are not interested in protecting State laws.

Mr. CANADY of Florida. I do not support the gun laws of New York. I think a lot of New Yorkers are moving to Florida so maybe that has something to do with the better legal climate in Florida.

Mrs. LOWEY. Then the question concerning preserving State laws is not really one of the valid arguments.

The second question I have is, the gentleman was talking about a judicial bypass. Does the gentleman actually admit to this group that a grandmother, a loving aunt, a loving cousin, a sibling could be subject to penalty if they help this woman?

I would like to ask the gentleman from Florida, could he clarify for me whether a loving grandmother, an aunt or a sibling would be subject to penalty if this young woman in her hour of need wants to go to a loving family member, if, in fact, because the parent might be a drug addict or might be abusive or might have abused her, if that young woman decided she could not go to the parent, would that relative, dear friend or family be subject to these penalties?

Mr. CANADY of Florida. Mr. Speaker, if the gentlewoman will continue to yield, under the laws of all the States, those individuals that the gentlewoman has specified would be enabled to go with the young woman to a judge for the judicial bypass. That is available under all the laws as required by the Supreme Court.

Mr. SCOTT. Madam Speaker, I yield 3 minutes to the gentleman from Maine (Mr. ALLEN).

Mr. ALLEN. Madam Speaker, I rise in opposition to this sadly misnamed Child Custody Protection Act. This bill does not encourage young women to ask a trusted adult for much-needed assistance. Instead this bill will cause some young women to face decisions about their pregnancy alone.

Parental involvement in a minor's decision about her pregnancy is the ideal. And for 75 percent of teens in this country, it is also the reality. But some teenagers, for various reasons, simply cannot or will not confide in a parent. This bill will make criminals of some grandmothers, aunts or other relatives that help pregnant teenagers exercise their legal rights.

This bill would endanger the health and lives of young women who for a variety of reasons, including fear of abuse, are unable to involve a parent in their decisionmaking. We have heard several times comments over here about how what you do need parental consent for, but you do not need parental consent to give birth. You do not need parental consent to give a child up for adoption. This bill is about politics, not sound legislation. Four months away from an election, this bill is designed to strike contrasts between two sides rather than to enact good legislation.

What we should be talking about today, following the suggestion of a Republican Member, the gentleman

from Pennsylvania (Mr. GREENWOOD), is how to involve adults in the decision-making process. We should look at policies that work, like the Adult Involvement Law that exists in my home State of Maine.

The Adult Involvement Law recognizes that parental involvement and guidance is ideal for young women facing decisions regarding a pregnancy. However, when parental involvement is not possible, teens should not be alone. Maine's Adult Involvement Law allows young women to turn to a trusted adult for advice and counsel. The young woman considering an abortion may turn to a parent or another family member, such as an aunt or grandmother or a judge or a counselor.

A counselor may include a physician, psychiatrist, psychologist, social worker, clergy member, physician assistant, nurse practitioner, guidance counselor, registered nurse or licensed practical nurse. The counselor must discuss with the young woman all of her options, including adoption, parenting and abortion.

In Maine, all minors seeking an abortion must receive counseling, even if that young woman has the consent of another adult. This provides the maximum guidance and support for the young woman. That is the kind of law we ought to be considering here today.

This Child Custody Protection Act is designed to restrict a young woman's access to abortion, not to ensure the involvement of an adult in her decisionmaking process, because in many cases she simply cannot or will not go to a parent if there is a parent in the picture.

I urge my colleagues to oppose the so-called Child Custody Protection Act.

Mr. CANADY of Florida. Madam Speaker, I yield such time as he may consume to the gentleman from Illinois (Mr. HYDE) chairman of the Committee on the Judiciary.

Mr. HYDE. Madam Speaker, I have already spoken and redundancy is not the happiest thought. But I just wanted to say something.

I have listened very carefully to this serious debate, and I have not heard one word about the little baby. That, I guess, just is kind of a given because we have a million and a half abortions every year since Roe versus Wade. That is about 35 million so far. We are so used to it, we are so desensitized that abortion is a good thing. I think abortion is an evil thing because it kills a human life, an innocent human life.

Why is it helping a young girl by assisting her to kill her unborn child and saddle her for the rest of her life with wondering what her first little baby might have looked like? Yes, it is tragic to have an unwanted pregnancy. Yes, there are parents who are awful, who are less than human, and you do not want to saddle a little girl who is in real trouble with that kind of a situation. That is why you have a judicial bypass.

The judges are going to be very sympathetic to that situation. But my God, somebody say a kind word for the little baby. Why is it helping, why is it helping a young girl to go behind the backs of her parents, take her across the State line to kill her unborn child?

Now, grandma, who we are assuming is far superior to the mother in any given situation, grandmother is always available but not necessarily to help her kill the child. Maybe to help her have the child. Maybe to help her get the child adopted. Maybe to counsel her. Maybe grandmother can talk to mother and break the news that the daughter is so afraid to do.

Grandmothers are not blocked out of this, nor grandfathers, nor a loving anybody. But taking the child across the State line to frustrate the law, to deny the parent the right to some say-so in this critical, crucial, life-threatening situation, that is what you are opting for.

If abortion is a good thing, then you are right. But if abortion is killing an innocent human life, give some little passing concern for that little baby.

Mr. SCOTT. Madam Speaker, I yield 4 minutes to the gentlewoman from the District of Columbia (Ms. NORTON).

Ms. NORTON. Madam Speaker, I thank the gentleman for yielding me the time.

I want to make two points. One has to do with the real purpose of this bill. The second has to do with who it is really aimed at, whether intentionally or unintentionally, because the result is the same. The real purpose of this bill is clear. It is yet another attempt to sacrifice women and girls, to drive back the right to choose by any means necessary, whatever the consequences.

America ought to be on notice, these folks have lost, because the people have spoken on the right to choose, the people and the courts have spoken on the right to choose. So they have lost on that question. They have adopted another strategy. They are trying to do incrementally to the right to choose what they have been unable to do through frontal attacks on the right to choose. What is particularly serious, as far as this Member is concerned, is who this bill is really aimed at.

This bill chooses to go at the most vulnerable girls in this society. They are disproportionately girls of color. I resent the fact that this bill goes after those who are most likely to come from broken families, most likely to be abused children, and I stand here to speak for them. The most vulnerable people in the country are girls who find themselves pregnant and alone with not even a parent they can turn to.

A third of them would find themselves involved in violence, according to the data, if they turned to a parent.

So this bill really ought to be called the Runaways Encouragement Bill, because the children who are most likely to be hurt by it are those who have no adult to turn to. And to the extent they have one, you have taken away that right because even a sibling or grandparent or close friend they cannot turn to. So runaway, do it on your own.

Instead of encouraging girls to turn to an adult, and I was impressed with what the gentleman from Maine has just said, it encourages girls to run away from adults. Who are we talking about? After all, 75 percent of minors involve themselves with at least one parent. Who is it in America who does not?

I have to tell my colleagues that the sponsors of this bill must have an Ossie and Harriet view of the family, but the fact is, if you saw the resent Ossie and Harriet documentary, even that one is gone. So that there are huge numbers of families that would be hurt by this. But they are disproportionately children of color, that is, inner city girls, those who come from where there are no families, where there are no fathers, where there may well be not any mothers. That is who you are hurting. You are hurting the people that I represent. You are hurting the people that the Black Caucus represents. You are hurting the people that Hispanic Caucus represents. You are hurting those who are most likely to be without parents, and I resent it. You ought to define family the way the family has always been defined in America, and that is as an extended family.

The family is not simply a two-parent family. A family is not a one-parent family. In my community, a parent may be mentors. It may be your cousin. Do not hurt those who have already been hurt by the disintegration of families, by the break-up of families. Do not make it any harder for children who have no place else to turn.

Defeat this bill. Save the most vulnerable of our children.

Mr. CANADY of Florida. Madam Speaker, I yield 3 minutes to the gentlewoman from Washington (Mrs. LINDA SMITH).

Mrs. LINDA SMITH of Washington. Madam Speaker, the real purpose of this bill is to protect children, born and unborn. Children of all races deserve to be protected, not preyed upon. And by the way, we know that most babies of teenagers are fathered by adult men who, yes, go into these areas, prey upon them and then the best they can do is just pay for the abortion. They should not be treated any different than any other little girl in our Nation.

To allow this to go on, to allow them to go into these areas and prey on these little girls of any color is just wrong. So we would certainly agree that they should all be protected equally, but we would not agree on the way to get there.

I am hearing today that families are excluded if it is a grandma or an aunt or an uncle or someone else in the family. There is nothing further from the truth. The reality is that every court, every State that has parental provisions constitutionally have to have a bypass, because the Constitution has been determined to allow abortion.

□ 1545

Therefore, there has to be a simple, nonobstructive way of getting an abortion quickly outside of the parental involvement. So every State has a procedure.

In fact, the average judicial bypass hearing lasts about 12 minutes. More than 92 percent of the hearings were less than 20 minutes. And the girl cannot, cannot under the State law, be put under an adversarial situation; or that is stopping her from having her rights. And it overturns that law.

So what we have is the ability for a young girl who is pregnant to stay in the State, not to be moved to another State, away from family, away from parent. But in that State, she can go with an aunt, that grandma, that neighbor, that clergy, and there has to be a brief, quick process.

I think it is important that we take a look at reality in these States. In the States that have it, in Massachusetts, we will find that every minor that sought judicial authorization received it. Every single one. Another Massachusetts study found that only one of 477 girls was refused or was even slowed down.

So what we have is everybody is getting the bypass. But what it does is it makes this little girl that is afraid to go talk to mom or dad, where she has a pretty good family, and who wants to tell mom or dad something is wrong, take a breath and go, well, maybe they are not that bad after all.

We need to slow this down. Because it is awfully easy for that adult man to prey on that little girl, to take that little girl across State lines, or the parent or the relative that is involved or knows about this to want to cover it up. But we should not cover it up. We should help these girls and keep it in the light of day and make sure that they have their rights, as children, protected.

Mr. SCOTT. Madam Speaker, may I inquire as to the amount of time remaining?

The SPEAKER pro tempore (Mrs. EMERSON). The gentleman from Virginia (Mr. SCOTT) has 4 minutes remaining and the gentleman from Florida (Mr. CANADY) has 6½ minutes remaining.

Mr. SCOTT. Madam Speaker, I yield 3 minutes to the gentlewoman from New York (Mrs. LOWEY).

Mrs. LOWEY. My colleagues, we have heard a lot today about love, parental responsibility, family values. Oh, I wish we could legislate those values here in this Congress but, unfortunately, we cannot.

As a mother of three, as a grandmother of two, as many of my colleagues said, we hope and pray that our children will confide in us, speak to us when serious challenges face them in their lives. Not every family is Ozzie and Harriet. There are many young people who do not feel that they have parents they can confide in.

Maybe they are lucky. Maybe they have a grandmother they can talk to in their hour of crisis. Maybe they have an aunt. Maybe they have a sibling that they can confide in. Yet in this bill we are going to say to that young woman in her moment of greatest need, when she has to make a very, very difficult decision, ''Don't go to your grandmother. Don't go to your aunt. Don't go to your dear friend.'' And we are saying, ''It's okay to go to a judge.'' And in 12 minutes that judge is going to make this decision. Twelve minutes.

Let me tell my colleagues something. First of all, there are five States that do not even have a judicial bypass. Five States that do not have a judicial bypass. And some judges have never granted this authority. We have facts. This is a fact.

Mr. CANADY of Florida. Madam Speaker, will the gentlewoman yield?

Mrs. LOWEY. I yield to the gentleman from Florida.

Mr. CANADY of Florida. The gentlewoman is certainly aware that the Supreme Court has required judicial bypass. And if a judicial bypass procedure is not available, the State law is invalid and unenforceable.

Mrs. LOWEY. Reclaiming my time, Madam Speaker. The real problem here is that a young woman who is in need of assistance is going to have the person with whom she wants to confide subject to a penalty; thrown into jail. This just does not make sense at all.

I urge my colleagues to join with me in preventing unwanted pregnancies. Let us work and reach out to our young people, encourage abstinence, encourage responsibility, but in their time of greatest need, let us not throw them in jail. Let us not throw their relative in jail.

In fact, at 6 o'clock today I challenge my colleagues to join us and vote against a rule that prohibits coverage of contraceptives. One of the gentlemen who spoke earlier today voted against coverage of contraception. He is against abortion, he is against contraception. This is 1998. Let us work together to reduce unintended pregnancies, prevent unwanted, unwanted and unloved pregnancies, and let us move on and work together.

This bill does not make sense at all. Let us not throw granny in jail, let us not throw the aunts, the relatives in jail, let us defeat this bill.

Mr. CANADY of Florida. Madam Speaker, I yield 1 minute to the gentleman from Nebraska (Mr. CHRISTENSEN).

Mr. CHRISTENSEN. Madam Speaker, I thank my colleague for his leadership on this issue, and over the past several years how he has led on this issue.

I would like to identify myself with my colleague from Illinois when he talked about it is really about the child that we do not hear anything about from the other side.

I know my colleague from New York is a grandmother, I know she cares about children. We just disagree on the approach here. A lot of us disagree on the issue of our tax dollars going to fund contraception. So it is an issue of where the money is spent and where the authority goes.

This issue really is about children, though, and parental consent and the parents having some say. If a child is not going to tell his or her parent about a possible abortion that they want to seek, they are not going to seek the parents' help when it comes to medical problems they are experiencing from the complications of an abortion. So this bill is for parents and this bill is for children, and this bill, yes, this bill is for the unborn child as well.

Parents should be involved. That is all we are saying. Pass this bill, H.R. 3682.

Mr. SCOTT. Madam Speaker, I yield such time as he may consume to the gentleman from California (Mr. MILLER).

(Mr. MILLER of California asked and was given permission to revise and extend his remarks.)

Mr. MILLER of California. Madam Speaker, I rise in opposition to this bill.

Mr. SCOTT. Madam Speaker, I yield myself the balance of my time, and just want to say that I want to encourage my colleagues to read the bill.

Reference has been made to ads targeted at minors. There is nothing in this bill that prohibits a minor from responding to the ad. The only problem is they have to go alone, without being accompanied by someone else. It is only an offense under this bill if someone transports the minor. Some criminal, including a brother or a sister. A criminal, like an aunt or an uncle or a grandparent. It is not limited to strangers or adult men. It includes brothers and sisters and close relatives.

There is nothing in this bill that requires parental involvement or even ensures parental involvement. The minor can cross State lines alone. That is why the bill is not effective. That is why we should have been able to have amendments, and I would hope that we would defeat the bill.

Mr. CANADY of Florida. Madam Speaker, I yield myself the balance of my time.

This has been an interesting debate. We have heard many things. Most of the things we have heard we have heard over and over again. I will not take all of the time I have allotted remaining. I just want to make again some very basic points about this bill.

To those who say that this is an unconstitutional measure, I point out that the predicate for the operation of this bill is the existence of valid constitutional State laws, laws that have been adopted by State legislatures and which meet the requirements that have been outlined by the United States Supreme Court with respect to parental consent and parental notice laws.

Now, there are a little more than 20 States that have such laws on the books that are valid and enforceable. And all we are saying in this bill is

that where we have such valid constitutional laws, this Congress has a role to play in making sure that people do not use the interstate transportation of a minor as a way of circumventing those valid constitutional State laws.

It is very simple. This is not a complicated concept. It is something that I believe all Members, if they give it even the slightest attention, would understand very easily.

It is also important to understand that first and foremost this bill is about protecting the health of young girls. Now, there is an additional concern here about protecting the integrity of the family and the role of the parents in counseling a young girl when there is consideration of an abortion. That is important for a number of reasons, but it is preeminently important because there are threats to the health of the young girl if such counseling is not available.

Again to my colleagues, I would appeal to them, regardless of what their position may be on the subject of abortion in general, to consider the conclusion reached by Dr. Bruce Lucero, a prominent abortionist, a prominent abortion rights advocate, who said that the passage of this bill, and I quote, ''Is important to the health of teenage girls.''

And in the article which Dr. Lucero wrote, he outlines the reasons for this, and it boils down to this. The parents are in the best position to have information about the health of the young girl; the parents are in the best position to make certain that if there are complications, there is appropriate and expeditious treatment of the young girl. It is the parents who stand in the position to help ensure that the health of the girl is protected.

Now, we have heard that there are difficult circumstances where a girl may not be able to go to her parents. The judicial bypass procedure is available in any of these laws that are valid and enforceable. Some examples have been raised of laws that are not valid or enforceable and that do not have a judicial bypass. That is a red herring, and I believe that people raising that understand that that is a red herring. Any law, the enforcement of which would be aided by the bill that is under consideration today, must have a judicial bypass procedure. That is something the Supreme Court has ruled unequivocally.

I think Members should reject this notion that minors have a constitutional right to go across State lines to evade the supervision of their parents. That is certainly a novel argument, and that is an argument I do not believe we would want to accept.

So I ask the Members to carefully consider all the factors surrounding this bill, and I think if they do that, and they are truly concerned about the health of young girls, they will vote in favor of this bill.

I want to conclude by thanking my colleague, the gentlewoman from Florida (Ms. ILEANA ROS-LEHTINEN), for filing this important legislation. I am deeply grateful for her outstanding leadership in bringing this legislation forward. This is important for the families of America and it is important for the young people of our country.

Mrs. MALONEY of New York. Mr. Speaker, I rise in strong opposition to this bill.

I'd like to put this vote in perspective. This is the 87th vote on choice since the beginning of the 104th Congress.

This Congress has acted again and again to eliminate abortion procedure by procedure, restriction by restriction, and unfortunately, they are succeeding.

Today we are debating a bill to criminalize the act taking a minor across state lines for an abortion without parental consent, if the state in which the person resides requires it.

As a mother of two daughters, I know that this is not a simple issue. Of course, I would hope that my children would include me when making such an important decision.

Unfortunately, parental notification requirements lead many teens—especially those from from severely dysfunctional families not to seek a safe abortion at all.

I would hope that any young woman who refuses to involve her parents would have another trusted adult from which to seek guidance and support. However, this bill will make criminals of those loving grandparents, siblings, counselors and friends who have nothing but the safety and well-being of the young woman in mind. It sends the message to young women that the abortion process is something they must go through alone.

H.R. 3682 is a dangerous bill. It will succeed only in making it more difficult for young women to gain safe, legal abortions. If she refuses to involve her family and the law prohibits her from looking to another responsible adult for help she may be forced to travel alone to a clinic, adding delays which increase the risk to her health, or worse, resort to ''back alley'' or even self-induced abortion.

H.R. 3682 is also an unnecessary bill. For those who worry about young women being forced or coerced by an adult into having an abortion against their will, let me remind them that we already have laws, such as informed consent laws or prohibitions against kidnaping and statutory rape, which protect against this. This bill doesn't protect young women from undue influence. On the contrary, it strips them of essential support.

This bill is not about protecting our young women. It is driven solely by the divisive nature of abortion politics. I urge you to oppose H.R. 3682 and in doing so put the safety and well-being of America's young women before the political agenda of anti-choice legislatures.

Mr. BLUMENAUER. Mr. Speaker, I rise in opposition to HR 3682. There is nothing more important in parent-child relationships than for parents to be involved in the healthcare decisions of their children. This basic parental right and responsibility is perhaps most critical in the case of pregnancies of young woman. In most American homes, no one cares more about the welfare, health and safety of a child than her parents. Although a young woman may be frightened or feel ashamed to share with her parents, parents are usually best able to provide support for these most personal decisions.

Unfortunately, not all young women are able to confide in their parents should they become pregnant. A victim of family violence or incest is often not in a position to share her pregnancy with her parents for fear of further abuse. This bill, although laudable for its intention to encourage communication between parents and children, does not provide alternatives for a young woman who is unable, for fear of physical or emotional abuse, to involve her parents in her decision.

In addition, the bill would criminalize the actions of close family members who might seek to assist a young woman who is struggling with this monumental decision. For troubled American households, grandparents, estranged parents, aunts, uncles, or siblings often serve in the parental role. The bill unfortunately does not make provisions for such circumstances. In fact, it may put these young women in a more dangerous situation should they feel compelled to turn to illicit providers of abortion services or travel alone.

Mr. Speaker, I agree with the need for more parental involvement in their children's lives, but for these reasons, I must vote no on HR 3682.

Mr. PAPPAS. Mr. Speaker, the Child Custody Protection Act protects not only the lives of born and unborn children, but protects the rights of parents from those who wish to undermine them.

I find it troubling that some in this body do not believe it is dangerous to allow a person, who knows nothing about a young girl's health history and who may not even know her, to take her to get an abortion. Risking permanent damage to a child's health, solely to keep her pregnancy a secret from her parents, suits no purpose whatsoever.

In a recent poll, 85 percent of Americans said that they do not believe that a person should take a minor girl across a state line to have an abortion without her parents' knowledge. Many of these people call themselves ''pro-choice.'' Even a physician who performed abortions wrote in a recent New York Times op-ed that he supports this legislation, mainly because of his concern for the health and life of the minor during and after this procedure.

Mr. Speaker, getting a young woman to the abortion doctor does not end the situation. This is not a haircut. Rather, this is a potentially dangerous medical procedure whose effects, both physical and emotional, will continue to be with the young woman once she returns to her home. A stranger will not be there. Parents will be.

I ask my colleagues to protect our young women from those who wish to break the law. A vote in favor of the Child Custody Protection Act is a vote in favor of preserving the law and protecting the rights of our nation's parents.

Mr. GILMAN. Mr. Speaker, I rise today in opposition to H.R. 3682. the Child Custody Protection Act which would make it a Federal offense for anyone other than that minor's parents to transport that minor to another State so that she may obtain an abortion.

This legislation would prohibit anyone including grandparents, step-parents, religious counselors and any other family members, from accompanying a woman across State lines to obtain an abortion. Parental involvement is ideal and currently, some 75 percent of minors under age 16 already seek the advice and help of a parent when faced with an unintended pregnancy and the prospect of obtaining an abortion. These young ladies are fortunate enough to have loving and understanding parents that they can talk to, but not

all teenagers are that lucky. For those teenagers who feel that they cannot involve their parents, they are left with no one else to turn to. No one to counsel them about alternatives to abortion, thus ensuring that they will go through with an abortion. Should this bill pass, young women would be forced to make this difficult decision alone, for fear of putting a family member or a trusted adult in danger of committing a Federal crime.

Supporters of this bill claim that this legislation will strengthen the lines of communication between young women and their parents, when actually the opposite will result. Fearful of putting a trusted family member at risk, who knows what a young, frightened teenager might do? Forced to make a decision on her own, she may make the journey across State lines by herself, traveling by bus or even worse, hitchhiking. She may turn to an illegal back alley abortion where she puts her young life in unnecessary danger.

We owe it to these young women, to allow them the chance to involve someone they trust in making this important decision. Most teenagers who do not involve a parent involve an adult in the decision with some 15 percent talking with a step-parent, grandparent or sibling. If any of these family members attempted to help that teenager obtain an abortion, they would pursuant to the bill before us, be committing a Federal offense.

We need to teach our youth to practice abstinence and to be responsible, thus making abortion an unnecessary procedure. That would be far better than passing legislation which holds concerned family members and trusted adults criminally responsible for helping these young women make a very difficult decision. Accordingly, I urge my colleagues to vote against the Child Custody Protection Act.

Mr. PACKARD. Mr. Speaker, I would like to extend my strong support for H.R. 3682, the Child Custody Protection Act. As a father of seven and a grandfather to 34, the thought of a stranger taking one of my children or grandchildren to another state to receive an abortion absolutely sickens me.

The Child Custody Protection Act would make it a federal offense for someone who is not the guardian, to knowingly transport a minor across state lines so she may receive an abortion. An abortion is a life altering and life threatening procedure and for a parent to be kept in the dark is absurd.

We should not allow state laws to be thwarted without consequence. When a minor is taken across state lines for the purpose of obtaining an abortion, the intent is specifically to avoid parental notification or consent laws. Parental notification laws ensure that a parent is aware of the circumstances surrounding the pregnancy of a child to determine whether they were abused, molested, or the victim of a crime. It is alarming to think that our children are required to receive parental consent to take aspirin at school, yet they can be taken across state lines by someone who is not their guardian to have an abortion.

Mr. Speaker, I urge my colleagues to vote in favor of H.R. 3682, and vote in favor of protecting our daughters. A stranger should not be allowed to make critical decisions about the health and well being of our children.

Madam Speaker, I yield back the balance of my time, and I urge my colleagues to vote ''yes'' on this legislation.

The SPEAKER pro tempore. All time has expired. Pursuant to House Resolution 499, the previous question is ordered on the bill, as amended.

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. SCOTT

Mr. SCOTT. Madam Speaker, I offer a motion to recommit.

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

Mr. SCOTT. I am opposed, Madam Speaker.

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

The Clerk read as follows:

Mr. SCOTT moves to recommit the bill H.R. 3682 to the Committee on the Judiciary with instructions to report the same back to the House forthwith with the following amendment:

Strike all after the enacting clause and insert the following:

SECTION 1. SHORT TITLE.

This Act may be cited as the ''Child Custody Protection Act''.

SEC. 2. TRANSPORTATION OF MINORS TO AVOID CERTAIN LAWS RELATING TO ABORTION.

(a) IN GENERAL.—Title 18, United States Code, is amended by inserting after chapter 117 the following:

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

''Sec.
''2401. Transportation of minors to avoid certain laws relating to abortion.

''§ 2401. Transportation of minors to avoid certain laws relating to abortion

''(a) OFFENSE.—Whoever uses force or the threat of force to transport an individual who has not attained 18 years of age across a State line, with the intent that such individual obtain an abortion, and thereby knowingly abridges a State law requiring parental involvement in a minor's abortion decision, shall be fined under this title or imprisoned not more than 5 years, or both.

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

''(1) a law requiring parental involvement in a minor's abortion decision is 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;

''(2) an abridgement of the State law requiring parental involvement occurs if an abortion is performed 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;

''(3) 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;

''(4) 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; and

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

(b) CLERICAL AMENDMENT.—The table of chapters for part I of title 18, United States Code, is amended by inserting after the item relating to chapter 117 the following new item:

''117A. Transportation of minors to avoid certain laws relating to abortion ..... 2401''.

Mr. CANADY of Florida (during the reading). Madam Speaker, I ask unanimous consent that the motion to recommit be considered as read and printed in the RECORD.

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

There was no objection.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Virginia (Mr. SCOTT) is recognized for 5 minutes in support of his motion.

□ 1600

Mr. SCOTT. Madam Speaker, I yield to the gentlewoman from New York (Mrs. LOWEY).

Mrs. LOWEY. Madam Speaker, we have heard a considerable amount of concern from our friends on the other side of the aisle about older predator males smuggling or forcing young women across State lines for an abortion. We share that concern.

States must do a better job of enforcing the statutory rape laws, and we must make it clear to older men that if they have sex with underage women, they will be prosecuted to the fullest extent the law allows.

We must also ensure that women are not being forced or coerced to cross State lines to obtain an abortion. We support the right to choose, and we must guarantee that every woman can exercise that right free from harm, threats or intimidation.

Our motion to recommit will instruct the Committee on the Judiciary to report back a substitute that will make it illegal to force or coerce a woman across State lines so that she can obtain an abortion. The substitute also strengthens the underlying bill's criminal penalties by sentencing violators to 5 years in jail.

This amendment gets at the heart of what the underlying bill was trying to do, deter and punish those who intentionally try to evade parental laws and force young women to have abortions without the proper consent or notification requirements having been met.

H.R. 3682, as currently written, is far too overbroad. As we have seen, it would have the effect of criminalizing grandparents and close family relatives who are in many cases a young woman's only family and only source of support in times of crisis.

H.R. 3682, as currently written, would lead to back-alley abortions and increase family violence, particularly for young women who have nowhere to turn and no one to help them at a critical time in their lives. Surely, we want to strengthen family ties, not damage them.

H.R. 3682 is a bad bill. It will put our children at risk. It will throw our grandmothers in jail. Let us really do something about sexual predators by voting for the motion to recommit.

Mr. SCOTT. Madam Speaker, reclaiming my time, without this motion to recommit, the matter will be denied the assistance from a trusted friend or relative.

The bill in its present form, without the motion to recommit, does not require parental consent because a minor could go alone. I would ask that we vote yes on the motion to recommit.

Mr. CANADY of Florida. Madam Speaker, I rise in opposition to the motion to recommit.

I ask the Members of the House to focus carefully on exactly what this motion to recommit says. I had actually thought we might get a motion to recommit that would try to address some of the concerns that we have heard about. But this does not do that. It instead brings to the House a bill that would outlaw kidnapping and abduction for the purposes of obtaining an abortion.

This measure in the motion to recommit would simply say they cannot kidnap or abduct, use force or threat of force to transport an individual across State lines for the purpose of obtaining an abortion in the circumstances outlined. There are laws on the books already to deal with that kind of circumstance. There are laws against kidnapping. There are laws against abduction. There are laws that relate to the improper use of force or the threat of force.

So this is meaningless. This is absolutely meaningless. I think that the Members of the House should understand that. But more importantly, I think that the Members need to again focus on what the point of the underlying bill is.

This bill is here to protect the rights of parents to be involved in their minor daughter's decision to have a serious, potentially dangerous surgical procedure and the right of children to have the counsel and protection of their parents at that critical time when that decision is being made.

Now, many States have decided to give legal protection to this relationship through enactment of parental involvement laws, whether they be consent laws or notification laws. Now, without H.R. 3682, many people will continue to circumvent these protective State laws by secretly taking someone else's daughter across State lines for an abortion.

This motion before us is not serious. I have the greatest respect for the gentleman from Virginia (Mr. SCOTT) who has offered the motion, but I have to submit that this is not a serious attempt to deal with these issues.

As a matter of fact, if the type of provision that is in this motion were to become the law of the land, Joyce Farley and her daughter would be in the same position they have been in. Ms. Farley's 12-year-old daughter was raped, and the rapist's mother took the child out of Pennsylvania, which has a parental involvement law for an abortion. There was no evidence that the rapist's mother used force or the threat of force. She used persuasion with a very troubled young lady. She took advantage of her. Her son had taken advantage of her, and the mother of the offender took further advantage.

H.R. 3682 would protect Ms. Farley and her daughter. The motion to recommit would do nothing for them at all. As a matter of fact, the motion to recommit would do nothing for anybody at all other than perhaps give a little cover to some people who are looking for some cover on an issue which they understand the American people have a very firm position on.

The American people overwhelmingly support parental laws. The American people overwhelmingly support the bill that is before the House today. So I would urge that my colleagues in the House reject the motion to recommit and then vote for the bill.

The SPEAKER pro tempore (Mrs. EMERSON). 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. SCOTT. Madam Speaker, I object to the vote on the ground that a quorum is not present and make the point of order that a quorum is not present.

The SPEAKER pro tempore. Evidently a quorum is not present.

The Sergeant at Arms will notify absent Members.

The SPEAKER pro tempore. Pursuant to clause 5 of rule XV, the Chair will reduce to a minimum of 5 minutes the period of time within which a vote by electronic device, if ordered, will be taken on the question of passage.

The vote was taken by electronic device, and there were—yeas 158, nays 269, not voting 7, as follows:

[Roll No. 279]

YEAS—158

Abercrombie
Ackerman
Allen
Andrews
Baldacci
Barrett (WI)
Bass
Becerra
Bentsen
Berman
Bishop
Blagojevich
Blumenauer
Boswell
Boucher
Brady (PA)
Brown (CA)
Brown (FL)
Brown (OH)
Campbell
Capps
Cardin
Carson
Clay
Clayton
Clyburn
Conyers
Coyne
Cummings
Davis (IL)
DeFazio
DeGette
Delahunt
DeLauro
Deutsch
Dicks
Dixon
Doggett
Dooley
Edwards
Engel
Eshoo
Etheridge
Evans
Farr
Fattah
Fazio
Filner
Ford
Frank (MA)
Frost
Furse
Gejdenson
Gephardt
Gilman
Green
Greenwood
Gutierrez
Harman
Hastings (FL)
Hefner
Hilliard
Hinchey
Hinojosa
Hooley
Horn
Hoyer
Jackson (IL)
Jackson-Lee (TX)
Jefferson
Johnson (CT)
Johnson (WI)
Johnson, E. B.
Kaptur
Kelly
Kennedy (MA)
Kennedy (RI)
Kennelly
Kilpatrick
Kind (WI)
Lampson
Lantos
Lee
Levin
Lewis (GA)
Lofgren
Lowey
Luther
Maloney (CT)
Maloney (NY)
Markey
Martinez
Matsui
McCarthy (MO)
McDermott
McGovern
McKinney
Meehan
Meek (FL)
Meeks (NY)
Menendez
Millender-McDonald
Miller (CA)
Minge
Mink
Moran (VA)
Morella
Nadler
Olver
Owens
Pallone
Pastor
Pelosi
Pickett
Pomeroy
Porter
Price (NC)
Rangel
Reyes
Rivers
Rodriguez
Rothman
Rush
Sabo
Sanchez
Sanders
Sandlin
Sawyer
Schumer
Scott
Serrano
Shays
Sherman
Sisisky
Skaggs
Slaughter
Smith, Adam
Spratt
Stabenow
Stark
Stokes
Tauscher
Thompson
Thurman
Tierney
Torres
Towns
Velazquez
Vento
Visclosky
Waters
Watt (NC)
Waxman
Wexler
Wise
Woolsey
Wynn
Yates

NAYS—269

Aderholt
Archer
Armey
Bachus
Baesler
Baker
Ballenger
Barcia
Barr
Barrett (NE)
Bartlett
Barton
Bateman
Bereuter
Berry
Bilbray
Bilirakis
Bliley
Blunt
Boehlert
Boehner
Bonilla
Bonior
Bono
Borski
Boyd
Brady (TX)
Bryant
Bunning
Burr
Burton
Buyer
Callahan
Calvert
Camp
Canady
Cannon
Castle
Chabot
Chambliss
Chenoweth
Christensen
Clement
Coble
Coburn
Collins
Combest
Condit
Cook
Cooksey
Costello
Cox
Cramer
Crane
Crapo
Cubin
Cunningham
Danner
Davis (FL)
Davis (VA)
Deal
DeLay
Diaz-Balart
Dickey
Doolittle
Doyle
Dreier
Duncan
Dunn
Ehlers
Ehrlich
Emerson
English
Ensign
Everett
Ewing
Fawell
Foley
Forbes
Fossella
Fowler
Fox
Franks (NJ)
Frelinghuysen
Gallegly
Ganske
Gekas
Gibbons
Gilchrest
Gillmor
Goodlatte
Goodling
Gordon
Goss
Graham
Granger
Gutknecht
Hall (OH)
Hall (TX)
Hamilton
Hansen
Hastert
Hastings (WA)
Hayworth
Hefley
Herger
Hilleary
Hobson
Hoekstra
Holden
Hostettler
Houghton
Hulshof
Hunter
Hutchinson
Hyde
Inglis
Istook
Jenkins
John
Johnson, Sam
Jones
Kanjorski
Kasich
Kildee
Kim
King (NY)
Kingston
Kleczka
Klink
Klug
Knollenberg
Kolbe
Kucinich
LaFalce
LaHood
Largent
Latham
LaTourette
Lazio
Leach
Lewis (CA)
Lewis (KY)
Linder
Lipinski
Livingston
LoBiondo
Lucas
Manton
Manzullo
Mascara
McCarthy (NY)
McCollum
McCrery
McDade
McHale
McHugh
McInnis
McIntosh
McIntyre
McKeon
Metcalf
Mica
Miller (FL)
Moakley
Mollohan
Moran (KS)
Murtha
Myrick
Neal
Nethercutt

Neumann
Ney
Northup
Norwood
Nussle
Oberstar
Obey
Ortiz
Oxley
Packard
Pappas
Parker
Pascrell
Paul
Paxon
Pease
Peterson (MN)
Peterson (PA)
Petri
Pickering
Pitts
Pombo
Portman
Poshard
Pryce (OH)
Quinn
Radanovich
Rahall
Ramstad
Redmond
Regula
Riggs
Riley
Roemer
Rogan
Rogers
Rohrabacher
Ros-Lehtinen
Roukema
Royce
Ryun
Salmon
Sanford
Saxton
Scarborough
Schaefer, Dan
Schaffer, Bob
Sensenbrenner
Sessions
Shadegg
Shaw
Shimkus
Shuster
Skeen
Skelton
Smith (MI)
Smith (NJ)
Smith (OR)
Smith (TX)
Smith, Linda
Snowbarger
Snyder
Solomon
Souder
Spence
Stearns
Stenholm
Strickland
Stump
Stupak
Sununu
Talent
Tanner
Tauzin
Taylor (MS)
Taylor (NC)
Thomas
Thornberry
Thune
Tiahrt
Traficant
Turner
Upton
Walsh
Wamp
Watkins
Watts (OK)
Weldon (FL)
Weldon (PA)
Weller
Weygand
White
Whitfield
Wicker
Wilson
Wolf
Young (AK)
Young (FL)

NOT VOTING—7

Dingell
Gonzalez
Goode
Hill
McNulty
Payne
Roybal-Allard

☐ 1626

Messrs. BERRY, METCALF, MOAKLEY, Mrs. McCARTHY of New York, and Messrs. COOKSEY, RILEY, WEYGAND, McCRERY, CONDIT and SAM JOHNSON of Texas changed their vote from ''yea'' to ''nay.''

Mr. DOGGETT changed his vote from ''nay'' to ''yea.''

So the motion to recommit was rejected.

The result of the vote was announced as above recorded.

The SPEAKER pro tempore (Mrs. EMERSON). 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. CANADY of Florida. Madam 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 276, noes 150, not voting 8, as follows:

[Roll No. 280]

AYES—276

Aderholt
Archer
Armey
Bachus
Baesler
Baker
Ballenger
Barcia
Barr
Barrett (NE)
Bartlett
Barton
Bateman
Bereuter
Berry
Bilbray
Bilirakis
Bishop
Bliley
Blunt
Boehner
Bonilla
Bonior
Bono
Borski
Boswell
Boyd
Brady (TX)
Bryant
Bunning
Burr
Burton
Buyer
Callahan
Calvert
Camp
Canady
Cannon
Chabot
Chambliss
Chenoweth
Christensen
Clement
Coble
Coburn
Collins
Combest
Condit
Cook
Cooksey
Costello
Cox
Cramer
Crane
Crapo
Cubin
Cunningham
Danner
Davis (FL)
Davis (VA)
Deal
DeLay
Diaz-Balart
Dickey
Doolittle
Doyle
Dreier
Duncan
Dunn
Ehlers
Ehrlich
Emerson
English
Ensign
Etheridge
Everett
Ewing
Fawell
Foley
Forbes
Fossella
Fowler
Fox
Franks (NJ)
Frelinghuysen
Gallegly
Ganske
Gekas
Gibbons
Gillmor
Goode
Goodlatte
Goodling
Gordon
Goss
Graham
Granger
Gutknecht
Hall (OH)
Hall (TX)
Hamilton
Hansen
Hastert
Hastings (WA)
Hayworth
Hefley
Herger
Hilleary
Hilliard
Hobson
Hoekstra
Holden
Hostettler
Hulshof
Hunter
Hutchinson
Hyde
Inglis
Istook
Jefferson
Jenkins
John
Johnson (WI)
Johnson, Sam
Jones
Kanjorski
Kaptur
Kasich
Kelly
Kildee
Kim
King (NY)
Kingston
Kleczka
Klink
Knollenberg
Kolbe
Kucinich
LaFalce
LaHood
Largent
Latham
LaTourette
Lazio
Leach
Lewis (CA)
Lewis (KY)
Linder
Lipinski
Livingston
LoBiondo
Lucas
Manton
Manzullo
Mascara
McCarthy (NY)
McCollum
McCrery
McDade
McHale
McHugh
McInnis
McIntosh
McIntyre
McKeon
Metcalf
Mica
Miller (FL)
Minge
Moakley
Mollohan
Moran (KS)
Murtha
Myrick
Neal
Nethercutt
Neumann
Ney
Northup
Norwood
Nussle
Oberstar
Obey
Ortiz
Oxley
Packard
Pappas
Parker
Pascrell
Paxon
Pease
Peterson (MN)
Peterson (PA)
Pickering
Pitts
Pombo
Pomeroy
Portman
Poshard
Pryce (OH)
Quinn
Radanovich
Rahall
Ramstad
Redmond
Regula
Reyes
Riggs
Riley
Roemer
Rogan
Rogers
Rohrabacher
Ros-Lehtinen
Roukema
Royce
Ryun
Salmon
Sandlin
Sanford
Saxton
Scarborough
Schaefer, Dan
Schaffer, Bob
Sensenbrenner
Sessions
Shadegg
Shaw
Shimkus
Shuster
Skeen
Skelton
Smith (MI)
Smith (NJ)
Smith (OR)
Smith (TX)
Smith, Linda
Snowbarger
Snyder
Solomon
Souder
Spence
Spratt
Stearns
Stenholm
Strickland
Stump
Stupak
Sununu
Talent
Tanner
Taylor (MS)
Taylor (NC)
Thomas
Thornberry
Thune
Tiahrt
Traficant
Turner
Upton
Vento
Walsh
Wamp
Watkins
Watts (OK)
Weldon (FL)
Weldon (PA)
Weller
Weygand
White
Whitfield
Wicker
Wilson
Wolf
Young (AK)
Young (FL)

NOES—150

Abercrombie
Ackerman
Allen
Andrews
Baldacci
Barrett (WI)
Bass
Becerra
Bentsen
Berman
Blagojevich
Blumenauer
Boehlert
Boucher
Brady (PA)
Brown (CA)
Brown (FL)
Brown (OH)
Campbell
Capps
Cardin
Carson
Castle
Clay
Clayton
Clyburn
Conyers
Coyne
Cummings
Davis (IL)
DeFazio
DeGette
Delahunt
DeLauro
Deutsch
Dicks
Dixon
Doggett
Dooley
Edwards
Engel
Eshoo
Evans
Farr
Fattah
Fazio
Filner
Ford
Frank (MA)
Frost
Furse
Gejdenson
Gephardt
Gilchrest
Gilman
Green
Greenwood
Gutierrez
Harman
Hastings (FL)
Hefner
Hinchey
Hinojosa
Hooley
Horn
Houghton
Hoyer
Jackson (IL)
Jackson-Lee (TX)
Johnson (CT)
Johnson, E. B.
Kennedy (MA)
Kennedy (RI)
Kennelly
Kilpatrick
Kind (WI)
Klug
Lampson
Lantos
Lee
Levin
Lewis (GA)
Lofgren
Lowey
Luther
Maloney (CT)
Maloney (NY)
Markey
Martinez
Matsui
McCarthy (MO)
McDermott
McGovern
McKinney
Meehan
Meek (FL)
Meeks (NY)
Menendez
Millender-McDonald
Miller (CA)
Mink
Moran (VA)
Morella
Nadler
Olver
Owens
Pallone
Pastor
Paul
Payne
Pelosi
Pickett
Price (NC)
Rangel
Rivers
Rodriguez
Rothman
Rush
Sabo
Sanchez
Sanders
Sawyer
Schumer
Scott
Serrano
Shays
Sherman
Sisisky
Skaggs
Slaughter
Smith, Adam
Stabenow
Stark
Stokes
Tauscher
Thompson
Thurman
Tierney
Torres
Towns
Velazquez
Visclosky
Waters
Watt (NC)
Waxman
Wexler
Wise
Woolsey
Wynn
Yates

NOT VOTING—8

Dingell
Gonzalez
Hill
McNulty
Petri
Porter
Roybal-Allard
Tauzin

☐ 1636

So the bill was passed.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

PERSONAL EXPLANATION

Mr. PETRI. Mr. Speaker, on H.R. 3862, the Child Custody Protection Act, Rollcall No 280, had I been present, I would have voted ''aye.''

PERSONAL EXPLANATION

Mr. TAUZIN. Mr. Speaker, on July 15, 1998, I was inadvertently detained, and missed rollcall 280, on H.R. 3682, the Child Custody Protection Act. Had I been present, I would have voted ''aye.''

REMOVAL OF NAME OF MEMBER AS COSPONSOR OF H.R. 219

Ms. KILPATRICK. Madam Speaker, I ask unanimous consent to have my name removed as a cosponsor of H.R. 219.

The SPEAKER pro tempore (Mrs. EMERSON). Is there objection to the request of the gentlewoman from Michigan?

There was no objection.

PERSONAL EXPLANATION

Mr. HILLEARY. Madam Speaker, due to a set of tragic events in my district last night and yesterday, I was unable to be present for a series of votes last night, including the Doolittle amendment and the Fossella amendment to the Shays-Meehan substitute to H.R. 2183. If I had been present, I would have voted aye on roll call 275 and aye on roll call 276.

SONNY BONO MEMORIAL SALTON SEA RECLAMATION ACT

Mr. DREIER. Madam Speaker, by direction of the Committee on Rules, I