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House of Representatives

The House met at 10 a.m. and was called to order by the Speaker pro tempore (Mrs. EMERSON).

DESIGNATION OF THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore laid before the House the following communication from the Speaker:

WASHINGTON, DC,
April 27, 2005.

I hereby appoint the Honorable JO ANN EMERSON to act as Speaker pro tempore on this day.

J. DENNIS HASTERT,
Speaker of the House of Representatives.

PRAYER

The Reverend Fred S. Hollomon, Chaplain, Kansas Senate, Topeka, Kansas, offered the following prayer:

Heavenly Father, there are some time-honored proverbs and maxims which have been helpful in making decisions, but some of them are not always appropriate for our situation.

For instance, there are some sleeping dogs which really should be awakened. There are some squeaking wheels which do not deserve any grease. There are some boats which not only need to be rocked but need to be sunk.

Please give us the wisdom, O God, to decide which dogs to wake up, which squeaks to ignore, which boats to sink.

I pray in the name of Jesus Christ. Amen.

THE JOURNAL

The SPEAKER pro tempore. The Chair has examined the Journal of the last day's proceedings and announces to the House her approval thereof.

Pursuant to clause 1, rule I, the Journal stands approved.

Mr. CHOCOLA. Madam Speaker, pursuant to clause 1, rule I, I demand a vote on agreeing to the Speaker's approval of the Journal.

The SPEAKER pro tempore. The question is on the Speaker's approval of the Journal.

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

Mr. CHOCOLA. 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. Pursuant to clause 8, rule XX, further proceedings on this question will be postponed.

The point of no quorum is considered withdrawn.

PLEDGE OF ALLEGIANCE

The SPEAKER pro tempore. Will the gentleman from Kentucky (Mr. DAVIS) come forward and lead the House in the Pledge of Allegiance.

Mr. DAVIS of Kentucky led the Pledge of Allegiance as follows:

I pledge allegiance to the Flag of the United States of America, and to the Republic for which it stands, one nation under God, indivisible, with liberty and justice for all.

MESSAGE FROM THE SENATE

A message from the Senate by Mr. Monahan, one of its clerks, announced that the Senate has passed a concurrent resolution of the following title in which the concurrence of the House is requested:

S. Con. Res. 28. Concurrent Resolution expressing the sense of the Congress on World Intellectual Property Day regarding the importance of protecting intellectual property rights globally.

INTRODUCTION OF THE REVEREND FRED HOLLOMAN AS GUEST CHAPLAIN

(Mr. MORAN of Kansas asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. MORAN of Kansas. Madam Speaker, I am honored today to introduce to the House of Representatives the Reverend Fred Holloman of Topeka, Kansas. Reverend Holloman is a retired Southern Baptist minister and is currently a member of New Beginnings Baptist Church in Topeka, Kansas.

Reverend Holloman retired in 2002 after serving 50 years in the ministry. He had attended seminary at Southwestern Baptist Theological Seminary in Fort Worth, Texas, after graduating from the University of Alabama. After serving in Oklahoma and Missouri, Reverend Holloman moved to Kansas in 1958. He was pastor in Baxter Springs, Manhattan, Lawrence, and Kansas City before concluding his career as a Baptist minister with a 15-year tenure in Topeka.

I am especially glad to be introducing my friend Reverend Holloman today because he served as the chaplain of the Kansas Senate during my time there. Fred was there a lot longer in the Kansas Senate than I. He has served as the senate chaplain for now 24 years, where he is known for his wit and his incisive thought when he delivers his invocation, but also known as someone who cares and has compassion for every member of our legislature and their families.

Many of Reverend Holloman's relatives have joined us today and are in attendance. He and his wife, Pat, have nine children. His children and grandchildren have come here to our Nation's Capital all the way from Texas and Kansas.

Please join me in welcoming the Reverend Holloman to the United States House of Representatives.

Printed on recycled paper.

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore. The Chair will now entertain ten 1-minutes from each side.

THE FIRST 100 DAYS OF THE 109TH CONGRESS

(Mr. FOLEY asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. FOLEY. Madam Speaker, in the first 100 days of this Congress, we have passed class action fairness to combat lawsuit abuse. We have passed a supplemental appropriation funding our troops and their successful war in Iraq. We have passed a budget resolution. We have enforced and passed the REAL ID Act and border security, implementing driver's license reforms, defending our borders, strengthening deportation laws. We have passed the death tax repeal, the bankruptcy bill, and the Job Training Improvement Act. These are significant accomplishments.

Some on the other side of the aisle would prefer to bring down the character of a man that leads this Chamber. I suggest when my colleagues are out of ideas and out of opportunities, they attack other people.

It is time to get our own House in order. Lead forth the American people on behalf of the American people and stop this name calling, finger pointing, and derogatory accusations.

America's House of Representatives is much better than that. Let us lead by example. Let us not lead by destruction.

FRIENDS FOR THE CHILDREN

(Mr. BLUMENAUER asked and was given permission to address the House for 1 minute.)

Mr. BLUMENAUER. Madam Speaker, in 1993 a gentleman in my community, Duncan Campbell, provided three full-time friends for 24 at-risk children, children who were at the bottom of the barrel, children who were guaranteed to fail, not just poor but without family support.

With the efforts of these full-time mentors and this innovative program, we have produced stunning results over the course of the last 12 years. Ninety-eight percent of these children are still in school. Ninety-seven percent have passing grades. Ninety-eight percent have never been incarcerated. Ninety-seven percent do not use drugs or alcohol on a regular basis.

Today, this program has spread across the country. It is in 11 different communities with over 600 children. First Lady Laura Bush is expected to visit the Friends of Children program in Portland tomorrow. I commend her for taking the time to visit with the kids and learning more about this program.

Tomorrow, the gentleman from Ohio (Mr. CHABOT), my colleague, and I are introducing legislation that would authorize $7.5 million for Friends of Children to support local programs at existing sites and disseminate this information to policy-makers around the country to make a commitment to improving the lives of at-risk children.

THE MINUTEMEN PROJECT

(Mr. PRICE of Georgia asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. PRICE of Georgia. Madam Speaker, government waste, fraud, and abuse have taken every shape and form one can imagine, and now it is even affecting our lax immigration policies.

The U.S. Government recently spent close to $240 million to help our border patrol with the latest technology. The problem is the equipment does not work. That is right, $240 million and the government is left with a bunch of useless equipment. Sounds like we ought to get a refund.

The border patrol needs all the help it can get, and for the last few weeks, hundreds of concerned citizens formed the largest Neighborhood Watch in Arizona, the Minuteman Project. Their goal is to help spot illegal aliens crossing the border from Mexico.

Ordinary people watching the border and easily spotting aliens illegally crossing should outrage every single Member of Congress. How can we claim to be for national security, for the rule of law, when such incredible violation takes place in front of our very own eyes?

Madam Speaker, America is a very generous Nation, but we are allowing our laws to be broken and our borders to be violated without consequence.

It is long past time we secure our borders, reevaluate our immigration laws, and get serious about national security.

GM AND THE AMERICAN FISCAL CRISIS

(Mr. EMANUEL asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. EMANUEL. Madam Speaker, it used to be said that what is good for GM is good for the country. Well, things are not so great for GM. What does that say about America?

Their cars are not selling because they face skyrocketing health care costs that put them at a competitive disadvantage with Toyota and other companies.

For every car GM produces, they actually spend more on health care than on steel. Yet it is not the United States Congress, the White House, seeking to help GM out of this problem. GM's knight in shining armor is Toyota.

On Monday, Toyota's chairman said the Japanese auto maker was considering raising its prices in order to give American car makers some breathing room.

Here is what former Governor John Engler from Michigan said of the GM crisis: We cannot, with the deficits we face today, step in and help this company get back on its feet.

We are too deep in debt to save hundreds of thousands of jobs and help an American company compete and win.

Today, we are facing a fiscal crisis that is stripping America of its ability to compete and win. The health care crisis facing General Motors is the same health care crisis facing the Federal Government and every American family, and yet we are in debt of nearly $8 trillion and unable to compete and win in today's economy.

CONGRATULATING VILLA MADONNA ACADEMY ON ITS FORTHCOMING CENTENNIAL ANNIVERSARY

(Mr. DAVIS of Kentucky asked and was given permission to address the House for 1 minute.)

Mr. DAVIS of Kentucky. Madam Speaker, I rise today to congratulate the Villa Madonna Academy of Villa Hills, Kentucky, on its forthcoming centennial anniversary on May 14, 2005.

Villa Madonna Academy carries a long, distinguished reputation of preparing students to respect themselves and others, to have a sense of self-discipline, to accept personal responsibility for their attitudes and actions, and to dedicate themselves to academic excellence and lifelong learning.

Villa Madonna Academy has demonstrated its academic distinction by being the only greater Cincinnati-northern Kentucky area high school to receive designation, under two separate criteria, as a U.S. Department of Education Blue Ribbon School of Excellence two consecutive years in 2002 and 2003.

Villa Madonna Academy's partnership with the nearby Benedictine Sisters of St. Walburg Monastery provides opportunities for area youth to participate in a variety of sports activities and be outstanding neighbors in our community.

Once again, I want to congratulate the students, teachers and alumni of the Villa Madonna Academy on its centennial anniversary and to thank them for being such fine individuals and stewards of our community.

WORKERS' RIGHTS IN BREWER, MAINE

(Mr. MICHAUD asked and was given permission to address the House for 1 minute.)

Mr. MICHAUD. Madam Speaker, an all-out attack on workers' rights is happening in Brewer, Maine; and I come to the House floor today to tell DHL that it is time for them to stop their assault.

These Brewer workers have borne the brunt of these union-busting practices, and they are paying the price. For many, the price of their jobs has been

too much for them and their families to bear. Workers have been fired. Many were put on the street with no severance pay, no insurance, and no assistance to make ends meet. Management has reverted to using interrogation and coercion to keep workers in line.

This is simply outrageous. I know as a union member how important unions are to ensure better jobs and basic protection of rights. I will do all I can to assure that their rights are protected.

HONORING THE LIFE OF CHILLICOTHE POLICE OFFICER LARRY COX

(Mr. NEY asked and was given permission to address the House for 1 minute.)

Mr. NEY. Madam Speaker, I rise today to honor the life of Chillicothe, Ohio, police officer Larry Cox.

Officer Cox was a man of dignity and compassion. A 19-year veteran of the Chillicothe police force in Chillicothe, Ohio, Officer Cox was a devoted law enforcement official who had dedicated his life to one of our Nation's noblest fights, keeping our children away from drugs.

As a DARE officer, Officer Cox was able to provide impressionable elementary school students with the guidance and support that many could not find elsewhere.

This past Thursday evening as Officer Cox walked home from visiting his parents in Chillicothe, Ohio, he surprised a fleeing robbery suspect who then shot and killed him in an utterly senseless act of violence.

It is times like these that we question the world we live in, but we must not let this senseless act blind us from the goodness that is all around, the compassion of our teachers, the innocence of our children, and the ultimate bravery of our law enforcement officials. For it is these things that Officer Cox was born of and ultimately died for.

So I stand here today to honor the life of Officer Larry Cox, to honor each and every law enforcement official that risks their life to protect the most treasured pieces of our community. Officer Cox understood these treasures and the paramount importance of caring for others; and though his body has left us, his spirit of bravery, dignity, and compassion will forever be found in our communities.

CLOSING THE HEALTH CARE DIVIDE: PRINCIPLES FOR ADDRESSING RACIAL AND ETHNIC HEALTH DISPARITIES

(Ms. SOLIS asked and was given permission to address the House for 1 minute.)

Ms. SOLIS. Madam Speaker, today I rise to announce the adoption of the Democratic principles that will be unveiled today that will seek to eliminate racial and ethnic health care disparities.

The community that I represent is multicultural. Sixty percent of the residents are Latino, 20 percent are Asian Pacific Islander, and 40 percent of those residents in my district were born outside of the United States, and many of them cannot afford to pay for medical coverage.

Unfortunately, our health care system is not meeting the needs of all these people, who in most cases are children.

□ 1015

For racial and ethnic minorities, as for most all communities, the lack of health insurance is a major barrier in quality health care. In our Nation, there are over 43.3 million people who do not have any form of health care coverage.

A staggering 1 in 3 Latinos in this country are uninsured. Actively challenging the racial and ethnic inequalities affecting all branches of our health care system is key to helping the Latino community achieve better health care.

These Democratic principles address the many health disparities plaguing our communities. I strongly support these principles and stand united with my colleagues to end racial and ethnic health disparity. We must make this a national priority for our country.

SOCIAL SECURITY

(Mr. CHOCOLA asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. CHOCOLA. Madam Speaker, Social Security was created in 1935, and over the decades has become a vital resource to millions of Americans. But demographic realities have changed over the past 70 years. Now fewer workers, more retirees, and longer life spans will cause Social Security's promised benefits to exceed the system's income by 2017.

If we do not act now to strengthen Social Security, the system that so many depend upon today will be unable to meet its promises to tomorrow's retirees, and it will burden our children and grandchildren with exhaustive taxes.

The Social Security Trustees, the Comptroller General of the United States, and the Chairman of the Federal Reserve Board have all agreed that the sooner we act, the smaller and less abrupt the changes will be.

So, Madam Speaker, I encourage all my colleagues to consider all the options now and work toward a bipartisan solution that renews Social Security's promises for future generations.

TRIBUTE TO HARLINGEN HIGH SCHOOL

(Mr. HINOJOSA asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. HINOJOSA. Madam Speaker, I rise today to ask my colleagues to join me in congratulating Harlingen High School for being selected as one of the 2005 College Board Inspiration Awards. Harlingen High School is one of three exemplary high schools in the Nation being honored for their steadfast commitment to fostering student success in some of America's most poverty-stricken communities.

Each school receives a prize of $25,000 to use in furthering its academic goals. The Inspiration awards recognize outstanding work in improving the academic environment and helping economically disadvantaged students achieve the promise of a higher education.

I would like to congratulate the superintendent, Dr. Linda Wade; the principal, Richard Renaud; the teachers, students, and entire school community for their prestigious award. Harlingen High School is truly an inspiration for all of us who value education and academic excellence for all students.

For the Hispanic community, it reaffirms our core faith in our own potential. Over 87 percent of the students at Harlingen High School are Hispanic and many of them are bilingual. Their motto is: ''In relentless pursuit of student success.''

I urge my colleagues to join me in saluting Harlingen High School for its achievement and applauding the College Board for sponsoring the Inspiration Awards. May each year be more competitive than the last.

CHILD INTERSTATE ABORTION NOTIFICATION ACT

(Mr. MCHENRY asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. MCHENRY. Madam Speaker, America as a Nation must defend life from the moment of conception to natural death. Later today, the House will take up H.R. 748, the Child Interstate Abortion Notification Act, introduced by my good friend, the gentlewoman from Florida (Ms. ROS-LEHTINEN). This bill will protect minors and their parents from inconsistent State abortion laws.

Currently, 23 States require a parent to be involved in a child's abortion decision, while 27 do not. This bill would prosecute anyone who transports a minor to a State without parental consent laws with the purpose of undermining parental rights. It requires that any time a minor goes for an abortion, the physician must at least try to notify the parents.

Madam Speaker, we need to make sure that we have serious parental involvement in these difficult and potentially dangerous decisions. I urge my colleagues on both sides of the aisle to support this reasonable measure and vote ''yes'' on H.R. 748 later today.

ETHICS CRISIS IN THE HOUSE

(Mr. CARNAHAN asked and was given permission to address the House

for 1 minute and to revise and extend his remarks.)

Mr. CARNAHAN. Madam Speaker, the ethics process in this House is broken. I believe the first duty of all House Members is to set and follow the highest ethical standards, not just toe the party line for either party.

The complete breakdown of the long-established bipartisan ethics process is a direct result of steps taken by this current majority. This includes actions taken by House Republicans to cripple the ethics enforcement process and to even purge fellow Republicans from the committee and staff for merely following what used to be fair and time-honored rules in this last Congress.

Madam Speaker, there is an ethics crisis in the House that will only get worse unless immediate action is taken. It is time for Republicans and Democrats to move quickly to fix the untenable and unprecedented situation that now exists. As a first step, this House must take up H.R. 131, a measure that will repeal the misguided House rules adopted at the beginning of this Congress that have led to a complete shutdown of the bipartisan ethics process in the House.

This House of the American people demands nothing less than strong bipartisan ethics rules.

THE CHILD INTERSTATE ABORTION NOTIFICATION ACT

(Mr. SAM JOHNSON of Texas asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. SAM JOHNSON of Texas. Madam Speaker, 34 States currently have parental consent laws when it comes to minors and abortion. Unfortunately, they are too often and too easily ignored simply by going to another State. Today, the House is going to vote to make it a Federal crime to transport a minor across State lines for an abortion.

This legislation would not affect State laws, but would prevent minors from being transported to evade a parental consent law in the girl's home State. The average American parent would be outraged if some adult took their child across States lines for an abortion.

The Child Interstate Abortion Notification Act protects parents and minors from adults who might conspire with or even pressure them to cross into another State for an abortion. This bill is for our kids and for a better America. I urge a ''yes'' vote.

THE 95–10 INITIATIVE

(Mr. DAVIS of Tennessee asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. DAVIS of Tennessee. Madam Speaker, last week the Pro-Life Democratic Members of Congress introduced an abortion reduction proposal called the 95–10 Initiative. This comprehensive proposal of 15 different policy programs should reduce the number of abortions in America by 95 percent over the next 10 years by providing women with support, information, and viable alternatives to abortion.

The initiative is a clear indication that pro-life Democrats in Congress, in conjunction with the Democrats for Life of America, are firmly committed to reducing abortions in America. By looking into the different reasons that women choose abortion rather than just politicizing the issue, we have been able to come up with a comprehensive and commonsense initiative that would empower women and encourage them to choose life.

The 95–10 Initiative seeks to eliminate the pressures that lead to abortions through various measures, including adoption tax credits, abortion referral information, adoption referral information, and fully funding the special nutrition WIC program.

Additionally, the initiative calls for expanding insurance coverage to pregnant women and to newborns, and removes pregnancy as a preexisting health condition. I strongly urge my colleagues on both sides of the aisle to join the pro-life Democrats in supporting a comprehensive 95–10 abortion reduction bill.

AARP AND SOCIAL SECURITY REFORM

(Mr. STEARNS asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. STEARNS. Madam Speaker, the AARP has publicly denounced any plans to reform Social Security that might include personal savings retirement accounts. They have taken out full-page ads claiming that investing for retirement is like playing the slot machines in Las Vegas. But the AARP Web site tells its senior members to invest their money in a 401(k) or an IRA, and also says that seniors do not invest enough in retirement plans. Why are these retirement plans safe and advisable but personal retirement accounts through Social Security are too risky? In addition, the AARP has its own investment plan through Scudder Investments that invests in mutual funds and stock index funds.

If the AARP exists to look out for the interests of retired persons and they advise their membership to invest their money in mutual funds and stock index funds, my colleagues, it seems suspect that they would not support a program that would allow some, some flexibility through the Social Security program.

ILLEGAL IRAQ WAR

(Mr. KUCINICH asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. KUCINICH. Madam Speaker, 771 days ago, the United States illegally went to war against Iraq. Since then we have lost 1,574 of our finest, and the Iraqi people have lost tens of thousands of innocent civilians to the war. Some of us opposed the war from the start, but today we all know that America went to war based on false information given to this Congress and to the American people. Iraq had no weapons of mass destruction and was not an imminent threat, yet the war grinds on.

America is building permanent bases in Iraq. The interim government has no credibility. Under the watchful eyes of our occupying army, the Iraqi people know full well policy is made in Washington, not Baghdad. And here in Congress, we move on to other issues, while some are calling for more troops to move in.

The administration built a theater of war with no exits. It is time for Congress to build an exit from the Iraqi theater. In the next few days, I, along with other Members, will submit such a plan.

527 FAIRNESS ACT

(Mr. PENCE asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. PENCE. Madam Speaker, the summer of 527s will long be remembered in American politics. Groups organized on the left and the right under section 527 of the Internal Revenue Code spent more than $300 million to support candidates, while the two major political parties and the Nation's most respected labor units, associations, businesses, and constitutional groups watched in silence from the sidelines.

In response to the summer of 527s, some here in Washington, DC want to exert more regulation and control. But my colleague, the gentleman from Maryland (Mr. WYNN), a Democrat, and I have taken a different approach by introducing the bipartisan 527 Fairness Act. The Pence-Wynn bill restores basic fairness to the political parties and outside organizations instead of attempting further regulation.

Madam Speaker, when it comes to political speech, greater government control is never the answer. More freedom is.

Now, The Washington Post calls the Pence-Wynn bill ''a dangerous notion'' that is ''misguided.'' And freedom is chaotic, but as Thomas Jefferson said, ''I would rather be exposed to the inconveniences attending too much liberty than those attending too small a degree of it.''

I urge my colleagues on both sides of the aisle to consider Pence-Wynn and support us as we answer the summer of 527s with more freedom, not less.

WEAKENED ETHICS RULES

(Ms. WATSON asked and was given permission to address the House for 1

minute and to revise and extend her remarks.)

Ms. WATSON. Madam Speaker, earlier this year, the House Republican leadership purged the Committee on Standards of Official Conduct of three of the Republican Members. Serving on this committee, where one is charged with investigating and possibly reprimanding one's own colleagues is not an easy assignment, but it is a very important one.

The gentleman from Colorado (Mr. HEFLEY), the chairman, and the gentleman from Ohio (Mr. LATOURETTE) and the gentleman from Missouri (Mr. HULSHOF) wanted to continue to serve on the committee, a committee unlike most in this Chamber, that worked in a bipartisan fashion. Could that have been their downfall?

After losing his chairmanship, the gentleman from Colorado (Mr. HEFLEY) told The Washington Post, and I am quoting, ''There's a bad perception out there that there was a purge in the committee and that people were put in that would protect our side of the aisle better than I did.''

□ 1030

He continues, ''No one should be there to protect anybody; they should be there to protect the integrity of the institution.''

Madam Speaker, I could not have said it better myself. The integrity of the House is much more important than any one Member. It is time the Republican leadership learns that lesson.

CUBAN POLICIES

(Mr. FLAKE asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. FLAKE. Madam Speaker, I rise in support and commend the gentleman from New Jersey (Mr. MENENDEZ) and others for raising H. Con. Res. 81 to mark the 2-year anniversary on the latest crackdown on human rights in Cuba. This is simply the latest crackdown. These have been occurring for more than 45 years now.

I also commend those who have come to this city to encourage more travel to Cuba and allow more travel to Cuba. Recently, Fidel Castro's government issued an edict to all state employees, which is by definition everyone on the island, saying they should have minimal travel with tourists and travelers because it is, for one thing, promoting individualism. I would submit that is a very good thing, and we ought to want more of it. I would encourage this body to again, as we have done year after year after year, allow Americans the freedom to travel wherever they please.

RESTORE ETHICS RULES IN HOUSE

(Mr. PALLONE asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. PALLONE. Madam Speaker, according to the morning papers, the Republican majority may now be ready to drop its new ethics rules and restore stronger rules that were written by Democrats and Republicans. It is about time.

We need to restore the old rules immediately so the Committee on Standards of Official Conduct can begin investigating possible unethical behavior, questionable actions that have been in the national papers over the last couple of months.

As the gentleman from Texas (Mr. DELAY), the majority leader, said back in November 1995: ''The time has come that the American people know exactly what their representatives are doing here in Washington. Are they feeding at the public trough, taking lobbyist-paid vacations, getting wined and dined by special interest groups, or are they working hard to represent their constituents. The American people have a right to know.''

That was the majority leader, the gentleman from Texas (Mr. DELAY), 10 years ago. The majority leader was right. The American people deserve answers; and, unfortunately, they will not get those answers under the weakened ethics rules. Hopefully, the Republican majority has come to its senses and will restore the old rules later this week. If the majority leader really believes his comments from 10 years ago, I would think he would join us in our fight.

THE JOURNAL

The SPEAKER pro tempore (Mrs. EMERSON). Pursuant to clause 8 of rule XX, the pending business is the question of the Speaker's approval of the Journal of the last day's proceedings.

The question is on the Speaker's approval of the Journal.

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

Mr. FLAKE. 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 vote was taken by electronic device, and there were—yeas 371, nays 47, answered ''present'' 1, not voting 15, as follows:

[Roll No. 135]

YEAS—371

Abercrombie
Ackerman
Aderholt
Akin
Alexander
Allen
Andrews
Baca
Bachus
Baker
Barrett (SC)
Barrow
Bartlett (MD)
Barton (TX)
Bass
Bean
Beauprez
Becerra
Berkley
Berman
Berry
Biggert
Bilirakis
Bishop (GA)
Bishop (NY)
Bishop (UT)
Blackburn
Blumenauer
Blunt
Boehlert
Boehner
Bonilla
Bonner
Bono
Boozman
Boren
Boswell
Boucher
Boustany
Boyd
Bradley (NH)
Brady (TX)
Brown (OH)
Brown (SC)
Brown-Waite, Ginny
Burgess
Burton (IN)
Butterfield
Buyer
Calvert
Camp
Cannon
Cantor
Capito
Capps
Cardin
Cardoza
Carnahan
Carson
Carter
Case
Castle
Chabot
Chandler
Chocola
Clay
Cleaver
Clyburn
Coble
Cole (OK)
Conaway
Conyers
Cooper
Costa
Cox
Cramer
Crenshaw
Crowley
Cubin
Cuellar
Culberson
Cummings
Cunningham
Davis (AL)
Davis (CA)
Davis (FL)
Davis (IL)
Davis (KY)
Davis (TN)
Davis, Jo Ann
Davis, Tom
Deal (GA)
DeGette
Delahunt
DeLauro
DeLay
Dent
Diaz-Balart, L.
Diaz-Balart, M.
Dicks
Dingell
Doggett
Doolittle
Doyle
Drake
Dreier
Duncan
Edwards
Ehlers
Emanuel
Emerson
Engel
Eshoo
Etheridge
Evans
Everett
Farr
Feeney
Ferguson
Fitzpatrick (PA)
Flake
Foley
Forbes
Fortenberry
Foxx
Frank (MA)
Franks (AZ)
Frelinghuysen
Gallegly
Garrett (NJ)
Gerlach
Gibbons
Gilchrest
Gillmor
Gingrey
Gohmert
Gonzalez
Goode
Goodlatte
Gordon
Granger
Graves
Green (WI)
Green, Al
Hall
Harman
Harris
Hastings (WA)
Hayes
Hayworth
Hensarling
Herger
Herseth
Higgins
Hinojosa
Hobson
Hoekstra
Holden
Honda
Hostettler
Hoyer
Hulshof
Hyde
Inglis (SC)
Inslee
Israel
Issa
Istook
Jackson (IL)
Jackson-Lee (TX)
Jefferson
Jenkins
Jindal
Johnson (CT)
Johnson (IL)
Johnson, E. B.
Johnson, Sam
Jones (NC)
Jones (OH)
Kanjorski
Kaptur
Keller
Kelly
Kennedy (MN)
Kildee
Kilpatrick (MI)
Kind
King (IA)
King (NY)
Kingston
Kirk
Kline
Knollenberg
Kolbe
Kuhl (NY)
LaHood
Langevin
Lantos
LaTourette
Leach
Lee
Levin
Lewis (CA)
Lewis (GA)
Lewis (KY)
Linder
Lipinski
Lofgren, Zoe
Lowey
Lucas
Lungren, Daniel E.
Lynch
Mack
Maloney
Manzullo
Marchant
Markey
Matheson
Matsui
McCarthy
McCaul (TX)
McCollum (MN)
McCrery
McGovern
McHenry
McHugh
McIntyre
McKeon
McKinney
McMorris
McNulty
Meehan
Meek (FL)
Meeks (NY)
Melancon
Mica
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Millender-McDonald
Miller (FL)
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Miller (NC)
Miller, Gary
Mollohan
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Murphy
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Myrick
Napolitano
Neal (MA)
Neugebauer
Ney
Northup
Norwood
Nunes
Nussle
Obey
Olver
Ortiz
Osborne
Otter
Owens
Oxley
Pallone
Pascrell
Pastor
Paul
Payne
Pearce
Pelosi
Pence
Peterson (PA)
Petri
Pickering
Pitts
Platts
Poe
Pombo
Pomeroy
Porter
Portman
Price (GA)
Price (NC)
Pryce (OH)
Putnam
Radanovich
Rahall
Rangel
Regula
Rehberg
Reichert
Renzi
Reyes
Reynolds
Rogers (AL)
Rogers (KY)
Rogers (MI)
Rohrabacher
Ros-Lehtinen
Ross
Roybal-Allard
Royce
Ruppersberger
Rush
Ryan (OH)
Ryan (WI)
Ryun (KS)
Salazar
Sánchez, Linda T.
Sanders
Saxton
Schiff
Schwartz (PA)
Schwarz (MI)
Scott (GA)
Scott (VA)
Sensenbrenner
Serrano
Sessions
Shadegg
Shaw
Shays
Sherman
Sherwood
Shimkus
Shuster

Simmons
Simpson
Skelton
Slaughter
Smith (NJ)
Smith (TX)
Smith (WA)
Snyder
Sodrel
Solis
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Stark
Stearns
Sullivan
Sweeney
Tauscher
Taylor (NC)
Terry
Thomas
Thornberry
Tiahrt
Tierney
Towns
Turner
Upton
Van Hollen
Visclosky
Walden (OR)
Walsh
Wamp
Wasserman Schultz
Watt
Waxman
Weiner
Weldon (FL)
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Wexler
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Baird
Baldwin
Brady (PA)
Capuano
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Filner
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Green, Gene
Grijalva
Gutknecht
Hart
Hastings (FL)
Hefley
Hinchey
Holt
Kucinich
Larsen (WA)
Larson (CT)
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LoBiondo
Marshall
McCotter
McDermott
Miller, George
Moran (KS)
Nadler
Oberstar
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Ramstad
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Sanchez, Loretta
Schakowsky
Strickland
Stupak
Tanner
Taylor (MS)
Thompson (CA)
Thompson (MS)
Tiberi
Udall (CO)
Udall (NM)
Waters
Weller
Whitfield
Wu

ANSWERED ''PRESENT''—1

Tancredo

NOT VOTING—15

Brown, Corrine
English (PA)
Fattah
Gutierrez
Hooley
Hunter
Kennedy (RI)
Menendez
Rothman
Spratt
Velázquez
Watson
Westmoreland
Wicker
Young (FL)

So the Journal was approved.

The result of the vote was announced as above recorded.

ANNOUNCEMENT BY THE SPEAKER

The SPEAKER. Pursuant to House Resolution 232, this time has been designated for the taking of the official photo of the House of Representatives in session.

The House will be in a brief recess while the Chamber is being prepared for the photo. As soon as these preparations are complete, the House will immediately resume its actual session for the taking of the photograph.

About 5 minutes after that, the House will proceed with the business of the House.

For the information of the Members, when the Chair says the House will be in order, we are ready to take our picture. That will be in just a few minutes.

RECESS

The SPEAKER. Pursuant to clause 12(a) of rule I, the Chair declares the House in recess while the Chamber is being prepared.

Accordingly (at 10 o'clock and 59 minutes a.m.), the House stood in recess while the Chamber was being prepared.

□ 1100

AFTER RECESS

The recess having expired, the House was called to order at 11 a.m.

(Thereupon, the Members sat for the official photograph of the House of Representatives for the 109th Congress.)

RECESS

The SPEAKER. Pursuant to clause 12(a) of rule I, the Chair declares the House in recess subject to the call of the Chair.

Accordingly (at 11 o'clock and 2 minutes a.m.), the House stood in recess subject to the call of the Chair.

□ 1115

AFTER RECESS

The recess having expired, the House was called to order by the Speaker pro tempore (Mr. SIMPSON) at 11 o'clock and 15 minutes a.m.

PROVIDING FOR CONSIDERATION OF H. RES. 22, EXPRESSING THE SENSE OF THE HOUSE THAT AMERICAN SMALL BUSINESSES ARE ENTITLED TO A SMALL BUSINESS BILL OF RIGHTS

Mrs. CAPITO. Mr. Speaker, by direction of the Committee on Rules, I call up House Resolution 235 and ask for its immediate consideration.

The Clerk read the resolution, as follows:

H. RES. 235

Resolved, That upon the adoption of this resolution it shall be in order without intervention of any point of order to consider in the House the resolution (H. Res. 22) expressing the sense of the House of Representatives that American small businesses are entitled to a Small Business Bill of Rights. The amendments to the resolution and the preamble recommended by the Committee on Small Business now printed in the resolution are considered as adopted. The previous question shall be considered as ordered on the resolution and preamble, as amended, to final adoption without intervening motion or demand for division of the question except: (1) one hour of debate equally divided and controlled by the chairman and ranking minority member of the Committee on Small Business; and (2) one motion to recommit, which may not contain instructions.

The SPEAKER pro tempore. The gentlewoman from West Virginia (Mrs. CAPITO) is recognized for 1 hour.

Mrs. CAPITO. Mr. Speaker, for the purpose of debate only, I yield the customary 30 minutes to the gentlewoman from California (Ms. MATSUI), pending which I yield myself such time as I may consume. During consideration of this resolution, all time yielded is for the purpose of debate only.

Mr. Speaker, H. Res. 22 calls for a commonsense Small Business Bill of Rights that spells out urgent actions that Congress should take to allow small businesses to thrive.

Ninety percent of all employers in our country are small businesses, and 70 percent of all new jobs created in America are created by these small locally owned businesses. Small businesses, stores, manufacturers, and farms drive the economic engine of many communities across the country. They truly are the backbone of America.

Many obstacles confront a small business owner looking to expand his or her company to provide more jobs and investment.

Frivolous lawsuits are a constant and a costly threat to small businesses across the country. The rising cost of health care has made it difficult and, in many cases, impossible for small business owners to offer health care to their employees. Today, over 60 percent of small business employees do not have health insurance.

Soaring energy costs make it difficult for small manufacturers to produce goods at a competitive price. The cost of natural gas and other feedstocks is taking up a larger and ever-growing share of the budget of manufacturers.

In the 109th Congress, the People's house has already acted on several of the items called for in this resolution. Two weeks ago, we passed legislation to permanently repeal the death tax, a tax that puts a huge burden on small business owners and takes away resources that are vital to families seeking to keep farms and businesses in their family.

Last week, we passed the Energy Policy Act of 2005 to help reduce the cost of energy. The legislation provides money for clean coal technology that will help coal continue to provide low-cost energy while protecting our environment. Provisions will also open new refineries and new oil reserves into the market. All of these measures will help lower the cost of energy for small businesses.

In February, President Bush signed the Class Action Fairness Act into law. This law is a strong first step in limiting frivolous lawsuits that burden our economy and destroy job growth.

There is still much more to be done. In the past two Congresses, we passed legislation allowing for Association Health Plans. These plans would permit small businesses to join together through trade associations across State lines to gain purchasing power in the health insurance market.

Health insurance is the biggest challenge facing small business today, hands down. Many small business owners want nothing more than to offer affordable health care to all of their workers. These owners know their employees personally and know their employees' spouses and children, making that decision not to offer health coverage an agonizing one. Yet many small business owners make this choice because of the rising cost of health care.

We must pass legislation to allow small businesses to have the same purchasing power as large corporations in the health insurance market.

With millions of small business employees among the uninsured, association health plans are one of the most important things Congress can do for our Nation's workers.

In order for small business to grow and produce more jobs in local economies, we must have pro-growth policies. A national energy policy, association health plans, and legal reform are some of the important steps that will benefit small business owners and their employees alike.

This resolution is an opportunity for Members to show their support of small business to continue moving forward on crucial issues to protect existing jobs and spur economic development. I urge my colleagues to join me in supporting the rule and the underlying resolution.

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

Ms. MATSUI. Mr. Speaker, I thank the gentlewoman from West Virginia for yielding me this time, and I yield myself such time as I might consume.

(Ms. MATSUI asked and was given permission to revise and extend her remarks, and include extraneous material.)

Ms. MATSUI. Mr. Speaker, I rise today in opposition to this closed rule. Once again, the majority has muted debate on a piece of legislation for no legitimate reason. The resolution has not been fully debated before the committee of jurisdiction and, as a result, it fails to include a number of priorities important to small businesses.

Mr. Speaker, small businesses are the engine of America's economy, representing more than 95 percent of all employers, creating half of our gross domestic product, and creating 3 out of 4 of new jobs nationwide. Small business owners are leaders in innovation, creating new technology, new products, and more effective business operations. The government should help small business owners achieve their goals, not stand in their way. I think this is something all Members can support.

There are some very good elements of this ''small business bill of rights'' resolution that I support. I believe small business should not be hampered with unnecessary restrictive regulations and paperwork. I support the provision insisting that small businesses have the right to equal treatment and should have expanded access to capital and credit.

Opening up assets to government contracts for small businesses should be a top priority for Congress. I support the principle in House Resolution 22 that we must consider legislation to create a fair and open Federal contracting system to make sure that everyone has a fair shot in winning a Federal contract. There must be an end to the practice of awarding ''mega contracts'' that take opportunities away from small businesses at no savings to the taxpayer. We must institute a fair contracting appeals process for small businesses to be heard.

I also support expanding contract opportunities for women, low-income individuals, and minorities by strengthening such key business development programs as 8(a). These actions will reduce current barriers and ensure small businesses have access to perform Federal contracts.

But small businesses have expressed additional priorities, and I wish we would have included them in the resolution. Instead, the majority chose to insert partisan agenda items.

During the committee markup, the chairman restricted debate time on all amendments to 4 minutes per side. After considering the first 5 amendments, the chairman moved to cut off debate, which passed on a strict party-line vote. This was done despite having two Democratic amendments still pending before the committee.

One of these amendments, offered by the gentleman from Georgia (Mr. BARROW) and the gentlewoman from Wisconsin (Ms. MOORE), would have strengthened programs for minority entrepreneurs. The other, offered by the gentlewoman from California (Ms. LINDA SÁNCHEZ), would express support for the microloan program which the administration eliminated in its fiscal 2006 budget.

I understand that the chairman had only allotted an hour for the committee markup, but we have an opportunity today with this rule to provide time for the debate we should have had. These thoughtful amendments should be heard. So far this year, the Committee on Rules has only reported one open rule, just one, out of 21 rules. It is time to allow Congress to do its job, and part of that job is to openly discuss the priorities facing our Nation.

Why not make time for this debate? The Members that were denied debate in committee came before the Committee on Rules last night to urge their amendments be made in order. Several other amendments were also offered. I cannot help but point out that our legislative schedule this week has plenty of room in it. Not surprisingly, however, the majority chose not to have a full debate and ignored amendments that could have improved this legislation.

Mr. Speaker, I believe that the amendments blocked from consideration today would have made House Resolution 22 a complete bill of rights. For instance, small business owners need access to capital and technical expertise if they are to make the most of their opportunities. The Small Business Administration provides this critical assistance to small business owners. The gentlewoman from California (Ms. Sánchez) and the gentlewoman from Illinois (Ms. BEAN) offered amendments recognizing that we should be supporting all of SBA's programs, including the microloan and 7(a) lending programs. But, again, this rule risks leaving a gaping hole in this list of rights.

House Resolution 22 could also be strengthened to ensure that minority business owners retain their place as a vibrant part of the U.S. economy. The Barrow-Moore amendment, if made in order, would do just that. While minority individuals comprise nearly one-third of the population, only 15 percent of businesses are minority-owned. These businesses employ 5 million people and generate nearly $600 billion in revenue. Given the gap between the number of individuals and the business ownership rate, it is clear that an entrepreneurial divide exists in this country. One of the most significant reasons for this divide is the fact that minority-owned companies have not seen legislative updates for nearly 20 years. Congress must bring these programs into the 21st century. Minority business owners deserve the right to have these important initiatives modernized.

The only way to achieve a complete bill of rights is to include all of the rights small businesses are asking for. A closed rule does not do this. An open rule, a better rule, would allow full debate on small business priorities. An open rule today would allow the House of Representatives to consider the importance of such issues as access to affordable capital and changing the Federal marketplace to meet the needs of small business. I urge my colleagues to vote no on this closed rule.

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

Mrs. CAPITO. Mr. Speaker, I yield such time as he may consume to the gentleman from Florida (Mr. KELLER), the author of the resolution and a champion of small business.

Mr. KELLER. Mr. Speaker, I thank the gentlewoman from West Virginia for yielding me this time, and I rise today in strong support of the rule and H. Res. 22.

The purpose of the small business bill of rights is to provide a blueprint for Congress to follow to help small business employers create even more jobs. A job is the best social program in the world. It gives a person income and health insurance and dignity. Since 70 percent of all new jobs in this country are created by small businesses, I met personally with 20 very successful small business employers in central Florida to learn firsthand what, if anything, Congress can do to help them create more jobs. Four top-tier issues consistently emerged from these meetings.

First and foremost, they had the problem of addressing skyrocketing health costs, and they wanted the ability to join together to negotiate lower prices.

Second, family-owned businesses, we are seeing one-third of them having to liquidate because of the death tax, and they needed some commonsense reform there.

Third, they had a problem with frivolous lawsuits and skyrocketing liability insurance. Unlike a big corporation, if someone sues them, they do not often have $100,000 to successfully defend the claim, even if frivolous. They have to settle it for a nominal amount, $5,000 or $10,000.

The fourth problem they mentioned over and over was paperwork and red tape.

After listening to their concerns, I joined with my original cosponsor, a Democrat, the gentleman from Alabama (Mr. CRAMER), and wrote and filed House Resolution 22.

We have given plenty of opportunity for people to be heard on H. Res. 22. For example, other nonbinding House resolutions sometimes go right to the floor with no hearings, no markups, no motion to recommit. They just get an up-or-down vote on a Suspension Calendar, with no chance to amend at any point. Well, that is not what happened here. In this particular instance, the minority requested that we have a hearing. We readily agreed and had a hearing. At this hearing, witnesses from NFIB and the U.S. Chamber of Commerce testified that the four issues identified in the small business bill of rights were, in fact, the top four issues affecting small businesses in the United States right now.

□ 1130

The minority was allowed to call witnesses at that hearing, and they did. Every member of the hearing, Republican and Democrat, was afforded two full rounds of questioning. Afterwards, the minority said, well, now we want to have a markup on this nonbinding resolution. We agreed to that as well.

At the markup, in an effort to reach out, I offered a substitute amendment which addressed three additional issues that the minority thought were important to them, issues relating to energy costs and access to capital and contract bundling. The substitute amendment I offered was approved by a voice vote.

Even though I had already included these three additional issues at this markup, the minority offered amendment after amendment after amendment after amendment. For example, one of the amendments called for Members to take a controversial stand on whether or not people agreed with the personal retirement accounts under President Bush's Social Security proposals. Things like that ate up time. The four amendments offered by the minority were defeated. But each time they insisted on calling for a roll call vote which ate up additional time.

Now, it is my understanding that the minority Members had two more amendments that they wished to offer, but the chairman had only scheduled an hour for the markup under the understanding that the minority would have few amendments.

So what exactly did the minority get in terms of due process here? They got a full blown hearing. They got three additional issues added to the original resolution, and they got votes on four of the six amendments they offered.

H. Res. 22 was passed by the full committee on a voice vote. Not a single person on the committee, Republican or Democrat, voiced opposition to H. Res. 22 during that voice vote, and the reason is it represents a noncontroversial consensus of what small business employers tell us they need.

Now, what are the Small Business Bill of Rights? There are seven: first, the right to join together to purchase affordable health insurance for small business employees. The right to simplify tax laws that allow family owned businesses to survive over several generations. The right to be free from frivolous lawsuits which harm law-abiding small businesses and prevent them from creating new jobs. The right to be free of unnecessary restrictive regulations and paper work which wastes the time and energy of small businesses while hurting production and preventing job creation. The right to relief from high energy costs which pose a real threat to the survival of small businesses. The right to equal treatment as compared to large businesses when seeking access to capital and expansion capital and credit. The right to open access to the government procurement marketplace through the breaking up of large contracts to give small business owners a fair opportunity to compete for the Federal contracts.

This is what the small business people in America tell us that they want. This is what we learned from the hearing, and this is what is included as the top tier issues in the Small Business Bill of Rights affecting small business people.

Now, if someone is opposed to this Small Business Bill of Rights, what would they be for? They would be for higher health insurance costs, higher taxes, more frivolous lawsuits, more paper work and red tape, higher energy costs, more obstacles to getting capital and more obstacles to getting government contracts.

Now, significantly, at no time in this process, during the markup or otherwise, has there been any attempt to strip away one of these seven rights. To the extent the minority has a controversy with this, it is not anything that is on the board here. It is they think one or two additional things should be there.

Well, let me remind you. The Small Business Bill of Rights is a blueprint that lists the top tier issues facing small businesses in the United States. It does not list every small business issue known to man. If it did, this thing would be as thick as a phone book, and it would not list the priorities.

Some of the business people I met with had things that I did not list because, while it was important to that person or this person, it was not something that was a consensus issue affecting the small business people across the country.

Now, if a Member has some issue that was not included, and they think it is a real important issue, then there is nothing preventing them from filing their own nonbinding House resolution and having that proceed under the regular order.

I urge my colleagues to vote ''yes'' on the rule. Plenty of opportunity has been heard for both sides to give their input to the Small Business Bill of Rights. It is a bipartisan Small Business Bill of Rights from the get-go when it was filed by a Democrat and myself, and I urge my colleagues to vote ''yes'' on the Small Business Bill of Rights, H. Res. 22.

Ms. MATSUI. Mr. Speaker, I yield 7 minutes to the gentlewoman from New York (Ms. VELÁZQUEZ).

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

Ms. VELÁZQUEZ. Mr. Speaker, I thank the gentlewoman from California for yielding.

As we take this week to honor our Nation's small businesses, it is important to notice the everyday challenges that are standing in their way. As the main job creators and stimulators of the economy, there are far too many obstacles that still remain.

Small businesses have received a number of promises over the last 4 years. But as the ranking member on the House Small Business Committee, I can tell you that what entrepreneurs need now is no more rhetoric. What they need is more action. Unfortunately, rhetoric is all that they have gotten up to this point.

One of the most obvious challenges is that a number of small businesses are not able to access health care. Six out of every 10 uninsured families are headed by a small business employee. This is simply unacceptable. Yet Congress has passed no solutions to the health care crisis.

My colleagues on the other side love to talk about how many times this House has passed association health plans. The bottom line is that Republicans control the White House, the Senate, and the House of Representatives. How many more times do we have to pass association health plans to get it done? Stop the rhetoric. What we need is action.

With the skyrocketing prices of gas and energy, small businesses are having an even more difficult time starting and expanding their ventures. Just last week the House passed an energy bill that does not do anything to help this Nation's small businesses. For the small business owner that works in the transportation industry, this bill has done nothing to help reduce the record highs in gas prices we are seeing today.

Compounding entrepreneurs' difficulties even further are regulatory burdens. Too often a small business owner does not have the resources to comply with a number of Federal regulations. Despite the promises made by this administration, small firms have seen little relief. The reality is that this administration holds the record for the single largest increase in paperwork burden in 1 year in our Nation's history. Again, the rhetoric needs to end.

Our Nation's entrepreneurs deserve to see some real action, some real solutions. And as we honor our Nation's entrepreneurs this week for National Small Business Week, all Congress is going to give them is this legislation, the Small Business Bill of Rights. Let me tell you, this Nation's small businesses deserve much more than some rhetoric included in House Resolution 22. And that is all this bill does. They deserve to be assured that Congress will work to address their challenges, that we will go on the record listing the priorities we will work to address for their businesses. Sadly, that is not what House Resolution 22 does.

Yes, the Small Business Bill of Rights contains some lofty rhetoric on taxes, regulations, and capital. But what it fails to do is really recognize the fact that small businesses do not get capital the same way that large businesses do. Small firms cannot head over to Wall Street. Instead, they rely heavily on loan programs. To tell them that loan programs are not important is disingenuous.

House Resolution 22 also says that some contract bundling is okay and that is okay for small businesses to lose out on contracting opportunities. The Small Business Committee has always been on the record protecting small businesses. Every economic analysis and indicator says that contract bundling is bad. Yet, this bill wants to say it is okay.

Most upsetting is that House Resolution 22 mentions absolutely nothing about the needs of minority and women business owners, the fastest growing sectors of our economy. This is despite the fact that the gentleman from Georgia (Mr. BARROW), the gentlewoman from Wisconsin (Ms. MOORE), and the gentlewoman from California (Ms. LINDA T. SÁNCHEZ) all tried to include these provisions in a markup in which the chairman of the committee blocked these amendments from even being offered.

The gentleman from Florida (Mr. KELLER) spoke about due process that was provided. What the gentleman does not tell you is that the chairman took the unprecedented step of moving the previous question. I will challenge any chairman to come to the floor and talk about when they moved the previous question to block the minority from offering amendments. They were then rejected again by the Rules Committee.

Despite the overwhelming growth of minority- and women-owned businesses, this Small Business Bill of Rights tells them that their needs are not a top priority, and that is ridiculous.

This is Small Business Week, and all we are giving to our Nation's entrepreneurs, the main job creators, are some promises in House Resolution 22. These promises are not helping to give small businesses more loans. They are not opening up the fair marketplace, and they are certainly are not giving small firms any solutions to the health care crisis. Maybe next time Congress can promise to help small businesses to pay their bills and again follow through with no action.

This rhetoric needs to end. Our Nation's small businesses deserve much more than rhetoric this week. They deserve commitment and action all year long to address their challenges. Clearly, House Resolution 22 will not do that. We should vote down this rule, and we should not be passing promises without action in the House of Representatives.

Mrs. CAPITO. Mr. Speaker, I continue to reserve the balance of my time.

Ms. MATSUI. Mr. Speaker, I yield 3 minutes to the gentleman from Arizona (Mr. GRIJALVA).

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

Mr. GRIJALVA. Mr. Speaker, let me thank the gentlewoman from California for yielding this time. And I would also like to thank the gentlewoman from New York (Ms. VELÁZQUEZ), the ranking member, for her consistent and valuable advocacy on behalf of the small businesses in this country. It is an honor to serve with the gentlewoman.

It is a funny situation to be here today during Small Business Week speaking on a resolution that is intended to benefit our Nation's small businesses; but, in reality, this resolution ignores a pressing issue that has the potential to very severely burden the small business community of our country.

I believe this resolution has less to do with priorities and more about a partisan political agenda that does not address a myriad of realities for small businesses. And I want to talk about one reality. The reality in this situation is this:

The President has spent millions of dollars pitching privatized personal accounts as the answer to Social Security. But he has failed to address how these personal accounts will adversely affect the administrative costs for small businesses.

Small firms are already responsible for withholding billions of dollars a year of payroll taxes for their employees. The creation of private savings accounts sticks them with a severe logistical headache, in fact an unfunded mandate.

Consider this: under a personal savings plan, small businesses would be responsible for everything from providing, collecting, filing paperwork, to establishing an accounting system to ensuring proper payment over time, to handling quarterly and annual reporting to the employee.

Furthermore, the administration has been telling Americans that this plan is only, is just like a Thrift Savings Plan. The truth of the matter is that there are tremendous costs associated with administering these types of plans, and most often those costs will fall on the employers.

And judging by the experience with TSPs and other retirement accounts, employees will look to their employers if there is a problem. Who knows how responsibility and liability will be determined? Small firms will be sued if anything goes wrong with an account or with the investment.

In light of the facts that I have laid out, Congress should be taking a harder look at the realities of having small businesses assume the administrative burden of collecting and paying out for private accounts. A proposed blueprint that does not address all the realities and the real needs of small businesses is once again a one-way street with a dead end.

I urge a ''no'' vote on the rule.

□ 1145

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

Ms. MATSUI. Mr. Speaker, I yield 2 minutes to the gentlewoman from Texas (Ms. EDDIE BERNICE JOHNSON).

Ms. EDDIE BERNICE JOHNSON of Texas. Mr. Speaker, I rise today to state my opposition to House Resolution 22 and the rule expressing the sense of the House that American small businesses are entitled to a small business bill of rights.

I want to especially thank my good friend, the gentlewoman from New York (Ms. VELÁZQUEZ) and applaud her for her hard work on behalf of small businesses. If the only rights small businesses are entitled to are listed in House Resolution 22, I feel sorry for all small businesses; because for all small businesses give to this country, this bill gives them nothing in return.

Small businesses, including minority- and women-owned businesses, are the backbone of this country, and most especially to my State of Texas. Where are the small businesses rights to, one, participation in the Federal marketplace; two, assistance from the government's lending programs which account for 40 percent of all long-term small business financing; three, targeted tax relief similar to that provided to the big corporations; and, four, strong technical assistance from the Federal Government that deals with issues faced by small businesses; and, five, protection from contract bundling, combining two and three contracts together to eliminate small businesses competition?

These are challenges and there are many challenges facing small businesses as they attempt to gain a foothold in this Federal marketplace.

We should be about the business of ensuring full and fair access for small firms. We should be about helping them overcome the obstacles in their way instead of coming up with the blank checks under the guise of giving them rights that large companies are afforded.

Vote against this rule. Vote against this bill, because it does nothing to allow for rights that small business need or the opportunities. Amendments

to correct all this were attempted in the Committee on Rules but denied. So I would say go and fix it or defeat it.

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

Ms. MATSUI. Mr. Speaker, I yield myself such time as I may consume to close.

Mr. Speaker, I urge Members to vote ''no'' on the previous question so we can change this rule to include three very important Democratic amendments that were not allowed by the Committee on Rules last night. In fact, two of the amendments, one offered by my colleagues, the gentleman from Georgia (Mr. BARROW) and the gentlewoman from Wisconsin (Ms. MOORE), related to the rights of minority business owners. Another offered by the gentlewoman from California (Ms. LINDA SÁNCHEZ) relating to expanding the microloan program was denied not only in the Committee on Rules but in the Committee on Small Business as well.

The third amendment denied by the Committee on Rules, offered by the gentlewoman from Illinois (Ms. BEAN), would have put the House on record in support of the 7(a) loan program.

Mr. Speaker, this should not be about partisan politics. It is about fairness. It is bad enough that most Democratic amendments are blocked from floor considerations around here; now the Republican leadership does not even want them considered in the committees of original jurisdiction. I am very disturbed by the pattern of abuse that seems to be spreading in this House, first on the House floor and now in the committee process as well. This must stop.

Vote ''no'' on the previous question so we can include these three thoughtful amendments. I want to make it very clear, that a ''no'' vote will not stop us from considering this legislation; however, a ''yes'' vote will block these amendments from any type of congressional action in the House.

Mr. Speaker, I ask unanimous consent to insert the text of the amendments immediately prior to the vote on the previous question.

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

There was no objection.

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

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

This resolution outlines the areas that the 109th Congress needs to highlight for all small businesses.

In previous Congresses we have initiated many areas of small business in terms of trying to help them grow and flourish where they are employing so many Americans. They are the very engine of our Nation's economy and it is time that we start acting on legislation to help them continue to do so.

I thank the gentleman from Florida for bringing the measure to the floor. I urge a ''yes'' vote on the rule and the underlying resolution.

The material previously referred to by Ms. MATSUI is as follows:

PREVIOUS QUESTION FOR H. RES. 235 H. RES. 22—EXPRESSING THE SENSE OF THE HOUSE OF REPRESENTATIVES THAT AMERICAN SMALL BUSINESSES ARE ENTITLED TO A SMALL BUSINESS BILL OF RIGHTS

Strike all after the resolved clause and insert:

That upon the adoption of this resolution it shall be in order without intervention of any point of order to consider in the House the resolution (H. Res. 22) expressing the sense of the House of Representatives that American small businesses are entitled to a Small Business Bill of Rights. The amendments to the resolution and the preamble recommended by the Committee on Small Business now printed in the resolution are considered as adopted. The previous question shall be considered as ordered on the resolution and preamble, as amended, to final adoption without intervening motion or demand for division of the question except: (1) one hour of debate equally divided and controlled by the chairman and ranking minority member of the Committee on Small Business; (2) the amendments printed in section 2, if offered by the Member designated or a designee, each of which shall be in order without intervention of any point of order or demand for division of the question, shall be considered as read, and shall be separately debatable for 20 minutes equally divided and controlled by the proponent and an opponent; and (3) one motion to recommit, which may not contain instructions.

SEC. 2. The amendments referred to the first section of this resolution are as follows:

(1) Amendment by Representative Barrow of Georgia or Representative Moore of Wisconsin.

AMENDMENT TO H. RES. 22, AS REPORTED

OFFERED BY MR. BARROW OF GEORGIA AND MS. MOORE OF WISCONSIN

Page 6, after line 7, insert the following:

(8) Minority business owners have the right to participate fully in the Federal marketplace and to receive the ''maximum practicable opportunity'' promised them under section 8 of the Small Business Act (15 U.S.C. 637). To accomplish this, programs aimed at minority business development must be modernized, adequately funded, and supported by the Small Business Administration. This will ensure that the Nation's minority entrepreneurs receive the support they need and rightfully deserve, allowing them to serve as an important catalyst to the economy.

In the fourteenth whereas clause, strike ''and'' at the end.

After the fourteenth whereas clause, insert the following:

Whereas a business ownership divide exists in this country. Despite the fact that people of color represent 32 percent of the United States population, these individuals own only 15 percent of businesses. These same barriers exist for minority-owned companies attempting to access the Federal marketplace. Today, fewer than 5 percent of Government contracts go to minority businesses. This is due, in large part, to a lack of support by Federal officials for key minority business development programs designed to assist this segment of the business population. Programs once embraced by agencies and administrations have stagnated and been allowed to deteriorate without legislative improvements for nearly 20 years, leaving minority business owners without the assistance they need to reach their full potential; and

(2) Amendment by Representative Sánchez.

AMENDMENT TO H. RES. 22, AS REPORTED

OFFERED BY MS. LINDA T. SÁNCHEZ OF CALIFORNIA

In the fourteenth whereas clause, strike ''and'' at the end.

After the fourteenth whereas clause, insert the following:

Whereas traditional lenders do not make loans to many of the Nation's low-income entrepreneurs, which creates a gap in the capital markets; and

Page 6, after line 7, insert the following:

(8) The right to a strengthened and expanded microloan program under section 7(m) of the Small business Act (15 U.S.C. 636(m)), which will ensure that low-income small businesses can contribute to the economic development of local communities.

(3) Amendment by Representative Bean of Illinois.

AMENDMENT TO H. RES. 22, AS REPORTED

OFFERED BY MS. BEAN OF ILLINOIS

Page 6, line 3, insert before the period, ''which would be accomplished by restoring funding for the loan program under section 7(a) of the Small Business Act (15 U.S.C. 636(a))''.

Mrs. CAPITO. Mr. Speaker, I yield back the balance of my time, and I move the previous question on the resolution.

The SPEAKER pro tempore. The question is on ordering the previous question.

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

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

The yeas and nays were ordered.

The SPEAKER pro tempore. Pursuant to clause 8 of rule XX, further proceedings on this motion will be postponed.

REMOVAL OF NAME OF MEMBER AS COSPONSOR OF H.R. 1636

Mr. GEORGE MILLER of California. Mr. Speaker, I ask unanimous consent to have my name removed as a cosponsor of H.R. 1636.

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

There was no objection.

PROVIDING FOR CONSIDERATION OF H.R. 748, CHILD INTERSTATE ABORTION NOTIFICATION ACT

Mr. GINGREY. Mr. Speaker, by direction of the Committee on Rules, I call up House Resolution 236 and ask for its immediate consideration.

The Clerk read the resolution, as follows:

H. RES. 236

Resolved, That at any time after the adoption of this resolution the Speaker may, pursuant to clause 2(b) of rule XVIII, declare the House resolved into the Committee of the Whole House on the state of the Union for consideration of the bill (H.R. 748) to amend title 18, United States Code, to prevent the transportation of minors in circumvention of certain laws relating to abortion, and for other purposes. The first reading of the bill

shall be dispensed with. All points of order against consideration of the bill are waived. General debate shall be confined to the bill and shall not exceed one hour equally divided and controlled by the chairman and ranking minority member of the Committee on the Judiciary. After general debate the bill shall be considered for amendment under the five-minute rule. It shall be in order to consider as an original bill for the purpose of amendment under the five-minute rule the amendment in the nature of a substitute recommended by the Committee on the Judiciary now printed in the bill. The committee amendment in the nature of a substitute shall be considered as read. Notwithstanding clause 11 of rule XVIII, no amendment to the committee amendment in the nature of a substitute shall be in order except those printed in the report of the Committee on Rules accompanying this resolution. Each such amendment may be offered only in the order printed in the report, may be offered only by a Member designated in the report, shall be considered as read, shall be debatable for the time specified in the report equally divided and controlled by the proponent and an opponent, shall not be subject to amendment, and shall not be subject to a demand for division of the question in the House or in the Committee of the Whole. All points of order against such amendments are waived. At the conclusion of consideration of the bill for amendment the Committee shall rise and report the bill to the House with such amendments as may have been adopted. Any Member may demand a separate vote in the House on any amendment adopted in the Committee of the Whole to the bill or to the committee amendment in the nature of a substitute. The previous question shall be considered as ordered on the bill and amendments thereto to final passage without intervening motion except one motion to recommit with or without instructions.

The SPEAKER pro tempore. The gentleman from Georgia (Mr. GINGREY) is recognized for 1 hour.

Mr. GINGREY. Mr. Speaker, for the purpose of debate only, I yield the customary 30 minutes to the gentlewoman from New York (Ms. SLAUGHTER), pending which I yield myself such time as I may consume. During consideration of this resolution, all time yielded is for the purpose of debate only.

Mr. Speaker, this is a structured rule providing for consideration of H.R. 748, the Child Interstate Abortion Notification Act. The rule waives all points of order against consideration of the bill, it provides that the amendment in the nature of a substitute recommended by the Committee on the Judiciary now printed in the bill, shall be considered as an original bill for the purpose of an amendment.

It makes in order only those amendments printed in the Committee on Rules report accompanying the resolution; it provides that the amendments printed in the report may be offered only in the order printed in the report; may be offered only by a Member designated in the report; shall be considered as read; shall be debatable for the time specified in the report equally divided and controlled by the proponent and an opponent; it shall not be subject to an amendment and shall not be subject to a demand for the division of the question in the House or in the committee of the whole. It waives all points of order against the amendments printed in the report, and it provides one motion to recommit with or without instructions.

Mr. Speaker, I would like to take this opportunity to recognize and to thank the gentlewoman from Florida (Ms. ROS-LEHTINEN) for her dedication and leadership, not only on this bill, but also on all matters concerning the well-being and defense of our children. She truly has made this fight her own and I would like to applaud her for her hard work.

Mr. Speaker, I fear that the opponents of this bill will demagogue it as an assault on a woman's right to choose, but this bill has absolutely nothing, let me repeat, nothing to do with a woman's right to choose. Rather, this bill ensures that no minor is deprived of any protection according to not only her but also her parents under the laws of her State.

H.R. 748 is a commonsense bill that will prohibit the transportation of a minor across the State line to obtain an abortion when the child's home State requires parental consent. This bill makes an exception in those extremely rare cases in which the abortion is medically necessary to save the life of the minor. Also, this bill makes another exception allowing for judicial bypass.

This bill also affirms the responsibility of a physician prior to performing an abortion on a minor from another State to make sure that they are acting in accordance with the laws of her State.

Having practiced as an OB–GYN for nearly 30 years, I am uniquely qualified to discuss the medical and legal obligations of a physician to his or her patient. And this law not only ensures the protection of minors but it also clarifies the responsibility of the physician to make sure that he or she is not inappropriately performing an abortion on a minor without the legally mandated consent of her parents.

This bill also affirms the principles of federalism and it prevents the circumvention and violation of laws passed by State legislatures. Over 30 States have passed parental notification laws, Mr. Speaker. In fact, in my home State of Georgia, the legislature just recently passed a new abortion notification law in an overwhelming and bipartisan fashion, and this Congress has the responsibility to defend that federalism and the integrity of State laws in interstate matters.

Mr. Speaker, while I can address this issue both as a Member of Congress and as a medical physician who has delivered a lot of precious infants, I can also talk about this issue as a father. My wife and I had four children. Three of them are now grown women and two of them have children of their own. However, I knew that when they were still young children, minors, I not only had a moral obligation that I proudly still bear to this day, but also a legal obligation to defend them and their well-being against any and every potential and imminent danger.

Mr. Speaker, this legislation recognizes this fundamental bond between parents and child and it recognizes the obligation of a parent to be involved and to assist in making important decisions affecting both the life and the health of a minor. Children cannot even be given aspirin at school without their parents' permission, so I cannot comprehend how anyone could possibly justify that administering an abortion is less traumatic or potentially dangerous than taking an aspirin. Yet, Mr. Speaker, that is exactly what the opponents of this bill are saying through their opposition to H.R. 748.

□ 1200

During this debate, I encourage my colleagues to remain focused on the matter at hand and remember that this legislation seeks to uphold the legislatively guaranteed rights of parents and their minor children. Let us not allow this debate to be bogged down with the same tired rhetoric about a woman's right to choose.

I ask my colleagues to support the rule and the underlying bill for final passage.

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

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

Mr. Speaker, after being brought to task by the American people for meddling in the personal and private life decisions of an American family during the Schiavo tragedy, you would think that the majority in this Congress would have learned. You would think that they would have learned that the people of the country do not want the government intruding into the lives of American families; but they have not learned, Mr. Speaker, because here we go again.

This bill is another invasion into the private lives of American families making the decisions for themselves, and it is an invasion into the legal rights afforded all women in this country. I am talking about the legal right for women to choose, which is protected by the Constitution of the United States.

We have a duty in this body to consider legislation which will maximize our freedom and equality, values which are the very fabric of our society. Our job here is to protect the legal rights of those we serve and not to take them away, and I urge a ''no'' vote on this bill.

A report was just recently released that shows that there are more Americans incarcerated than in any other country in the United States. This bill will add Granny and Granddad and the clergy and an occasional cab driver, this is how far this bill goes; but I want to talk for a minute about another abuse which has occurred in this Chamber, a personal affront to three of our colleagues.

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

This committee report took the liberty to mischaracterize and to falsify the intent of several amendments offered in committee by Democrat Members of this body.

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

No Member of Congress on either side of the aisle would do such a despicable thing as attempt to protect sexual predators, and these amendments were no more about sexual predators than they were about terrorists or arsonists or any other criminal class in our society. No one was attempting to protect them.

Indeed, what they were trying to do was produce amendments which apparently the fact of writing an amendment was offensive. The amendments were about the rights of the grandmothers and siblings and clergy and the cab drivers, and I asked the chairman of the committee about this deception yesterday at the Committee on Rules hearing.

Instead of decrying what I certainly expected would be revealed as a mistake by an overzealous staffer, the chairman stood by the authored amendment descriptions, to my great surprise. I have known the gentleman from Wisconsin (Mr. SENSENBRENNER) since I first arrived in Congress, and I did not believe that he would allow such a thing to happen and particularly not in the Committee on the Judiciary, but he made it very clear to us that the alterations to the Members' amendments were deliberate.

When pressed as to why his committee staff took such unprecedented action, the chairman immediately offered up his own anger over the manner in which Democrats had chosen to debate and oppose the unfortunate piece of legislation we have before us today. In fact, he said, ''You don't like what we wrote about your amendments, and we don't like what you said about our bill.''

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

That is, in effect, what the chairman of the Committee on the Judiciary has done here, and he has ensured that these amendment descriptions will be encapsulated in the RECORD for all time by including those unfair and incorrect amendment summaries in the committee report. He has mischaracterized these Members forever.

This is a new low for this Chamber, Mr. Speaker. This is a clearly dishonest and unethical attack on the credibility and character of other Members; and sadly, it is just the latest in a pattern of unethical and abusive tactics employed by this majority.

How incredibly arrogant it is that they believe they have the right to tamper with official congressional documents for their own political purposes. How unbelievably arrogant is the leadership of this Congress that they would force their own political interpretation of another Member's work upon this body and upon American people in perpetuity in an official committee report.

The majority's actions are not only an affront to the Members in the House but an affront to the American people.

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

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

I have no doubts, Mr. Speaker, no doubts that unless this CONGRESSIONAL RECORD is amended to reflect the true captions of these amendments, we will see these erroneous captions again in the form of campaign attack mail pieces. In fact, when pressed last night in the Committee on Rules to have the record amended to reflect the honest and accurate captions that belong on the amendments, we were defeated on a party-line vote.

So now, these honorable and hardworking Members of Congress will be forever branded in the official record as having offered amendments designed to protect sexual predators when nothing, nothing could be further from the truth.

Mr. Speaker, I have often heard the chairman of the Committee on Rules, as well as other Members of the leadership, talk about the loss of civility in this Chamber. How can we be civil under this attack? Is this a disguised attack to say to the Democrat Members of the House, if you have the effrontery to offer an amendment on a bill of ours, we will destroy you in the committee report? Have they reached that low?

Perhaps they have; but if we are going to regain lost civility, they do not need to look any further than the abusive, unethical, and arrogant administration of this House of Representatives and this bill.

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

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

Mr. Speaker, I want to take a few moments to address some of the concerns articulated by my colleague on the Committee on Rules. The other side of the aisle has been concerned about how some of the amendments they offered during the Committee on the Judiciary markup have been characterized in the committee report.

Mr. Speaker, this is a question of intent versus effect. During the Committee on the Judiciary markup, there were several amendments offered that would have exempted certain individuals from prosecution under this bill. My colleagues on the other side of the aisle say that they did not intend for sexual predators to be exempt from prosecution. I believe them. I would hope it will never be the intent of anyone in this body to in any way inadvertently or otherwise assist in doing harm to a child to offer protection to those who would.

But, Mr. Speaker, this is where the effect of the amendments come to bear. The effect of the amendments would have been to exempt individual classes of people from prosecution. If a case arose where the sexual predator qualified under one of these classes of individuals, that person could not be prosecuted under this bill. This effect is simply unacceptable.

The minority side argues that their intent, not the effect, should be the language used in the report submitted by the Committee on the Judiciary. However, it is the responsibility, in fact it is the charged duty, of the Committee on the Judiciary chairman to write and file the report. It is the prerogative of the chairman to write the report as he sees fit.

On the other side, the minority has ample opportunity to take up any issue they choose in the dissenting views of the report. In this instance, the dissenting views of the minority are found on pages 121 to 133 of House Report 109–51.

If the minority wants their interpretation of the intent or even effect of an amendment to be in the report, it is wholly appropriate for them to articulate those views in their dissenting views. In fact, this is just exactly what they did.

So on the one hand, we have the chairman stating his understanding of the effect of these amendments; and on the other hand, we have the minority stating their intent. Both the minority and majority positions are stated clearly in the committee report.

It seems to me that both the majority and minority used the committee

report to fairly and appropriately state their views. No one was shut out from the opportunity to voice an opinion in this committee report.

Mr. Speaker, I believe both sides of the aisle used the committee report to discuss their efforts on this legislation, and we should not cloud the merit of this legislation because the other side does not like how the effect of their amendments was characterized.

Mr. Speaker, for further clarification, I would like to yield for as much time as he may consume to the gentleman from Wisconsin (Mr. SENSENBRENNER), the distinguished chairman of the Committee on the Judiciary.

Mr. SENSENBRENNER. Mr. Speaker, I would like to take issue with the characterizations that the distinguished gentlewoman from New York has made about the committee report and about my actions in two respects.

First of all, every committee report that is filed in the House of Representatives does allow the people who disagreed with the legislation to file dissenting views; and those who did support the legislation can file additional views, all of which are printed in the committee report.

The majority has the responsibility in the committee report to articulate the arguments in favor of the bill because the committee report represents the views of those who voted in favor of the legislation at the committee level.

The amendments that were offered and which are the text, or the description, at issue here in this debate today were all offered by members of the Committee on the Judiciary who oppose the bill. They were all defeated by a majority vote in the committee; and my committee, perhaps in a minority in the Congress, does print the entire text of our committee markups in committee reports. The text of the debate in the markup and the text of the amendments are contained in pages 58 through 120 of House Report 109–51 inclusive.

Now, what the gentlewoman from New York is complaining about is the majority's arguments in favor of the bill and against the amendments which were defeated. To attempt to have those who voted against the bill rewrite the arguments that are in favor of the bill contained in the committee report is just as wrong as those who voted in favor of the bill attempting to rewrite the dissenting views which are appended to the committee report and represent the views of those who voted against the bill.

Second point: it is against the rules of the House of Representatives to impugn the motives of another Member. So the intent of the authors of the amendments that were defeated in the committee and which were described in the committee report is out of bounds. It cannot be done on the floor. It cannot be done in committee reports. So all that can be done in terms of the debate is to look at what the effect of the amendments was.

Perhaps these amendments were not properly drafted by the authors when they were submitted in the committee because they did not contain a specific carve-out of the exemptions that were proposed for the various classes of people that were proposed to be exempted in the amendment. This is not the fault of the majority. That is the fault of the people who drafted the amendments; and because the amendments were not tightly enough drafted, they did not contain a carve-out of the exemptions for sexual predators. That is what we pointed out in the committee report.

It is not the fault of the majority of the Committee on the Judiciary or me as chairman in filing this report to gloss over a defect that did allow exemptions for sexual predators. The minority has the chance in their dissenting views to dispute the conclusion that had been reached in describing what the amendments were. They chose not to do so.

So the committee report and the headers on the amendments accurately reflect the fact that those who authored the amendment did not choose to carve out an exemption for sexual predators in the effect of the amendment in the clear text of the amendment that was submitted.

I rest my case.

□ 1215

Ms. SLAUGHTER. Mr. Speaker, I yield 5 minutes to the gentleman from New York (Mr. NADLER), one of those maligned.

Mr. NADLER. Mr. Speaker, it is very difficult to keep my temper when I listen to the sophistry of the distinguished, and I use that word advisedly because of protocol only, Chairman.

First of all, it is not true that the minority had a chance to see these comments. The distinguished chairman is very well aware that we do not see the majority views of the committee until after we hand in the minority views of the committee, the dissenting views, until in fact they are published. The majority sees the dissenting views. We never see the majority views. We have no opportunity to reply, number one.

Number two. The distinguished chairman says, and the other gentleman said that the question is intent versus effect; that it may have been my intent to deal with grandparents and clergy members, but in fact it might have led to a sexual predator being able to take advantage of the amendment. That would be fair comment in a debate. That would be fair comment in the body of the views, if they said in the majority views we oppose this amendment because under certain circumstances it might be used to the advantage of a sexual predator. And to that we could reply and say, no, they are wrong because, in the minority views. But that is not what we are discussing. We are not discussing an exchange of views. We are discussing how the amendment is reported in a one-sentence summary of the amendment without any views.

The amendment, and here the report simply lies about all five Democratic amendments. In reporting the amendment, the first amendment, which reads in its entirety, the actual text of the amendment offered by me was: ''The prohibition of subsection 8 does not apply with respect to conduct by a grandparent or adult sibling of the minor.''

In the 107th Congress House Judiciary Report on the same amendment it was reported as follows: ''An amendment was offered by Mr. Nadler prohibiting H.R. 476 from applying with respect to conduct by a grandparent or adult sibling of the minor.'' That is exactly right. In fact, that is how the amendment, which was made in order for the floor, was reported by the Committee on Rules.

What does this dishonest committee report say? ''Mr. Nadler offered an amendment that would have exempted sexual predators from prosecution under the bill if they were grandparents or adult siblings of a minor.'' I find it strange in the entire debate, and I give the chairman credit for including the transcript of the debate in the committee report, but if you actually turn to the debate and look at the transcript, no one raised the question of the application of this amendment to sexual predators. No member of the majority, no member of the minority. It did not occur to anybody.

Now, maybe it should have occurred to somebody. Maybe the views are valid that this amendment could be used that way. Maybe not. That is a matter of opinion. But that is not what this amendment says. What this amendment says is that these prohibitions shall not apply with respect to conduct by a grandparent or an adult sibling of the minor, period. That is the only honest way to report this amendment.

Second amendment. The second amendment which I offered said that where there is reason to believe that the judicial bypass system in a State is not real, that the local judges are bypassed or whatever, the person can go to Federal court and ask for a Federal judicial bypass. Now, you can agree or disagree with the implications of that amendment, but the proper description of that amendment is to provide a Federal judicial bypass where there is evidence that the local judicial bypass is not available.

It is described on page 45 of the committee report as: ''Mr. Nadler offered an amendment that would have created an additional layer of Federal court review that could be used by sexual predators to escape conviction under the bill.'' Now, it is a judicial bypass of getting an abortion. It has nothing to do with conviction, number one. Number two, this does not even mention judicial bypass. It is entirely dishonest. And, again, in the entire debate in the

committee over this amendment, nobody mentioned the word sexual predators. The first we hear of sexual predators in connection with these amendments is when we are told, when we see the committee report in print that I offered an amendment to protect sexual predators. How dishonest. How disingenuous of an argument that we hear on this floor and in the Committee on Rules last night that these are matters of opinion; that the amendments might be used.

You know, this bill, never mind the amendment, this bill has a provision in it that says that the parents of a minor transported across State lines to get an abortion can sue the person who transported them, can sue the doctor who performs an abortion. Okay, you can debate that provision on the merits, pro and con. But did you stop to think what if the father raped the daughter, committing incest in doing so? Two crimes, rape and incest, and caused the pregnancy that she is now trying to abort. Under this bill, he profits from his wrongdoing. He now, because he raped the daughter and caused the pregnancy, he can now because of this bill go and sue the doctor or the boyfriend or the clergyman or the grandmother who transported her to get the abortion.

Well, that is a defect in the bill. It was not drafted properly. I doubt that that was the intent. And maybe it was the intent, maybe it was not. We can debate that. Would it be fair for a news report or an official report of this Congress to call this entire bill the Rapists and Sexual Predators Right to Sue Act? That is what this bill is, it is the Sexual Predators Right to Sue Act. And if the Democrats were in the majority and the Committee on Rules reported a rule saying we will now consider the Sexual Predators Right to Sue Act, I think the gentleman from Wisconsin (Mr. SENSENBRENNER) would say that is a disgusting misuse of power.

This was a disgusting misuse of power. It is a rape of the rules of this House and it must be corrected.

Mr. GINGREY. Mr. Speaker, it gives me great pleasure to yield 3 minutes to the gentlewoman from Florida (Ms. ROS-LEHTINEN), the author of the bill.

Ms. ROS-LEHTINEN. Mr. Speaker, I want to thank my wonderful friend, the gentleman from Georgia (Mr. GINGREY) for yielding me this time and for managing the bill and allowing us to focus once again on the bill and the rule.

I want to thank the distinguished, the very distinguished gentleman who is the chairman of the Committee on the Judiciary, the gentleman from Wisconsin (Mr. SENSENBRENNER), as well as the gentleman from Ohio (Mr. CHABOT), who has been a champion of this bill, and it was in his subcommittee where it was first heard.

I am so proud to stand here in favor of House Resolution 748, the Child Interstate Abortion Notification Act. This bill will incorporate all of the provisions previously contained in the previous legislation that we had filed, the Child Custody Protection Act, making it a Federal offense to transport a minor across State lines to circumvent that State's abortion parental notification laws.

In addition, this year's bill will require that in a State without a parental notification requirement, abortion providers are required to notify a parent. It will protect minors from exploitation from the abortion industry, it will promote strong family ties, and it will help foster respect for State laws. Similar but not identical legislation has had the support of the overwhelming majority of the Members of Congress who have voted in favor of it, not only in 1998 and in 1999, but also in 2002.

I am extremely hopeful that this commonsense pro-family legislation will pass both the House, the Senate, and will be signed into law by our President. As the mother of two teenage daughters, I believe this bill would protect my girls, and I encourage my colleagues to vote in favor of the rule and support this commonsense legislation on a concept that is supported by the majority of Americans. I believe that it is a bill that pro-choice advocates can support.

Ms. SLAUGHTER. Mr. Speaker, I want to yield 3 minutes to the gentleman from Virginia (Mr. SCOTT), who was also maligned in the report.

Mr. SCOTT of Virginia. Mr. Speaker, I thank the gentlewoman for yielding me this time.

Mr. Speaker, let me speak briefly about the distortion in the description of my amendment in the committee report. First, the suggestion, as the gentleman from New York has indicated, the suggestion that we had an opportunity to respond to the majority report is just not accurate. Perhaps we need to change the rules in light of this distortion, but the dissenting views explain our opposition to the bill, and we do not see the majority report prior to the submission of the dissenting views. Therefore, we had no way of knowing that such distortions would be part of the committee report.

Mr. Speaker, the underlying bill makes it illegal to transport a minor across State lines for the purpose of getting an abortion. Let me read my amendment. ''The prohibitions of this section do not apply with respect to conduct by taxicab drivers, bus drivers, nurses, medical providers, or others in the business of professional transport.'' It was described in the report as saying: ''Mr. Scott offered an amendment that would have exempted sexual predators from prosecution if they are taxicab drivers, bus drivers, or others in the business of professional transport.''

Let me just say that if a person is known to be a sexual predator, the last thing a prosecutor would have done would be to say, aha, we have him for transporting a minor across State lines as a taxicab driver, and we can get him for a misdemeanor; when, obviously, if they can show that he is a sexual predator, they have many felonies they could prosecute him for. But my view on the description and the distortion of this amendment is that it says more about the character of the persons responsible for describing the amendment that way, or for those trying to defend the distortion, than it does about the amendment.

I would point out that the Committee on Rules changed the description from the distortion in the committee report and described it as follows: ''Amendment immunizes taxicab drivers, bus drivers, and others in the business of professional transport; doctors and nurses and others, medical providers or their staff, from the transportation provision of the bill.'' A description of what the amendment says, a clarification of the distortion, but again, Mr. Speaker, it just says more about the character of the people who wrote that distortion than it does about the amendment.

I would hope that we would adopt an amendment to the rules that would require the Committee on Rules to eliminate that distortion so that the public will be accurately informed as to what is in the bill and the amendments.

Mr. GINGREY. Mr. Speaker, I yield myself such time as I may consume. The gentleman from New York had said that the issue of sexual abuse never came up in the committee hearing. If you look at page 84.

Mr. NADLER. I never said that. I said it did not come up with respect to my amendments.

The SPEAKER pro tempore (Mr. SIMPSON). The gentleman from Georgia controls the time.

Mr. GINGREY. Mr. Speaker, I stand corrected in regard to his amendments, but in regard to a number of these other amendments, let me quote from the committee report on page 84. This is the gentleman from Ohio (Mr. CHABOT) speaking. ''This amendment would allow abusers potentially to get off scot-free and doom the victims of sexual abuse to even more abuse. If the girl is afraid to tell her parents of the abortion for fear of past or future sexual abuse, she may utilize the judicial bypass process which is available in her State.''

Mr. Speaker, I yield 2 minutes to the gentleman from Pennsylvania (Mr. PITTS).

Mr. PITTS. Mr. Speaker, a woman from my district came to Washington last month to tell Congress about how her daughter was taken to New Jersey for an abortion without her knowledge and she said, ''On February 16th, I sent my daughter to her bus stop with $2 of lunch money. I thought she was safe at school. She and her boyfriend had a prenatal class scheduled after school.''

So the mom knew about the 14-year-old daughter's pregnancy. Her daughter had chosen to keep the baby and was attending prenatal classes.

The mom continues, ''However, what really happened was that boyfriend and his family met with her down the road from the bus stop, called a taxi, they put the children on a train from Lancaster to Philadelphia. From there they took two subways to New Jersey. That is where his family met the children and took them to the abortion clinic. When my daughter started to cry and have second thoughts, they told her that they would leave her in New Jersey. They planned, paid for, coerced, harassed and threatened her into having the abortion. They left her alone during the abortion and went to eat lunch.''

From this incident let us be clear on what the law allows. A 14-year-old girl tells her mom she is pregnant. Mom says she will support her in whatever choice she makes. The daughter chooses to have the baby and begins to prepare for delivery, even chooses the names. Boyfriend's family bullies the girl into having an abortion and sends her to New Jersey. All this time the mother thinks she is sending her daughter to school. Instead, the boyfriend's family dropped this young girl in tears off at an abortion clinic and then went to eat lunch. Her unborn baby is killed and she is in counseling to this day.

□ 1230

Mr. Speaker, this bill would correct this problem. It would protect our children. No parent should be kept in the dark when it comes to a medical issue regarding their children. I urge support for the rule and the bill.

Ms. SLAUGHTER. Mr. Speaker, I yield 3½ minutes to the gentlewoman from Texas (Ms. JACKSON-LEE), a Member maligned in the report.

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

Ms. JACKSON-LEE of Texas. Mr. Speaker, I am outraged by the incident that the last speaker mentioned. I do not know why there seems to be the ignoring of the obvious. The amendments that Democrats offered in the committee had nothing to do with their compassion and lack thereof. In fact, it was to enhance and give a broader opportunity for a tragedy that occurred like that, which is really people with no feelings and no heart. Those are not relatives of that young woman. That was not her parent. That was almost a criminal act. That has nothing to do with the point that the Democrats were trying to make, which is give the opportunity for a greater latitude of those who can counsel and comfort this young woman.

I do not know where the parent was in this instance, but maybe if a grandparent or a godparent was there or a clergy was there, this terrible tragedy that occurred with people who were not her relatives might have been avoided.

So this distorted debate on the floor of the House mischaracterizes many of those who raise these very issues in the Committee on the Judiciary.

So I not only stand outraged for the tragedy that was just articulated by the previous speaker, a child forced to get on abortion, on the floor by the other side of the aisle, but I am equally outraged at the misconstruing of the amendment offered in the Judiciary Committee suggesting that they exempted child predators. The process that the Committee on the Judiciary Committee has used, and my friends on the other side of the aisle have used deserve absolute disregard, and that is to distort, misquote, ''miswrite'', abuse and mischaracterize the amendments that were offered by a number of members of the Committee on the Judiciary. Mine happened to be one. We did not offer amendments to protect child predator rather our amendments offered a safety net to that minor child.

I thank the gentlewoman from New York (Ms. SLAUGHTER); I thank the ranking member, not only for her passion but also her articulation of the long-standing damage. We are Americans, too, and we are also human beings. The Republican staff well knows that somebody somewhere, and forget about an election, but people who you go home to your district, to be able to hold this document up and say that SHEILA JACKSON-LEE deals with child predators, how dare you do that. It is an outrage. The only issue my amendment dealt with was to give the minor child more protection.

The only thing that I think is appropriate is for the chairman of the full committee to exercise some sort of comity and collegiality to remove this abusive language.

First of all, the specifics of my amendment says that I offered an amendment that would have exempted sexual predators from prosecution under the bill. My amendment dealt specifically with allowing clergy, godparents, aunts and uncles or first cousins, minimally speaking; and then I offered a GAO study. The description in the report language also says I have a GAO study dealing with clergy and godparents. This is an abuse of power and incorrect. And I know this is inside the ballpark, but it also says if you have the votes for this legislation, win fair and square. Do not win by maligning colleagues and defeating the purpose of the rules of this House. Vote this rule down.

Mr. Speaker, I rise in opposition to the restrictive H. Res. 236, the rule governing the debate over H.R. 748, the Child Interstate Abortion Notification Act of 2005—legislation that has come to the Congress before for consideration but that did not pass because of its overwhelming contentious nature. Today is no different.

I thank my Democrat colleagues of the Committee on Rules for their efforts to move this House to bring decorum and professionalism to the committee process. The report as to amendments offered by Mr. SCOTT, Mr. NADLER, and me was materially inaccurate to the point of being offensive.

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

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

H. Res. 236, while ruling the amendments of Mr. SCOTT and of Mr. NADLER and me in order, unreasonably restricts the debate on the highly controversial base bill. The Child Interstate Abortion Notification Act (CIANA), while good in its intention, was written with several areas of vagueness, overly punitive nature, and constitutional violations that very much deserve debate in order to save lives and to obviate the need for piles upon piles of legal pleadings.

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

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

today if she could have found someone more compassionate and caring to confide in.

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

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

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

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

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

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

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

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

Mr. GINGREY. Mr. Speaker, I yield 2 minutes to the gentleman from South Carolina (Mr. BARRETT).

Mr. BARRETT of South Carolina. Mr. Speaker, I rise today in support of H.R. 748 and the rule that we have in front of us this afternoon. I commend the sponsor of the legislation, the gentlewoman from Florida (Ms. ROS-LEHTINEN), for introducing this legislation, legislation of which I am a proud cosponsor.

Mr. Speaker, I find it unacceptable that under the current law any person in this country can take a pregnant minor to another State for the purpose of having an abortion without parents' knowledge and/or consent.

As the father of a teenage daughter myself, it is a frightening scenario. I am particularly happy to see that this bill will require abortion providers to inform a minor's parent or legal guardian within 24 hours before carrying out an abortion procedure.

Parental notification is not a new idea. I have three children, and my wife and I have to sign a parental consent form when our children go on a field trip. But what we are talking about today is the most serious of subjects, and I strongly believe no parent should find out after the fact that such a procedure has been performed on their child.

When it comes to such a serious medical procedure being performed on a minor, we cannot leave that notification up to a scared child. Every parent or legal guardian has a right to know, and this legislation ensures that right. I urge my colleagues to support the rule on H.R. 748 which ensures that right.

Ms. SLAUGHTER. Mr. Speaker, I yield 2 minutes to the gentlewoman from California (Mrs. CAPPS).

Mrs. CAPPS. Mr. Speaker, I rise in opposition to this rule and to H.R. 748, the Child Interstate Abortion Notification Act. It would be more aptly called the Teenage Abandonment Act because that is what this bill does. It abandons our teenage children.

When I was a school nurse, I was privileged to administer a school-based program for teen parents and pregnant teenagers, helping them to stay in school and support their children. What I saw firsthand was that for these young women, the discovery that they were pregnant presented them with the hardest choices they would ever face. They needed the help of adults to sort through the issues surrounding their pregnancy, but this bill makes sure that many pregnant teenagers will be all alone as they face this problem.

Ideally, of course, a pregnant teenager will turn to parents for advice and support. Believe me, those who can and are able, they do. But we do not live in an ideal world. Sadly, not all parents are good. Some parents are abusive; other parents are not equipped to deal with this. And in some awful situations, a parent is responsible for the daughter's pregnancy.

In these terrible conditions, it is critical that a young girl coping with severe emotional distress be able to turn to other loving adults for help and guidance: perhaps a doctor, a teacher, a clergy, or a grandparent. This bill discourages that. Judicial bypass sounds easy on paper, not in real life for a teenager. This bill cuts off other support a young woman might have. It abandons her at her time of most critical need.

Mr. Speaker, if we want to be compassionate toward young women, really compassionate, we are going to defeat this bill.

Mr. GINGREY. Mr. Speaker, I yield 1 minute to the gentlewoman from Pennsylvania (Ms. HART).

Ms. HART. Mr. Speaker, I thank the gentleman for yielding me this time on this extremely important issue.

I decided it was important to speak some words about it. As a State legislator for a number of years, and a lot of us here were, I understand the importance of State laws and the importance of respecting families.

I am just shocked at some of the debate I hear on the other side of the aisle opposing this legislation. The whole point here is to support the family. The whole point here is to prevent the person who may even be a sexual predator or the person who is exploiting this minor from transporting this child across a State line to obtain an abortion and basically get rid of his problem.

It is outrageous that we would not support this legislation. A minor needs parental consent to engage in sports in school, to get a tattoo or a body piercing; yet we are allowing people to take a child across State lines for an abortion.

Mr. Speaker, it is important that we pass this bill. It is important to preserve families. I believe with all my heart we are just nuts not to support this bill.

Ms. SLAUGHTER. Mr. Speaker, I am pleased to yield 2 minutes to the gentleman from Massachusetts (Mr. MCGOVERN).

Mr. MCGOVERN. Mr. Speaker, I strongly oppose this bill, and I know some people strongly support the bill. This clearly is an emotional issue. We can debate both sides of this. But I rise to express my deep regret over the report from the Committee on the Judiciary that accompanied this legislation.

Mr. Speaker, there is not a civility left in this House, and what little civility is left I want to protect. Listening to my colleagues on the other side talk about, and the way they have mischaracterized and misrepresented and, yes, maligned Democratic Members on this side, and I say maligned because if you use those words that you used to describe their amendments to describe them on this House floor, your words would be taken down.

One of the kinds of traditions or the unwritten rules of this House is when you describe the amendments offered by Republicans or Democrats, it is done so in a nonpartisan way. In the Committee on Rules, we get more amendments than any other committee in this House, and they are all described in a nonpartisan way. We would never describe anybody's amendment in this kind of a political way. If we did, there would be an outcry amongst members on that committee.

I urge my colleagues on the other side of the aisle to kind of take a step back, to correct the report, to demonstrate some civility and some rationality on this issue. Nobody deserves to have their amendments characterized the way these Members did. This is wrong, and I know deep down you know it is wrong.

It is difficult for me to sit by and watch my colleague from Georgia and the chairman of the Committee on the Judiciary, who I have great respect for, try to rationalize this. We are better than this. I would hope there could be a bipartisan consensus when it comes to descriptions of amendments in reports, we could do this in a nonpartisan way.

Mr. GINGREY. Mr. Speaker, I yield 2 minutes to the gentleman from Iowa (Mr. KING).

Mr. KING of Iowa. Mr. Speaker, I rise today in support of the rule and the underlying bill, the Child Interstate Abortion Notification Act.

Mr. Speaker, eight in 10 Americans favor parental notification laws, and 44 States have recognized the important role of parents in a minor child's decision to have an abortion by enacting a parental involvement statute. Even so, many of these laws are being circumvented by people who simply transport girls across State lines to States without parental notification laws for the purpose of getting an abortion.

All too often these other adults are grown men who sexually preyed upon the young girls, and they used the abortions to cover up their crimes. CIANA returns parental rights to parents.

Despite the strong deference it gives to abortion rights, even the U.S. Supreme Court recognizes that parents' rights to control the care of their children is among the most fundamental of all liberty interests. The Supreme Court has consistently recognized that parents have a legal right to be involved in their minor daughter's decision to seek medical care, including abortion.

The court has consistently affirmed a State's right to restrict the circumstances under which a minor may obtain an abortion in ways that adult women seeking abortion are not restricted. The Supreme Court has also observed that ''the medical, emotion, and psychological consequences of an abortion are serious and can be lasting,'' and that ''it seems unlikely that a minor will obtain adequate counsel and support from an attending physician at an abortion clinic where abortions for pregnant minors frequently take place.''

The Supreme Court has also stated that ''minors often lack the experience, perspective, and judgment to recognize and avoid choices that could be detrimental to them.''

No one has the child's best interest at heart more than her parents. Minors have to have parental permission to be given an aspirin by the school nurse. Twenty-six States have laws requiring parental consent before minors can get body piercings or tattoos, and in fact some States prohibit tattooing of minor children even with parental consent. Parents must be able to play a role.

The public, State statutes, and Supreme Court precedent all support parental involvement in a minor's life decision. Please support the rule and the underlying bill.

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

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

Ms. WATERS. Mr. Speaker, I rise in strong opposition to the bill and to the proposed rule for this bill.

The two amendments made in order under the proposed rule, the Scott amendment and the Jackson-Lee/Nadler amendment are very important amendments. At the same time, it is instructive to note that many of the nine Democratic amendments that were not made in order seek to protect the people most directly affected by the bill: the young girls who wish to exercise their constitutional right to end their pregnancy.

For example, I offered an amendment before the Committee on Rules to create an exception to the criminal penalties and a civil suit imposed on a person transporting a young girl across State lines in cases where the minor is a victim of incest. Because the bill lacks a judicial bypass procedure in circumstances where the Federal notification requirements apply, under this bill a young girl could be required to notify a parent who impregnated her before obtaining an abortion even though it would be inappropriate, traumatic, and potentially dangerous to require her to do so.

Mr. Speaker, if a young girl is required to notify a parent who has molested her that she is pregnant before traveling to another State to seek an abortion, I fear that some girls may seek to end their pregnancy without help, whether they do so by traveling alone to another State for the procedure, or even worse, through a self-induced or illegal back-alley abortion. However, the Republican members on the Committee on Rules refused to make this amendment in order on a party-line vote.

Mr. Speaker, the gentleman from New York (Mr. NADLER) and I also offered a commonsense amendment barring a parent who has molested his daughter and caused her to be pregnant from any relief under this bill.

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However, this too was rejected on a party-line vote.

Mr. Speaker, this bill should be considered under an open rule that would allow consideration of amendments to protect the young girls who choose to seek an abortion. In its current form, the bill gives rights to a parent who has victimized his daughter.

I urge my colleagues to reject the rule.

Mr. GINGREY. Mr. Speaker, I yield 2 minutes to the gentleman from Ohio (Mr. CHABOT), who is a member of the Committee on the Judiciary and chairman of the Constitution Subcommittee.

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

Mr. Speaker, I rise in support of H.R. 748, the Child Interstate Abortion Notification Act of 2005, introduced by the gentlewoman from Florida (Ms. ROS-LEHTINEN), and I want to thank her for her leadership on this.

We have passed this bill a number of times in a different form. There is one addition in this particular bill. But it is good legislation. I strongly encourage my colleagues to support it. CIANA is critical to better protecting young girls who fall prey to older men as well as ensuring fundamental parental rights, that parents have the right to be involved in the decisions of their daughters, particularly one that may have the long-term consequences of this particular decision.

CIANA builds on the Child Custody Protection Act by requiring that abortion providers provide 24 hours' notice

to one of the minor's parents, or legal guardians if necessary, prior to performing an abortion, unless one of four carefully crafted exceptions is met. As I said, young girls are increasingly falling prey to older men who do not have the minor's best interests in mind. Parents are being left out of decisions in which they can provide critical information about their child's medical history and medical conditions as well as provide appropriate follow-up care if necessary. CIANA pushes back against this trend by allowing parents to have the chance to exercise their right to be involved in what may be the most important decision of their daughter's life.

There has been, obviously, concern raised and some umbrage taken about the amendments in the committee report. I do not think we should lose track of this important legislation, what it actually does; and I think that the gentleman from Georgia (Mr. GINGREY) made a very important point, and that is that what was being pointed out was in regard to these amendments what the effects would be and how predators could take advantage of these amendments, not the intent of our colleagues on the other side of the aisle.

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

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

Ms. HARMAN. Mr. Speaker, I thank the gentlewoman for yielding me this time, and I commend her for her leadership on this issue and many important issues.

Mr. Speaker, what we are really talking about today is the need to prevent teen pregnancy. Let us understand that. We can disagree about this issue. But I strongly feel, as a mother of four children, two daughters and two sons, that by providing them information I am the one who can assure that they behave responsibly. I do not need to criminalize the behavior of others in trying to do my best job as a mother. So I oppose this bill.

I also oppose the rule because it did not make in order something I thought was totally obvious, and that is an amendment that I offered with the gentleman from Connecticut (Mr. SHAYS) to prevent teen pregnancy by funding programs which accomplish that. The Committee on Rules chose not to make our amendment in order. All it would have done was provide a series of criteria by which to judge teen pregnancy programs. Those that were effective in preventing teen pregnancy would get precious Federal dollars, and those that were not would not.

I would call that, given my background on the Permanent Select Committee on Intelligence, a slam-dunk amendment, but it was not to the Committee on Rules. So I oppose this rule because it shut out our opportunity to offer our amendment. We will be introducing it as a stand-alone bill and it is also part of a comprehensive bill that the gentlewoman from New York has introduced. But I would hope that this body later this year would do the right thing, and that is to put our money where our mouth is. And where our mouth is, is to reduce unwanted teen pregnancy. That is a much better answer than the thrust of this legislation we are considering here today.

The SPEAKER pro tempore (Mr. SIMPSON). The Chair would advise Members that the gentlewoman from New York has 3 minutes remaining and the gentleman from Georgia has 3 minutes remaining and the right to close.

Mr. GINGREY. Mr. Speaker, I yield 1 minute to the gentleman from Texas (Mr. NEUGEBAUER).

Mr. NEUGEBAUER. Mr. Speaker, I rise today in support of H.R. 748, the Child Interstate Abortion Notification Act of 2005, and the rule. I want to thank the gentlewoman from Florida (Ms. ROS-LEHTINEN) for leading the charge on this important piece of legislation.

Let us talk about what this piece of legislation does. It does three things: one, it upholds the democratic process that has taken place in 44 States; it respects the rights of parents to be involved in the medical decisions for their children; and, most importantly, it protects the health of young daughters.

When someone takes their child to get their teeth cleaned, if they are underage today, they have to have a parent's permission. We should have parents involved in this very important decision in a young woman's life and protect them from those who do not have their best interests at heart.

I encourage the Members of this body to do the right thing today. Let us protect these young women and make sure that this important decision is with a parent's involvement and not with someone who does not have their best interests.

Ms. SLAUGHTER. Mr. Speaker, I yield 1 minute to the gentleman from New York (Mr. NADLER).

Mr. NADLER. Mr. Speaker, to show the egregious nature of the misconduct engaged in by the committee report, I have here the reports from the 107th Congress, the 106th Congress, and several other Congresses on these same amendments.

In the 107th Congress, an amendment was offered prohibiting H.R. 476 from applying with respect to conduct by a grandparent or adult sibling of a minor; 106th Congress, to exempt grandparents and adult siblings of the minor from the provisions of the bill; 106th Congress, four amendments were offered en bloc by the gentlewoman from Texas (Ms. JACKSON-LEE) to exempt ministers, rabbis, pastors, priests, other religious leaders from the provisions of the bill.

In no case in these prior Congresses was the slander and libel about sexual predators mentioned. That has changed for this Congress. It has changed because of a dishonest report.

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

Ms. SLAUGHTER. Mr. Speaker, I ask unanimous consent to insert into the RECORD the reports.

The SPEAKER pro tempore. Is there objection to the request of the gentlewoman from New York?

There was no objection.

HEARINGS

The Committee's Subcommittee on the Constitution held a hearing on H.R. 476 on September 6, 2001. Testimony was received from the following witnesses: Ms. Eileen Roberts, Mothers Against Minors' Abortions, Inc.; Professor John C. Harrison, Professor of Law, University of Virginia School of Law; Rev. Katherine Ragsdale, Vicar, St. David's Episcopal Church; and Ms. Teresa S. Collett, Professor of Law, South Texas College of Law. Additional material was submitted by Honorable Ileana Ros-Lehtinen (R–FL); Mr. Laurence H. Tribe, Tyler Professor of Constitutional Law, Harvard University and Mr. Peter J. Rubin, Associate Professor of Law, Georgetown University; Bill and Karen Bell; and the Center for Reproductive Law and Policy.

COMMITTEE CONSIDERATION

On February 7, 2002, the Subcommittee on the Constitution met in open session and ordered favorably reported the bill H.R. 476, by a voice vote, a quorum being present. On March 20, 2002, the Committee met in open session and ordered favorably reported the bill H.R. 476 without amendment by a recorded vote of 19 to 6, a quorum being present.

VOTE OF THE COMMITTEE

1. An amendment was offered by Mrs. Waters to prohibit subsection (a) of the Act from applying ''if the pregnancy is the result of sexual contact with a parent or any other person who has permanent or temporary care or custody or responsibility for supervision of the minor, or by any household or family member.'' The amendment was defeated by a rollcall vote of 12 to 16.

COMMITTEE OVERSIGHT FINDINGS

In compliance with clause 3(c)(3) of rule XIII of the Rules of the House of Representatives, the Committee reports that the findings and recommendations of the Committee, based on oversight activities under clause 2(b)(1) of rule X of the Rules of the House of Representatives, are incorporated in the descriptive portions of this report.

PERFORMANCE GOALS AND OBJECTIVES

H.R. 476 does not authorize funding. Therefore, clause 3(c) of rule XIII of the Rules of the House is inapplicable.

NEW BUDGET AUTHORITY AND TAX EXPENDITURES

Clause 3(c)(2) of House rule XIII is inapplicable because this legislation does not provide new budgetary authority or increased tax expenditures.

CONGRESSIONAL BUDGET OFFICE COST ESTIMATE

In compliance with clause 3(c)(3) of rule XIII of the Rules of the House of Representatives, the Committee sets forth, with respect to the bill, H.R. 476, the following estimate and comparison prepared by the director of the Congressional Budget Office under section 402 of the Congressional Budget Act of 1974:

HEARINGS

The Committee's Subcommittee on the Constitution held a hearing on H.R. 1218, the

''Child Custody Protection Act,'' on May 27, 1999. Testimony was received from the following witnesses: Ms. Eileen Roberts, Mothers Against Minors' Abortions, Inc.; Ms. Billie Lominick of Newbury, South Carolina; Professor Lino A. Graglia, A. Dalton Cross Professor of Law, University of Texas School of Law; Dr. Jonathon D. Klein, M.D., American Academy of Pediatrics; and Professor John C. Harrison, Professor of Law, University of Virginia School of Law. Additional material was submitted by Professor Stephen B. Presser, Raoul Berger Professor of Legal History, Northwestern University School of Law; National Right to Life Committee, Inc.; Center for Reproductive Law and Policy; National Abortion and Reproductive Rights League; and the American Civil Liberties Union.

COMMITTEE CONSIDERATION

On June 8, 1999, the Subcommittee on the Constitution met in open session and ordered reported the bill H.R. 1218, without amendment, by voice vote, a reporting quorum being present. On June 23, 1999, the Committee met in open session and ordered reported favorably the bill, H.R. 1218, without amendment, by a recorded vote of 16 to 13, a quorum being present.

VOTE OF THE COMMITTEE

1. An amendment was offered by Mr. Nadler to exempt grandparents and adult siblings of the minor from the provisions of the bill. The amendment was defeated by a 13–17 roll call vote.

2. An amendment was offered by Mr. Nadler to permit any adult who reasonably believed that compliance with state judicial bypass procedures would either ''compromise the minor's intent to maintain confidentiality with respect to her choice to terminate a pregnancy'' or would ''be futile because the judicial bypass procedure of the minor's state of residence is unavailable or ineffective,'' to obtain a waiver of the requirements of the bill from a federal district court. The amendment was defeated by a 14–17 roll call vote.

3. Four amendments were offered en bloc by Ms. Jackson Lee to exempt ministers, rabbis, pastors, priests, other religious leaders, aunts, uncles, godparents, and first cousins from the provisions of the bill. The en bloc amendment was defeated by a 14–16 roll call vote.

4. An amendment was offered by Ms. Waters to prevent the application of the bill ''with respect to an abortion where the pregnancy resulted from incest.'' The amendment was defeated by a roll call vote of 12–15.

5. An amendment was offered by Mr. Watt to require proof that the defendant acted with the intent to evade the requirements of a state parental involvement law in order to be prosecuted under the bill. The amendment was defeated by a voice vote.

6. An amendment was offered by Mr. Watt to create an exception where the abortion was necessary to prevent serious physical illness, injury, or disability. The amendment was defeated by a 11–17 roll call vote.

7. An amendment was offered by Ms. Jackson Lee to require the General Accounting Office to conduct a study of ''the impact of the number of unsafe and illegal abortions performed on minors who would be affected by this law, and report to Congress the results of that study within one year.'' The amendment was defeated by a 12–17 roll call vote.

8. An amendment was offered by Mr. Scott to exempt medical facilities, doctors, and other medical professionals from prosecution under the bill. The amendment was defeated by a 12–16 roll call vote.

9. An amendment was offered by Mr. Scott to exempt accessories after the fact, aiders and abetters, and other principals from prosecution under the bill. The amendment was defeated by a voice vote.

10. Final Passage. the motion to report the bill, H.R. 1218, favorably without amendment to the whole House. The motion was agreed to by a roll call vote of 16–13.

COMMITTEE OVERSIGHT FINDINGS

In compliance with clause 2(1)(3)(A) of rule XI of the Rules of the House of Representatives, the Committee reports that the findings and recommendations of the Committee, based on oversight activities under clause 2(b)(1) of rule X of the Rules of the House of Representatives, are incorporated in the descriptive portions of this report.

COMMITTEE ON GOVERNMENT REFORM FINDINGS

No findings or recommendations of the Committee on Government Reform and Oversight were received as referred to in clause 2(1)(3)(D) of rule XI of the Rules of the House of Representatives.

NEW BUDGET AUTHORITY AND TAX EXPENDITURES

Clause 2(1)(3)(B) of House Rule XI is inapplicable because this legislation does not provide new budgetary authority or increased tax expenditures.

CONGRESSIONAL BUDGET OFFICE COST ESTIMATE

In compliance with clause 2(1)(3)(B) of rule XI of the Rules of the House of Representatives, the Committee acts forth, with respect to the bill, H.R. 1218, the following estimate and comparison prepared by the Director of the Congressional Budget Office under section 403 of the Congressional Budget Act of 1974:

HEARINGS

The Committee's Subcommittee on the Constitution held a hearing on H.R. 3682, the ''Child Custody Protection Act'' on May 21, 1998. Testimony was received from the following witnesses: Representative Ileana Ros-Lehtinen; Representative James L. Oberstar; Representative Nita Lowey; Representative Lincoln Diaz-Balart; Representative Sheila Jackson-Lee; Representative Christopher H. Smith; Ms. Joyce Farley of Dushore, Pennsylvania; Ms. Eileen Roberts, Mothers Against Minors' Abortion; Reverend Katherine Hancock Ragsdale, Episcopalian Priest; Professor Teresa Collett, Professor of Law, South Texas College of Law; Professor Stephen Presser, Raoul Berger Professor of Legal History, Northwestern University School of Law; and Mr. Robert Graci, Office of the Attorney General of Pennsylvania.

COMMITTEE CONSIDERATION

On June 11, 1998, the Subcommittee on the Constitution met in open session and ordered reported the bill H.R. 3682, as amended, by a vote of 7 to 2, a reporting quorum being present. On June 17, and June 23, 1998, the Committee met in open session and ordered reported favorably the bill, H.R. 3682 with an amendment in the nature of a substitute, by a recorded vote of 17 to 10, a quorum being present.

VOTE OF THE COMMITTEE

1. Mr. Canady offered an amendment to clarify that neither the minor girl who is being taken out of state for an abortion, nor her parents, may be subject to prosecution or civil action and to add an affirmative defense where the defendant reasonably believed, based on information the defendant obtained directly from a parent of the individual or other compelling facts, that the state parental involvement law where the minor girl resides had been complied with. The amendment was agreed to by a voice vote.

2. An amendment was offered by Mr. Nadler to Mr. Canady's amendment to delete the word ''affirmative'' from the affirmative defense. The amendment was defeated by a 9–15 roll call vote.

3. An amendment was offered by Mr. Nadler to Mr. Canady's amendment to delete from the affirmative defense the provision that the defendant's reasonable belief about compliance with the state law where the minor resides must be ''based on information the defendant obtained directly from a parent of the individual or other compelling facts.'' The amendment was defeated by a 8–15 roll call vote.

4. An amendment was offered by Mr. Canady to clarify that circumventing a state's parental involvement law is an abridgement of a parent's right and to ensure that either parental notice or consent or a judicial bypass is obtained before the out-of-state abortion, according to what would have been required by the first state's law. The amendment was agreed to by a voice vote.

5. An amendment was offered by Mr. Barr to add the phrase ''in fact'' to Mr. Canady's amendment to clarify that, under the new language as amended, knowledge of violation of the state law is not an element requiring specific proof. The amendment was agreed to by a voice vote.

6. An amendment was offered by Mr. Scott to exempt the sibling of a minor from the penalty provision of this Act. The amendment was defeated by a 6–15 roll call vote.

7. An amendment was offered by Ms. Jackson-Lee that would exempt ministers, rabbis, pastors, priests, or other religious leaders from the penalty provisions of the Act. The amendment was defeated by a 5–17 roll call vote.

8. An amendment was offered by Ms. Jackson-Lee to require that one year after the enactment of this bill, GAO submit a study on the impact on the number of illegal and unsafe abortions and increased parental abuse, and report to Congress the results of that study. The amendment was defeated by a 8–4 roll call vote.

9. An amendment was offered by Mr. Conyers to create an exception to the prohibitions of this bill to the extent such prohibitions would increase ''hazards'' to the minor or place an undue burden on a minor seeking an abortion. The amendment was defeated by a 8–14 roll call vote.

10. An amendment was offered by Mr. Scott to create an exception where a minor has participated in a judicial bypass proceeding in any state court. The amendment was defeated by a 9–16 roll call vote.

11. An amendment was offered by Mr. Watt to create an exception where the abortion is necessary to prevent serious physical illness or a serious health condition. The amendment was defeated by a 11–16 roll call vote.

12. An amendment was offered by Mr. Scott to remove the ability of parents to file a civil action for violation of their rights under this bill. The amendment was defeated by a voice vote.

13. An amendment was offered by Mr. Scott to exempt from any criminal or civil liability abortion clinics and providers. The amendment was defeated by a voice vote.

14. An amendment was offered by Mr. Scott to create a health exception. The amendment was defeated by a voice vote.

15. An amendment was offered by Mr. Watt to require proof of specific intent to evade a state's parental involvement law. The amendment was defeated by a voice vote.

16. Two amendments were offered en bloc by Mr. Scott to remove the applicability of sections 2 and 3 of title 18 dealing with accessory after the fact and aiding and abetting principals under the bill. The en bloc amendment was defeated by a voice vote.

17. An amendment was offered by Mr. Frank to insert a non-severability clause. The amendment was defeated by a 5–15 roll call vote.

18. An amendment was offered by Mr. Scott to require a finding of significant federal interest and insufficiency of state laws before prosecution pursuant to this bill. The amendment was defeated by a voice vote.

19. An amendment was offered by Ms. Jackson-Lee to exclude grandparents from the prohibitions of this bill. The amendment was defeated by an 8–16 rollcall vote.

20. Two amendments were offered en bloc by Ms. Jackson-Lee to exclude aunts, uncles, and first cousins from the prohibitions of this bill. The en bloc amendment was defeated by a 9–16 rollcall vote.

21. Final Passage. Mr. Hyde moved to report the bill, H.R. 3682, favorably as amended by the amendment in the nature of a substitute to the whole House. The motion was agreed to by a rollcall vote of 17–10.

COMMITTEE OVERSIGHT FINDINGS

In compliance with clause 2(1)(3)(A) of rule XI of the Rules of the House of Representatives, the Committee reports that the findings and recommendations of the Committee, based on oversight activities under clause 2(b)(1) of rule X of the Rules of the House of Representatives, are incorporated in the descriptive portions of this report.

COMMITTEE ON GOVERNMENT REFORM AND OVERSIGHT FINDINGS

No findings or recommendations of the Committee on Government Reform and Oversight were received as referred to in clause 2(1)(3)(D) of rule XI of the Rules of the House of Representatives.

NEW BUDGET AUTHORITY AND TAX EXPENDITURES

Clause (2)(1)(3)(B) of House Rule XI is inapplicable because this legislation does not provide new budgetary authority or increased tax expenditures.

Ms. SLAUGHTER. Mr. Speaker, I yield myself the balance of my time.

First let me say that, once again, the Congress of the United States is beginning to meddle in the affairs of the American public. They tried to tell us in the Schiavo case that they did not care for it, but undeterred by that, Congress is coming back again to make decisions for the American family.

In 19 years in the House of Representatives, I have heard of no single case of any problem that this bill would attach to, and try as I might, I can find that there is no great epidemic or any outbreak of this sort of thing, of coercing young women against their will, or for any other reason; and to occupy this kind of time in Congress is appalling to me.

But I urge Members to vote ''no'' on the previous question so that I can modify the rule to require that the Committee on the Judiciary file a supplemental report to clarify the descriptions of the five Democrat amendments that were so grossly mischaracterized in the original Committee on the Judiciary report on H.R. 748. I attempted to add this language in the Committee on Rules last night, but it was defeated on a party-line vote.

Mr. Speaker, when an amendment to protect grandparents and adult siblings from being called criminals simply for helping a young granddaughter's sister is twisted beyond the pale and labled pro-sexual offender, something is terribly wrong. And when it is included in an official committee report and historic document, it is even worse. We are offended by this kind of character assassination.

I cannot stress enough the importance of a ''no'' vote on the previous question to correct this injustice. A ''no'' vote will not keep us from discussing the underlying bill but will simply correct what is a gross miscarriage of justice that has never happened before.

Mr. Speaker, I ask unanimous consent that the text of the amendment, along with the descriptions of the five amendments, be printed in the RECORD immediately prior to the vote on the previous question.

The SPEAKER pro tempore. Is there objection to the request of the gentlewoman from New York?

There was no objection.

Ms. SLAUGHTER. Mr. Speaker, again I ask a ''no'' vote on the previous question, and I yield back the balance of my time.

Mr. GINGREY. Mr. Speaker, I yield 15 seconds to the gentleman from Ohio (Mr. CHABOT).

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

The gentlewoman said she has not heard a single case in which this law would have affected anything. I will send her the transcript of a witness at our hearing, Marcia Carroll, whose daughter was taken. An abortion was provided for that daughter. That daughter said she would do anything to undo what happened that day and that this is something the family should have some involvement in.

Mr. GINGREY. Mr. Speaker, I yield myself the balance of my time.

I would again emphasize the importance of this bill as a safeguard of parental rights and protection for minors.

As I listened to the opposition on the other side, I cannot help but notice how they remain unwilling to honestly address and debate this bill. H.R. 748 is a clear example of consensus legislation upon which most Americans agree. According to a recent poll by the New York Times, almost 80 percent of Americans favor parental notification law, and yet these laws are currently circumvented and violated through the interstate transportation of minors. Allowing our children to be carted across State lines by nonguardians to get an abortion is absolutely immoral and fundamentally wrong.

With over 30 States requiring some type of parental notification, Congress cannot turn a blind eye to those who would violate the law and endanger our children.

Mr. Speaker, this Congress has an obligation and absolute moral duty to parents and their children alike to make sure that these State laws are upheld so that nonguardians do not make medical decisions for our children. Parents and children deserve better, Mr. Speaker, and this bill will ensure that they get the care and consideration that they need.

Again I would like to thank the gentlewoman from Florida (Ms. ROS-LEHTINEN), the sponsor of the bill, and all my colleagues who support this bill. I encourage each and every Member to think long and hard about this matter, to put rhetoric aside and to listen to their conscience.

Mr. Speaker, I further ask and encourage my colleagues to vote in favor of this rule and the underlying bill.

The material previously referred to by Ms. SLAUGHTER is as follows:

PREVIOUS QUESTION FOR H. RES. 236—RULE ON H.R. 748 CHILD INTERSTATE ABORTION NOTIFICATION ACT

Text: At the end of the resolution add the following new section:

''SEC. 2. The Chairman of the Committee on the Judiciary shall file a supplemental report to accompany H.R. 748 that provides for an objective description of the amendments offered during consideration.''

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

The Judiciary Committee mischaracterized these amendments in their official committee report on the bill.

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

Committee Report Description: Rollcall No. 1. Mr. Nadler offered an amendment that would have created an additional layer of Federal court review that could be used by sexual predators to escape conviction under the bill. By a rollcall vote of 11 yeas to 16 nays, the amendment was defeated.

No. 12–19. Objective Description: A Nadler amendment to exempt a grandparent or adult sibling from the criminal and civil provisions in the bill.

Committee Report Description: Rollcall No. 2. Mr. Nadler offered an amendment that would have exempted sexual predators from prosecution under the bill if they were grandparents or adult siblings of a minor. By a rollcall vote of 12 yeas to 19 nays, the amendment was defeated.

No. 13–17. Objective Description: A Scott amendment to exempt cab drivers, bus drivers and others in the business transportation profession from the criminal provisions in the bill.

Committee Report Description: Rollcall No. 3. Mr. Scott offered an amendment that would have exempted sexual predators from prosecution if they are taxicab drivers, bus drivers, or others in the business of professional transport. By a rollcall vote of 13 yeas to 17 nays, the amendment was defeated.

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

Committee Report Description: Rollcall No. 4. Mr. Scott offered an amendment that would have exempted from prosecution under the bill those who aid and abet criminals who could be prosecuted under the bill. By a rollcall vote of 12 yeas to 18 nays, the amendment was defeated.

No. 13–20. Objective Description: A Jackson-Lee amendment to exempt clergy, godparents, aunts, uncles or first cousins from the penalties in the bill.

Committee Report Description: Rollcall No. 5. Ms. Jackson-Lee offered an amendment that would have exempted sexual predators from prosecution under the bill if they were clergy, godparents, aunts, uncles, or first cousins of a minor, and would require a study by the Government Accounting Office. By a rollcall vote of 13 yeas to 20 nays, the amendment was defeated.

Mr. GINGREY. Mr. Speaker, I yield back the balance of my time, and I move the previous question on the resolution.

The SPEAKER pro tempore. The question is on ordering the previous question.

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

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

The yeas and nays were ordered.

The SPEAKER pro tempore. Pursuant to clause 8 of rule XX, further proceedings on this question will be postponed.

REPORT ON RESOLUTION DISMISSING ELECTION CONTEST RELATING TO OFFICE OF REPRESENTATIVE FROM TENNESSEE'S SIXTH CONGRESSIONAL DISTRICT

Mr. NEY, from the Committee on House Administration, submitted a privileged report (Rept. No. 109–57) on the resolution (H. Res. 239) dismissing the election contest relating to the office of Representative from the Sixth Congressional District of Tennessee, which was referred to the House Calendar and ordered to be printed.

PROVIDING FOR EXPENSES OF CERTAIN COMMITTEES OF HOUSE OF REPRESENTATIVES IN ONE HUNDRED NINTH CONGRESS

Mr. NEY. Mr. Speaker, I move to suspend the rules and agree to the resolution (H. Res. 224) providing for the expenses of certain committees of the House of Representatives in the One Hundred Ninth Congress, as amended.

The Clerk read as follows:

H. RES. 224

Resolved,

SECTION 1. COMMITTEE EXPENSES FOR THE ONE HUNDRED NINTH CONGRESS.

(a) IN GENERAL.—With respect to the One Hundred Ninth Congress, there shall be paid out of the applicable accounts of the House of Representatives, in accordance with this primary expense resolution, not more than the amount specified in subsection (b) for the expenses (including the expenses of all staff salaries) of each committee named in such subsection.

(b) COMMITTEES AND AMOUNTS.—The committees and amounts referred to in subsection (a) are: Committee on Agriculture, $11,257,009; Committee on Armed Services, $12,826,208; Committee on the Budget, $12,026,478; Committee on Education and the Workforce, $15,493,286; Committee on Energy and Commerce, $19,925,687; Committee on Financial Services, $15,203,100; Committee on Government Reform, $20,497,085; Committee on Homeland Security, $14,000,000; Committee on House Administration, $9,554,568; Permanent Select Committee on Intelligence, $9,527,870; Committee on International Relations, $16,299,018; Committee on the Judiciary, $15,312,992; Committee on Resources, $14,520,962; Committee on Rules, $6,365,600; Committee on Science, $12,327,996; Committee on Small Business, $5,586,973; Committee on Standards of Official Conduct, $4,290,536; Committee on Transportation and Infrastructure, $18,108,082; Committee on Veterans' Affairs, $6,474,418; and Committee on Ways and Means, $17,819,494.

SEC. 2. FIRST SESSION LIMITATIONS.

(a) IN GENERAL.—Of the amount provided for in section 1 for each committee named in subsection (b), not more than the amount specified in such subsection shall be available for expenses incurred during the period beginning at noon on January 3, 2005, and ending immediately before noon on January 3, 2006.

(b) COMMITTEES AND AMOUNTS.—The committees and amounts referred to in subsection (a) are: Committee on Agriculture, $5,495,805; Committee on Armed Services, $6,292,249; Committee on the Budget, $6,013,239; Committee on Education and the Workforce, $7,705,970; Committee on Energy and Commerce, $9,812,619; Committee on Financial Services, $7,427,648; Committee on Government Reform, $10,121,443; Committee on Homeland Security, $6,100,026; Committee on House Administration, $4,648,683; Permanent Select Committee on Intelligence, $4,500,653; Committee on International Relations, $7,946,084; Committee on the Judiciary, $7,461,565; Committee on Resources, $7,178,224; Committee on Rules, $3,074,229; Committee on Science, $6,101,648; Committee on Small Business, $2,721,600; Committee on Standards of Official Conduct, $1,891,890; Committee on Transportation and Infrastructure, $8,856,869; Committee on Veterans' Affairs, $3,075,732; and Committee on Ways and Means, $8,674,514.

SEC. 3. SECOND SESSION LIMITATIONS.

(a) IN GENERAL.—Of the amount provided for in section 1 for each committee named in subsection (b), not more than the amount specified in such subsection shall be available for expenses incurred during the period beginning at noon on January 3, 2006, and ending immediately before noon on January 3, 2007.

(b) COMMITTEES AND AMOUNTS.—The committees and amounts referred to in subsection (a) are: Committee on Agriculture, $5,761,204; Committee on Armed Services, $6,533,959; Committee on the Budget, $6,013,239; Committee on Education and the Workforce, $7,787,316; Committee on Energy and Commerce, $10,113,068; Committee on Financial Services, $7,775,452; Committee on Government Reform, $10,375,642; Committee on Homeland Security, $7,899,974; Committee on House Administration, $4,905,885; Permanent Select Committee on Intelligence, $5,027,217; Committee on International Relations, $8,352,934; Committee on the Judiciary, $7,851,427; Committee on Resources, $7,342,738; Committee on Rules, $3,291,371; Committee on Science, $6,226,348; Committee on Small Business, $2,865,373; Committee on Standards of Official Conduct, $2,398,646; Committee on Transportation and Infrastructure, $9,251,213; Committee on Veterans' Affairs, $3,398,686; and Committee on Ways and Means, $9,144,980.

SEC. 4. VOUCHERS.

Payments under this resolution shall be made on vouchers authorized by the committee involved, signed by the chairman of such committee, and approved in the manner directed by the Committee on House Administration.

SEC. 5. REQUIREMENTS FOR USE OF FUNDS FOR MASS MAILINGS.

(a) IN GENERAL.—None of the amounts made available under this resolution may be used by a committee for the production of material for a mass mailing unless—

(1) the mailing is of a press release to the communications media, a notice of the schedule of a hearing or markup of the committee (the content of which shall be limited to date, time, location, topic, witness list, and ADA services), a committee document printed pursuant to the applicable provisions of title 44, United States Code, or a request for the views of the public or the views of other authorities of government essential to the conduct of the study, investigation, or oversight of matters within the jurisdiction and related functions assigned to the committee under rule X of the Rules of the House of Representatives;

(2) prior to mailing, the chairman or ranking minority member of the committee (as the case may be) submits a sample of the material to the House Commission on Congressional Mailing Standards and the Commission determines that—

(A) the mailing is ordinary and necessary to the conduct of the normal and regular business of the committee, and

(B) the mailing would be in compliance with the requirements of subsections (a)(3)(A), (a)(3)(C), (a)(3)(C), (a)(3)(G), (a)(4), and (a)(5) of section 3210 of title 39, United States Code, if mailed by a Member of the House of Representatives;

(3) the mailing would not be prohibited under section 3210(a)(6)(A) of title 39, United States Code, if mailed by a Member of the House of Representatives; and

(4) the aggregate amount that will be spent in franking costs by the committee for mass mailings during the session involved, after taking into account the franking costs of such mass mailing, will not exceed $5,000.

(b) MASS MAILING DEFINED.—In this section, the term ''mass mailing'' has the meaning given such term in section 3210(a)(6)(E) of title 39, United States Code.

SEC. 6. REGULATIONS.

Amounts made available under this resolution shall be expended in accordance with regulations prescribed by the Committee on House Administration.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Ohio (Mr. NEY) and the gentlewoman from California (Ms. MILLENDER-MCDONALD) each will control 20 minutes.

The Chair recognizes the gentleman from Ohio (Mr. NEY).

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

Mr. Speaker, we are here to consider H. Res. 224, an omnibus funding resolution providing for the expenses of certain committees of the United States House of Representatives in the 109th Congress.

In February of this year, the chairman and ranking member of each committee presented a budget request to the Committee on House Administration and introduced individual resolutions, as is our process, to support their funding request.

H. Res. 224, the Omnibus Primary Expense Resolution, combines all of the individual resolutions into one bill, including our new permanent committee, the Committee on Homeland Security.

I am pleased to put before the House a bipartisan resolution that can be supported by a majority of Members on

both sides of the aisle. I feel that both chairmen and ranking members will agree that this carefully crafted agreement will provide sufficient funding for them to carry out the duties and responsibilities with which they are charged. As we all know, the Committee on Homeland Security was created at the beginning of this Congress, making it a permanent standing committee of the U.S. House of Representatives. The committee will provide an important oversight function overseeing the Department of Homeland Security and ensuring that the combined agencies are doing the job we all expect of them with regard to protecting our homeland.

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The inclusion of the Select Committee on Homeland Security and the permanent committee funding process significantly raises the funding levels needed for committees to operate. Their budget alone increased funding for this resolution by 1 percent. Protecting our homeland is now a reality, and the funding needed to run the committee is also a reality that we dealt with and came to a conclusion that I think is good for the committee and the entire process here in funding.

During this cycle, committees requested a total of $273.4 million in spending. This is approximately $40 million more than what was authorized in the 108th Congress and represented a 17.1 percent requested, and I stress ''requested'' increase. Removing homeland security from the equation, the request by committees totaled $257.8 million, which is a $35 million increase over the 108th authorized levels and a 15.7 percent increase. This resolution reduces, I am pleased to say, the amount requested by committees by $16.2 million, or a 5.9 percent decrease.

H. Res. 224, as amended, provides for expenses of all committees and authorizes $257.4 million, a 10.1 percent increase. This is a $23.7 million increase over the 108th Congress authorized levels.

It should be noted that the 109th Congress funding level of $257 million in this resolution is still lower than the funding levels in the 103rd Congress when adjusted for inflation. The mark for the 103rd Congress was $223.3 million, which adjusted for inflation amounts to $296.4 million in 2005 dollars. That means in real terms we have held a reasonable line of expenditures for the committee; but we are able to still carry out the tasks of these committees, which is so important to constituents across the United States who depend on these committees to be able to produce public policy and to do their work for the people of the country.

I am proud of the numbers we are putting forward with this resolution, Mr. Speaker. As I stated earlier, I feel that most Members will be able to widely support this measure.

This resolution also carries forward a goal that we reached in the 107th Congress whereby committees allocated at least one-third of their resources to the minority. Since the 104th Congress, we have strived to reach the goal of dividing committee resources on a two-thirds/one-third basis between the majority and the minority of each committee. I am proud to say that committee chairmen have worked with their respective ranking members and vice versa and produced agreements that provided for a two-thirds/one-third split of resources agreements that have been reached between the Chairs and the ranking members to their satisfaction.

I want to note that it is important that under the leadership of the gentleman from Illinois (Speaker HASTERT), who runs the House, and the goal that he set when the gentleman from California (Mr. THOMAS) was chairman and the gentleman from Maryland (Mr. HOYER) Hoyer was the ranking member, they set the two-thirds/one-third allocation and did a wonderful job to get to that. The gentleman from Connecticut (Mr. LARSON) was our ranking member, and the Speaker held to the same tenacity to reach that deal, and we reached the two-thirds/one-third.

I am pleased today our ranking member, the gentlewoman from California (Ms. MILLENDER-MCDONALD), is here and has carried on to make sure that has stayed intact and refined it and has pushed for the minority in a marvelous way. This goal would never have been reached if it were not for our ranking member, the gentlewoman from California (Ms. MILLENDER-MCDONALD).

This ensures a fair division of the resources. I want to thank the gentleman from California (Mr. THOMAS) and the gentleman from Maryland (Mr. HOYER) for their work on this issue and the previous assignments, and I want to thank the chairman of each committee and their ranking member for their cooperation with each other on this matter.

Mr. Speaker, when I speak again, I will have some ending thanks for some staff on both sides of the aisle. I will save that until after our ranking member speaks.

Let me just say, I am so proud. We might have differences in the House, but we come together for the institution of the House today. I am so proud of our ranking member for working through the issues, of expressing for her membership for the ranking members of what they wanted to see in this document.

I want to thank again the Chairs and the ranking members. It is truly a document that will receive, I believe, wide bipartisan support.

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

Ms. MILLENDER-MCDONALD. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, I rise today in support of this committee's funding resolution. For the past 6 years, the Speaker and the gentleman from Ohio (Chairman NEY) have labored in the House service to the benefit of both the majority and the minority. They have firmly established the fairness principle in the committee funding process. By doing so, they have benefited this great institution and have brought civility to the House regarding the fair allocation of committee resources.

While many others have also worked to bring this about, including the gentleman from California (Mr. THOMAS) and my predecessor ranking members, especially the gentleman from Maryland (Mr. HOYER), it is the gentleman from Ohio (Chairman NEY) and the Speaker who must be credited with greatly diminishing this source of continuing tension between the majority and the minority.

But the most important consequence of the application of the Speaker and the gentleman from Ohio (Chairman NEY) of the fairness principle today is that the principle is now firmly established as an operating standard within the House; and I believe it will be applied from this point forward, no matter which political party is in the majority.

The fairness principle, simply stated, is that the minority is entitled to a minimum of one-third of the staff and committee resources and control over those resources. The fairness principle has been embedded in House rules for many decades under both Republican and Democratic majorities. It is currently reflected in the House rule X, clause 9.

Six committees unconditionally operate under the fairness principle today, with the remainder operating on a version of the fairness principle agreeable to the respective chairmen and ranking members. We must anticipate that as committee leaders' positions change hands, old compromises and accommodations will yield to the universal and unconditional application of the fairness principle. Only then will the gentleman from Ohio (Chairman NEY) and the gentleman from Illinois (Speaker HASTERT) have fulfilled the worthy objective of securing civility between the majority and the minority regarding the division of committee resources.

Mr. Speaker, we also would like to compliment the gentleman from Ohio (Chairman NEY) on another matter of great importance to this institution. It involves the self-initiated mass mailings on behalf of committees, which could have undermined public support for the franking privilege.

The Committee on House Administration has taken a very enlightened approach to these taxpayer-funded mailings. The resolution before us clarifies the existing rules regarding committee-initiated mass mailings and prohibits the use of committee funds to prepare mass mailings once a committee has expended $5,000 in mass-mailing costs in a session.

Mass mailings by committees would have to be approved by the bipartisan

Franking Commission and would be subject to the 90-day cutoff that individual Members are subjected to. This clarifying language and the limitation provide guidance which will allow committees to strategically plan their franking use during each session of Congress.

By a separate action of the Committee on House Administration, we adopted a committee resolution setting an overall committee limit for all forms of franked mail, including committee-initiated frank mailings, of $5,000 per session. Again, this gives committees a planning tool. And we recognize that a committee might find itself in crisis due to exigent circumstances.

During the markup of this resolution, the gentleman from Ohio (Chairman NEY) expressed clearly and unequivocally that any committee needing additional franking authorization above the $5,000 must return to the committee to request and justify the needed increase. Such an increase would be adopted by the full committee in the form of a committee supplemental resolution, and the increased funding could not be used for mass mailings.

Mr. Speaker, I insert a chart in the RECORD at this point.

COMMITTEE FRANKED MAIL EXPENDITURES

	2000	2001	2002	2003	2004
Agriculture	$691.91	$578.90	$521.92	$645.20	$384.52
Armed Services	5,640.99	6,300.05	7,312.99	673.37	470.97
Budget	1,232.48	285.20	129.48	133.25	252.44
Education and the Workforce	1,665.49	1,458.71	1,515.39	1,345.59	4,839.41
Energy and Commerce	3,937.66	2,737.09	1,772.19	1,838.59	1,673.53
Financial Services	1,617.51	1,025.71	733.41	1,078.74	856.10
Government Reform	.....	4,776.00	4,689.00	3,767.09	9,700.46
Homeland Security	n/a	n/a	n/a	909.01	783.89
House Administration	1,381.12	688.07	2,606.07	756.20	7,883.31
Intelligene	342.16	248.10	146.46	353.99	190.26
International Relations	5,041.04	1,730.78	834.57	739.27	724.38
Judiciary	6,866.53	4,530.67	4,422.33	2,957.02	2,956.42
Resources	1,563.89	2,882.59	2,081.58	51,123.13	53,917.29
Rules	241.19	257.14	222.97	924.33	958.19
Sciences	2,810.99	1,974.97	1,874.39	1,739.34	14,122.29
Small Business	3,292.73	2,214.66	3,502.11	897.88	1,623.39
Standards	17,016.88	1,126.46	4.640.89	3,133.07	1,016.13
Transportation	1,824.82	2,254.39	1,264.35	1,624.70	1,156.61
Veterans	2,206.75	2,037.79	1,656.58	1,200.22	1,694.77
Ways and Means	4,372.19	2,958.93	1,959.06	1,640.67	1,156.84

Mr. Speaker, the chart details aggregate franked mail expenditures on behalf of committees during the last 5 years. As you can see, few committees will have any difficulty operating within the limit established by the Committee on House Administration based on spending levels prior to the 108th Congress.

This is a great resolution because it really does continue the fairness practice that has been put forth by the Speaker, but especially by this chairman, the gentleman from Ohio (Chairman NEY); and it has been my privilege to work with him on this resolution.

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

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

I wanted to mention a few thanks that we need to say. The minority leader, the gentlewoman from California (Ms. PELOSI), and also her counsel, Bernie Raimo; the gentleman from Illinois (Speaker HASTERT), of course, for his diligence on this issue and fairness with the committee funding structure; Scott Palmer with the Speaker and Ted Van Der Meid, who provided constant assistance to us on the issues; also our staff, Paul Vinovich, Jeff Janas and David Duncan; and the minority, George Shevlin, Charlie Howell, and Catherine Tran.

Let me also thank the members of our committee, the gentleman from Texas (Mr. BRADY), the gentlewoman from California (Ms. ZOE LOFGREN), the gentleman from Florida (Mr. MICA), the gentleman from Michigan (Mr. EHLERS), the gentleman from California (Mr. DOOLITTLE), the gentleman from New York (Mr. REYNOLDS), and our newest member, the gentlewoman from Michigan (Mrs. MILLER).

As we have opened up the House, and it is a wonderful thing, to the age of the Internet, where Americans can actually see what is going on in their House, in the committees, as we have done that, more people are writing than ever before, more people are wanting answers than ever before; and that is wonderful open structure in this House. But that has caused, obviously, extra work; and we have staff of these committees, both minority and majority staff, that are doing a wonderful job to respond to citizens across the country and crafting laws.

We can argue about the laws, whether they are good or bad, or make amendments; but if we did not have the committee structures of all of the committees of this House, we would not be able to craft the law; we would not be able to carry out lawmaking.

So, again, I want to especially thank our ranking member for doing a wonderful job, giving us her views, and giving wonderful input into the system.

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

Ms. MILLENDER-MCDONALD. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, I would like to thank again the chairman for his leadership in drafting this resolution and also would like to ditto what he said in terms of the staffs on both sides working diligently to ensure that we had this type of resolution.

Mr. Speaker, I yield 3 minutes to the gentleman from California (Mr. SHERMAN).

Mr. SHERMAN. Mr. Speaker, I rise to address just one aspect of the funding resolution. I have come to this floor before with my concerns that mass mailings have been sent by a particular committee. We as Members of the House have constituents that we need to keep in touch with, but a committee has as its constituents only the members of that committee. A committee does not answer to the whole people of the United States; it answers to this House and to its Members.

This funding resolution makes it clear that the mass mailings of any committee cannot exceed over $5,000 in postage in any year. Basically, that means no effort to reach out to an entire community, an entire congressional district, with an ideological message.

For that reason, I want to commend the ranking member and the Chair for putting to rest that issue, at least for as long as this funding resolution is operative.

I would also point out that it is my understanding that this funding resolution calls for any mass mailings sent by a committee to go to the Franking Commission. I want to thank the leader of our party for appointing me to that commission, where I will serve with our ranking member (Ms. MILLENDER-MCDONALD) and others.

So I am confident that the mailings of committees will be limited to committee business, will not be so massive as to try to affect the views of an entire congressional district, and will follow the rules of the House as to manner and content.

□ 1315

So I once again commend the chairman and commend the ranking member.

Ms. MILLENDER-MCDONALD. Mr. Speaker, I yield back the balance of my time.

Mr. NEY. Mr. Speaker, I do have a speaker who has arrived, so I yield 2 minutes to the gentleman from Ohio (Mr. BOEHNER).

Mr. BOEHNER. Mr. Speaker, let me thank my colleague for yielding me

this time and congratulate the chairman of the committee, the gentleman from Ohio (Mr. NEY) and his ranking member and the leadership on both sides for coming together on this funding resolution.

I could take Members back 12, 14 years ago when this committee funding resolution every year was a brawl. Having sat on the Committee on House Administration with some of my colleagues, there were times when the majority was getting 82 percent of the budget, sometimes 78 percent of the budget, and I always believed that it was fair for the minority to get at least one-third of the resources. It has really been a long struggle in bringing that about. I thought that when we were in the minority, I believed the same since we have been in the majority, and over these years I think we have accomplished an awful lot in terms of funding committees at a reasonable level, bringing comity and stability to the House.

I just want to say to my two colleagues who brought this resolution to the floor today that they deserve the congratulations of all of the Members and the leadership on both sides as well.

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

I do not believe that I have any further speakers on this issue, but I did forget to mention the franking issue, and I agreed with that amendment. What we did is we changed the rules. We did not clarify the rules, but we changed the rules. Previously, committee mailings were not covered by the same regulations that apply to individual Members. This was the case in the 108th and the previous Congress. This rule change will treat committee mailings the same as individual mailings with respect to the blackout and the preapproval.

So we have I think made a change in the rules that, as I said, I agreed with is good, and all the chairs of the committees and the ranking members agreed with the change.

Ms. ZOE LOFGREN of California. Mr. Speaker, I strongly support the House Committee Funding Resolution for the 109th Congress as approved by the House Administration Committee on Thursday, April 21, 2005. This Resolution assures that the Minority will be treated fairly in regard to both committee budgets and staff. It abides by the 2/3–1/3 principle in which the Minority receives 1/3 of the staff, 1/3 of the budget, and control over that budget. It is my understanding that every Chair and Ranking Member in the House have come to an agreement on their individual budgets, and all treat the Minority in a fair and respectful way. I commend Chairman NEY and Ranking Member MILLENDER-MCDONALD for their hard work on this Resolution.

During Markup of the Committee Funding Resolution, Congresswoman MILLENDER-MCDONALD offered an amendment regarding House Committee's use of the Frank. Under this amendment, Committees will be limited to a $5,000 franking budget per year, and Committees will need to abide by, and receive approval from, the House Franking Commission for any mass mailings. This is an important proposal that I strongly support. This amendment assures that House Committees will only use the Frank for official purposes, and stem the questionable franking practices that developed at the end of the 108th Congress.

Finally, I must comment on the controversy surrounding the budget of the Resources Committee during the 108th Congress.

My colleague Chairman NEY was elected to Congress in 1994, the same year as me. As you will recall, 1994 was the year that the Republicans took control of Congress for the first time in 40 years.

Led by Newt Gingrich, the incoming members of the House promoted the Contract with America. The Contract promised that under Republican rule, the House would pass a number of resolutions and bills within the first 100 days of the 104th Congress.

One of the promises made by the Republicans was to pass a resolution on the first day of the 104th Congress that would provide for the selection of a major, independent auditing firm to conduct a comprehensive audit of Congress for waste, fraud or abuse. Republicans were concerned that tax dollars were being misspent by the House of Representatives. Chairman NEY signed the Contract with America, and I can only assume that he supported this provision.

It seems odd to me now that a little over 10 years later, my friend BOB NEY and his Republican colleagues do not seem to have the same zeal for investigating waste, fraud and abuse here in the House.

During the Committee Funding Resolution hearings in March, I posed several questions about the budget and policies of the Resources Committee during the 108th Congress to Resources Committee Chairman RICHARD POMBO.

On October 6, 2004, The Hill reported that Chairman POMBO planned to close the Resources Committee for a month leading up to the November 2004 elections. It went on to state that the staff would receive a month of vacation time and Chairman POMBO's spokesman stated on-the-record that some staff may choose to go and work on campaigns during their time off.

During the hearing, I posed several questions about the vacation policy of the Resources Committee to Chairman POMBO and gave him the opportunity to clear up the confusion about the events leading up to the 2004 elections.

Chairman POMBO welcomed the opportunity to address the issue. He answered some of my questions at the hearing, and said he would need to get back to the Committee regarding others.

In an effort to get to the bottom of this issue and clear up any confusion, I put my questions in writing for Chairman POMBO. The record, at the direction of Chairman NEY, was held open so Chairman POMBO could respond to the House Administration Committee within 30 days. Chairman POMBO did respond to some, but not all, of my questions in writing on April 13, 2005.

Both Chairman NEY and representatives of Chairman POMBO have categorized these ordinary and routine inquiries as something extraordinary. Mr. POMBO's spokesman has actually compared me to Senator Joseph McCarthy. While I find that comment to be a bit weird, I am prepared to state unequivocally that I do not believe Chairmen POMBO or NEY are communists!

So the record is totally clear, I have included in the Committee Report accompanying this resolution all of the correspondence between myself, Chairman NEY and Chairman POMBO on this issue as well as the transcript of our discussion at the committee hearing. This report should be posted on the House Administration Committee Web site. I will also note that at this time, Chairman POMBO has still not answered all of my written questions.

It is the job of the House Administration Committee to oversee all operations of the House of Representatives, including the approval of taxpayer-funded committee budgets. Under this Committee Funding Resolution, the Resources Committee will receive a 7.5 increase in their operating budget in the 109th Congress.

It is only appropriate that the House Administration Committee confirm that the money spent by the Resources Committee during the 108th Congress was done so in a proper way. Chairman POMBO still has the ability to quickly clear up this confusion. I remain hopeful that Chairman POMBO will take the time to answer all the written questions in detail about the policies and practices of the Resources Committee to reassure that tax dollars are being spent in a legal, fair, and ethical manner. Chairman NEY, signers the Contract with America, and anyone else that believes in good government, should demand nothing less.

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

The SPEAKER pro tempore (Mr. SIMPSON). The question is on the motion offered by the gentleman from Ohio (Mr. NEY) that the House suspend the rules and agree to the resolution, H. Res. 224, as amended.

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

A motion to reconsider was laid on the table.

GENERAL LEAVE

Mr. NEY. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days within which to revise and extend their remarks and include extraneous material on the subject of H. Res. 224, as amended.

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

There was no objection.

DISMISSING THE ELECTION CONTEST RELATING TO THE OFFICE OF REPRESENTATIVE FROM THE SIXTH CONGRESSIONAL DISTRICT OF TENNESSEE

Mr. NEY. Mr. Speaker, I offer a resolution (H. Res. 239) dismissing the election relating to the office of Representative from the Sixth Congressional District of Tennessee, and ask unanimous consent for its immediate consideration in the House.

The Clerk read the title of the resolution.

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

There was no objection.

The Clerk read the resolution, as follows:

H. RES. 239

Resolved, That the election contest relating to the office of Representative from the Sixth Congressional District of Tennessee is dismissed.

The resolution was agreed to.

A motion to reconsider was laid on the table.

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore. Pursuant to clause 8 of rule XX, proceedings will resume on questions previously postponed.

Votes will be taken in the following order:

H.R. 902, by the yeas and nays;

House Concurrent Resolution 81, by the yeas and nays;

House Resolution 235, ordering the previous question, by the yeas and nays;

House Resolution 236, ordering the previous question, by the yeas and nays.

Votes after the first in this series will be conducted as 5-minute votes.

PRESIDENTIAL $1 COIN ACT OF 2005

The SPEAKER pro tempore. The unfinished business is the question of suspending the rules and passing the bill, H.R. 902, as amended.

The Clerk read the title of the bill.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Delaware (Mr. CASTLE) that the House suspend the rules and agree to the bill, H.R. 902, as amended, on which the yeas and nays are ordered.

This will be a 15-minute vote.

The vote was taken by electronic device, and there were—yeas 422, nays 6, not voting 6, as follows:

[Roll No. 136]

YEAS—422

Abercrombie
Ackerman
Aderholt
Akin
Alexander
Allen
Andrews
Baca
Bachus
Baird
Baker
Baldwin
Barrett (SC)
Barrow
Bartlett (MD)
Barton (TX)
Bass
Bean
Beauprez
Becerra
Berkley
Berry
Biggert
Bilirakis
Bishop (GA)
Bishop (NY)
Bishop (UT)
Blackburn
Blumenauer
Blunt
Boehlert
Boehner
Bonilla
Bonner
Bono
Boozman
Boren
Boswell
Boucher
Boustany
Boyd
Bradley (NH)
Brady (PA)
Brady (TX)
Brown (OH)
Brown (SC)
Brown-Waite, Ginny
Burgess
Burton (IN)
Butterfield
Buyer
Calvert
Camp
Cannon
Cantor
Capito
Capps
Cardin
Cardoza
Carnahan
Carson
Carter
Case
Castle
Chabot
Chandler
Chocola
Clay
Cleaver
Clyburn
Coble
Cole (OK)
Conaway
Conyers
Cooper
Costa
Costello
Cox
Cramer
Crenshaw
Crowley
Cubin
Cuellar
Culberson
Cummings
Cunningham
Davis (AL)
Davis (CA)
Davis (FL)
Davis (IL)
Davis (KY)
Davis (TN)
Davis, Jo Ann
Davis, Tom
Deal (GA)
DeGette
Delahunt
DeLauro
DeLay
Dent
Diaz-Balart, L.
Diaz-Balart, M.
Dicks
Dingell
Doggett
Doolittle
Doyle
Drake
Dreier
Duncan
Edwards
Ehlers
Emanuel
Emerson
Engel
English (PA)
Eshoo
Etheridge
Evans
Everett
Farr
Fattah
Feeney
Ferguson
Filner
Fitzpatrick (PA)
Flake
Foley
Forbes
Ford
Fortenberry
Fossella
Foxx
Frank (MA)
Franks (AZ)
Frelinghuysen
Gallegly
Garrett (NJ)
Gerlach
Gibbons
Gilchrest
Gillmor
Gingrey
Gohmert
Gonzalez
Goode
Goodlatte
Gordon
Granger
Graves
Green (WI)
Green, Al
Green, Gene
Grijalva
Gutierrez
Gutknecht
Hall
Harman
Harris
Hart
Hastings (FL)
Hastings (WA)
Hayes
Hayworth
Hefley
Hensarling
Herger
Herseth
Higgins
Hinchey
Hinojosa
Hobson
Hoekstra
Holden
Holt
Honda
Hooley
Hostettler
Hoyer
Hulshof
Hunter
Hyde
Inglis (SC)
Inslee
Israel
Issa
Istook
Jackson (IL)
Jackson-Lee (TX)
Jefferson
Jenkins
Jindal
Johnson (CT)
Johnson (IL)
Johnson, E. B.
Johnson, Sam
Jones (NC)
Jones (OH)
Kanjorski
Kaptur
Keller
Kelly
Kennedy (MN)
Kennedy (RI)
Kildee
Kilpatrick (MI)
Kind
King (IA)
King (NY)
Kingston
Kirk
Kline
Knollenberg
Kolbe
Kucinich
Kuhl (NY)
LaHood
Langevin
Lantos
Larsen (WA)
Larson (CT)
Latham
LaTourette
Leach
Lee
Levin
Lewis (CA)
Lewis (GA)
Lewis (KY)
Linder
Lipinski
LoBiondo
Lofgren, Zoe
Lowey
Lucas
Lungren, Daniel E.
Lynch
Maloney
Manzullo
Marchant
Markey
Marshall
Matheson
Matsui
McCarthy
McCaul (TX)
McCollum (MN)
McCotter
McCrery
McDermott
McGovern
McHenry
McHugh
McIntyre
McKeon
McKinney
McMorris
McNulty
Meehan
Meek (FL)
Meeks (NY)
Melancon
Menendez
Mica
Michaud
Millender-McDonald
Miller (FL)
Miller (MI)
Miller (NC)
Miller, Gary
Miller, George
Mollohan
Moore (KS)
Moore (WI)
Moran (KS)
Moran (VA)
Murphy
Murtha
Musgrave
Myrick
Nadler
Napolitano
Neal (MA)
Neugebauer
Ney
Northup
Norwood
Nunes
Nussle
Oberstar
Obey
Olver
Ortiz
Osborne
Otter
Owens
Oxley
Pallone
Pascrell
Pastor
Paul
Payne
Pearce
Pelosi
Pence
Peterson (MN)
Peterson (PA)
Petri
Pickering
Pitts
Platts
Pombo
Pomeroy
Porter
Price (GA)
Price (NC)
Pryce (OH)
Putnam
Radanovich
Rahall
Ramstad
Rangel
Regula
Rehberg
Reichert
Renzi
Reyes
Reynolds
Rogers (AL)
Rogers (KY)
Rogers (MI)
Rohrabacher
Ros-Lehtinen
Ross
Roybal-Allard
Royce
Ruppersberger
Rush
Ryan (OH)
Ryan (WI)
Ryun (KS)
Sabo
Salazar
Sánchez, Linda T.
Sanchez, Loretta
Sanders
Saxton
Schakowsky
Schiff
Schwartz (PA)
Schwarz (MI)
Scott (GA)
Scott (VA)
Sensenbrenner
Serrano
Sessions
Shadegg
Shaw
Shays
Sherman
Sherwood
Shimkus
Shuster
Simmons
Simpson
Skelton
Slaughter
Smith (NJ)
Smith (TX)
Snyder
Sodrel
Solis
Souder
Spratt
Stark
Stearns
Stupak
Sullivan
Sweeney
Tancredo
Tanner
Tauscher
Taylor (MS)
Taylor (NC)
Terry
Thomas
Thompson (CA)
Thompson (MS)
Thornberry
Tiahrt
Tiberi
Tierney
Towns
Turner
Udall (CO)
Udall (NM)
Upton
Van Hollen
Velázquez
Visclosky
Walden (OR)
Walsh
Wamp
Wasserman Schultz
Waters
Watson
Watt
Waxman
Weiner
Weldon (FL)
Weldon (PA)
Weller
Wexler
Whitfield
Wilson (NM)
Wilson (SC)
Wolf
Woolsey
Wu
Wynn
Young (AK)
Young (FL)

NAYS—6

Berman
Capuano
DeFazio
Mack
Poe
Strickland

NOT VOTING—6

Brown, Corrine
Portman
Rothman
Smith (WA)
Westmoreland
Wicker

□ 1343

Mr. CAPUANO and Mr. BERMAN changed their vote from ''yea'' to ''nay.''

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

So (two-thirds having voted in favor thereof) the rules were suspended and the bill, as amended, was passed.

The result of the vote was announced as above recorded.

The title of the bill was amended so as to read: ''A bill to improve circulation of the $1 coin, create a new bullion coin, provide for the redesign of the reverse of the Lincoln 1-cent coin in 2009 in commemoration of the 200th anniversary of the birth of President Abraham Lincoln, and for other purposes.''.

A motion to reconsider was laid on the table.

EXPRESSING THE SENSE OF CONGRESS REGARDING THE TWO-YEAR ANNIVERSARY OF THE HUMAN RIGHTS CRACKDOWN IN CUBA

The SPEAKER pro tempore (Mr. SIMPSON). The unfinished business is the question of suspending the rules and agreeing to the concurrent resolution, H. Con. Res. 81.

The Clerk read the title of the concurrent resolution.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from New Jersey (Mr. SMITH) that the House suspend the rules and agree to the concurrent resolution, H. Con. Res. 81, on which the yeas and nays are ordered.

This will be a 5-minute vote.

The vote was taken by electronic device, and there were—yeas 398, nays 27, answered ''present'' 2, not voting 7, as follows:

[Roll No. 137]

YEAS—398

Abercrombie
Ackerman
Aderholt
Akin
Alexander
Allen
Andrews
Baca
Baird
Baker
Baldwin
Barrett (SC)

Barrow
Bartlett (MD)
Barton (TX)
Bass
Bean
Beauprez
Becerra
Berkley
Berman
Berry
Biggert
Bilirakis
Bishop (GA)
Bishop (NY)
Bishop (UT)
Blackburn
Blumenauer
Blunt
Boehlert
Boehner
Bonilla
Bonner
Bono
Boozman
Boren
Boswell
Boucher
Boustany
Boyd
Bradley (NH)
Brady (PA)
Brady (TX)
Brown (OH)
Brown (SC)
Brown-Waite, Ginny
Burgess
Burton (IN)
Butterfield
Buyer
Calvert
Camp
Cannon
Cantor
Capito
Capps
Capuano
Cardin
Cardoza
Carnahan
Carter
Case
Castle
Chabot
Chandler
Chocola
Cleaver
Clyburn
Coble
Cole (OK)
Conaway
Conyers
Cooper
Costa
Costello
Cox
Cramer
Crenshaw
Crowley
Cubin
Cuellar
Culberson
Cummings
Cunningham
Davis (AL)
Davis (CA)
Davis (FL)
Davis (KY)
Davis (TN)
Davis, Jo Ann
Davis, Tom
Deal (GA)
DeGette
Delahunt
DeLauro
DeLay
Dent
Diaz-Balart, L.
Diaz-Balart, M.
Dicks
Dingell
Doggett
Doolittle
Doyle
Drake
Dreier
Duncan
Edwards
Ehlers
Emanuel
Emerson
Engel
English (PA)
Eshoo
Etheridge
Evans
Everett
Fattah
Feeney
Ferguson
Filner
Fitzpatrick (PA)
Flake
Foley
Forbes
Ford
Fortenberry
Fossella
Foxx
Frank (MA)
Franks (AZ)
Frelinghuysen
Gallegly
Garrett (NJ)
Gerlach
Gibbons
Gilchrest
Gillmor
Gingrey
Gohmert
Gonzalez
Goode
Goodlatte
Gordon
Granger
Graves
Green (WI)
Green, Al
Green, Gene
Gutierrez
Gutknecht
Hall
Harman
Harris
Hart
Hastings (FL)
Hastings (WA)
Hayes
Hayworth
Hefley
Hensarling
Herger
Herseth
Higgins
Hinojosa
Hobson
Hoekstra
Holden
Holt
Honda
Hooley
Hostettler
Hoyer
Hulshof
Hunter
Hyde
Inglis (SC)
Inslee
Israel
Issa
Istook
Jackson-Lee (TX)
Jefferson
Jenkins
Jindal
Johnson (CT)
Johnson (IL)
Johnson, Sam
Jones (NC)
Kanjorski
Kaptur
Keller
Kelly
Kennedy (MN)
Kennedy (RI)
Kildee
Kind
King (IA)
King (NY)
Kingston
Kirk
Kline
Knollenberg
Kolbe
Kuhl (NY)
LaHood
Langevin
Lantos
Larsen (WA)
Larson (CT)
Latham
LaTourette
Leach
Levin
Lewis (CA)
Lewis (GA)
Lewis (KY)
Linder
Lipinski
LoBiondo
Lofgren, Zoe
Lowey
Lucas
Lungren, Daniel E.
Lynch
Mack
Maloney
Manzullo
Marchant
Markey
Marshall
Matheson
Matsui
McCarthy
McCaul (TX)
McCollum (MN)
McCotter
McCrery
McGovern
McHenry
McHugh
McIntyre
McKeon
McMorris
McNulty
Meehan
Meek (FL)
Melancon
Menendez
Mica
Michaud
Millender-McDonald
Miller (FL)
Miller (MI)
Miller (NC)
Miller, Gary
Miller, George
Mollohan
Moore (KS)
Moore (WI)
Moran (KS)
Moran (VA)
Murphy
Murtha
Musgrave
Myrick
Nadler
Napolitano
Neal (MA)
Neugebauer
Ney
Northup
Norwood
Nunes
Nussle
Oberstar
Obey
Ortiz
Osborne
Otter
Owens
Oxley
Pallone
Pascrell
Pastor
Pearce
Pelosi
Pence
Peterson (MN)
Peterson (PA)
Petri
Pickering
Pitts
Platts
Poe
Pombo
Pomeroy
Porter
Price (GA)
Price (NC)
Pryce (OH)
Putnam
Radanovich
Rahall
Ramstad
Regula
Rehberg
Reichert
Renzi
Reyes
Reynolds
Rogers (AL)
Rogers (KY)
Rogers (MI)
Rohrabacher
Ros-Lehtinen
Ross
Roybal-Allard
Royce
Ruppersberger
Ryan (OH)
Ryan (WI)
Ryun (KS)
Sabo
Salazar
Sánchez, Linda T.
Sanchez, Loretta
Sanders
Saxton
Schakowsky
Schiff
Schwartz (PA)
Schwarz (MI)
Scott (GA)
Scott (VA)
Sensenbrenner
Sessions
Shadegg
Shaw
Shays
Sherman
Sherwood
Shimkus
Shuster
Simmons
Simpson
Skelton
Slaughter
Smith (NJ)
Smith (TX)
Smith (WA)
Snyder
Sodrel
Solis
Souder
Spratt
Stearns
Strickland
Stupak
Sullivan
Sweeney
Tancredo
Tanner
Tauscher
Taylor (MS)
Taylor (NC)
Terry
Thomas
Thompson (CA)
Thornberry
Tiahrt
Tiberi
Tierney
Turner
Udall (CO)
Udall (NM)
Upton
Van Hollen
Visclosky
Walden (OR)
Walsh
Wamp
Wasserman Schultz
Watson
Waxman
Weiner
Weldon (FL)
Weldon (PA)
Weller
Wexler
Whitfield
Wilson (NM)
Wilson (SC)
Wolf
Wu
Young (AK)
Young (FL)

NAYS—27

Carson
Clay
Davis (IL)
Farr
Grijalva
Hinchey
Jackson (IL)
Johnson, E. B.
Kilpatrick (MI)
Kucinich
Lee
McDermott
McKinney
Meeks (NY)
Olver
Paul
Payne
Rangel
Rush
Serrano
Stark
Thompson (MS)
Towns
Velázquez
Waters
Woolsey
Wynn

ANSWERED ''PRESENT''—2

DeFazio
Watt

NOT VOTING—7

Bachus
Brown, Corrine
Jones (OH)
Portman
Rothman
Westmoreland
Wicker

□ 1354

Mr. WYNN and Mr. MEEKS of New York changed their vote from ''yea'' to ''nay''.

Mr. GEORGE MILLER of California changed his vote from ''nay'' to ''yea''.

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

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

PROVIDING FOR CONSIDERATION OF H. RES. 22, EXPRESSING THE SENSE OF THE HOUSE THAT AMERICAN SMALL BUSINESSES ARE ENTITLED TO A SMALL BUSINESS BILL OF RIGHTS

The SPEAKER pro tempore (Mr. BASS). The pending business is the question on ordering the previous question on House Resolution 235 on which further proceedings were postponed earlier today.

The Clerk read the title of the resolution.

The SPEAKER pro tempore. The question is on ordering the previous question, on which the yeas and nays are ordered.

Pursuant to clause 9 of rule XX, the Chair will reduce to 5 minutes the minimum time for any electronic vote on the question of adoption of the resolution.

The vote was taken by electronic device, and there were—yeas 228, nays 201, not voting 5, as follows:

[Roll No. 138]

YEAS—228

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

NAYS—201

Abercrombie
Ackerman
Allen
Andrews
Baca
Baird
Baldwin
Barrow
Bean
Becerra
Berkley
Berman
Berry
Bishop (GA)
Bishop (NY)
Blumenauer
Boren
Boswell
Boucher
Boyd
Brady (PA)
Brown (OH)
Butterfield
Capps
Capuano
Cardin
Cardoza
Carnahan
Carson
Case

Chandler
Clay
Cleaver
Clyburn
Conyers
Cooper
Costa
Costello
Cramer
Crowley
Cuellar
Cummings
Davis (AL)
Davis (CA)
Davis (FL)
Davis (IL)
Davis (TN)
DeFazio
DeGette
Delahunt
DeLauro
Dicks
Dingell
Doggett
Doyle
Edwards
Emanuel
Engel
Eshoo
Etheridge
Evans
Farr
Fattah
Filner
Ford
Frank (MA)
Gonzalez
Gordon
Green, Al
Green, Gene
Grijalva
Gutierrez
Harman
Hastings (FL)
Herseth
Higgins
Hinchey
Hinojosa
Holden
Holt
Honda
Hooley
Hoyer
Inslee
Israel
Jackson (IL)
Jackson-Lee (TX)
Jefferson
Johnson, E. B.
Jones (OH)
Kanjorski
Kaptur
Kennedy (RI)
Kildee
Kilpatrick (MI)
Kind
Kucinich
Langevin
Lantos
Larsen (WA)
Larson (CT)
Lee
Levin
Lewis (GA)
Lipinski
Lofgren, Zoe
Lowey
Lynch
Maloney
Markey
Marshall
Matheson
Matsui
McCarthy
McCollum (MN)
McDermott
McGovern
McIntyre
McKinney
McNulty
Meehan
Meek (FL)
Meeks (NY)
Melancon
Menendez
Michaud
Millender-McDonald
Miller (NC)
Miller, George
Mollohan
Moore (KS)
Moore (WI)
Moran (VA)
Murtha
Nadler
Napolitano
Neal (MA)
Oberstar
Obey
Olver
Ortiz
Owens
Pallone
Pascrell
Pastor
Payne
Pelosi
Peterson (MN)
Pomeroy
Price (NC)
Rahall
Rangel
Reyes
Ross
Roybal-Allard
Ruppersberger
Rush
Ryan (OH)
Sabo
Salazar
Sánchez, Linda T.
Sanchez, Loretta
Sanders
Schakowsky
Schiff
Schwartz (PA)
Scott (GA)
Scott (VA)
Serrano
Sherman
Skelton
Slaughter
Smith (WA)
Snyder
Solis
Spratt
Stark
Strickland
Stupak
Tanner
Tauscher
Taylor (MS)
Thompson (CA)
Thompson (MS)
Tierney
Towns
Udall (CO)
Udall (NM)
Van Hollen
Velázquez
Visclosky
Wasserman Schultz
Waters
Watson
Watt
Waxman
Weiner
Wexler
Woolsey
Wu
Wynn

NOT VOTING—5

Brown, Corrine
Portman
Rothman
Westmoreland
Wicker

□ 1403

So the previous question was ordered.

The result of the vote was announced as above recorded.

The SPEAKER pro tempore (Mr. BASS). The question is on the resolution.

The resolution was agreed to.

A motion to reconsider was laid on the table.

PROVIDING FOR CONSIDERATION OF H.R. 748, CHILD INTERSTATE ABORTION NOTIFICATION ACT

The SPEAKER pro tempore. The pending business is the question on ordering the previous question on H. Res. 236 on which the yeas and nays were ordered.

The Clerk read the title of the resolution.

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

This will be a 5-minute vote.

The vote was taken by electronic device, and there were—yeas 234, nays 192, not voting 8, as follows:

[Roll No. 139]

YEAS—234

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

NAYS—192

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

NOT VOTING—8

Brown, Corrine
McDermott
Portman
Rothman
Smith (TX)
Westmoreland
Wicker
Wilson (NM)

□ 1411

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

So the previous question was ordered.

The result of the vote was announced as above recorded.

PERSONAL EXPLANATION

Mr. PORTMAN. Mr. Speaker, earlier today, I was absent attending a meeting at the White House and missed the recorded votes on rollcall No. 136, on H.R. 902, the Presidential One Dollar Coin Act; rollcall No. 137, on H. Con. Res. 81, Expressing the sense of Congress regarding human rights in Cuba; rollcall No. 138, on Ordering the Previous Question on H. Res. 235, the rule for H. Res. 22, Expressing the sense of Congress regarding a Small Business Bill of Rights; and rollcall No. 139, on Ordering the Previous Question on H. Res. 236, the rule for H.R. 748, the Child Interstate Abortion Notification Act.

Had I been present, I would have voted ''yea'' on rollcall No. 136; ''yea'' on rollcall No. 137; ''yea'' rollcall No. 138; and ''yea'' on rollcall No. 139.

The SPEAKER pro tempore (Mr. FOSSELLA). The question is on the resolution.

The resolution was agreed to.

A motion to reconsider was laid on the table.

EXPRESSING SENSE OF THE HOUSE THAT AMERICAN SMALL BUSINESSES ARE ENTITLED TO A SMALL BUSINESS BILL OF RIGHTS

Mr. KELLER. Mr. Speaker, pursuant to House Resolution 235, I call up the resolution (H. Res. 22) expressing the sense of the House of Representatives that American small businesses are entitled to a Small Business Bill of Rights, and ask for its immediate consideration.

The Clerk read the title of the resolution.

The text of House Resolution 22 is as follows:

H. RES. 22

Whereas more than 90 percent of all American employers are small businesses;

Whereas small businesses generate approximately 70 percent of the new jobs created in the United States each year;

Whereas small businesses are crucial to the American economy and account for a significant majority of new product ideas and innovations;

Whereas small businesses, together with innovation and entrepreneurship, are central to the American dream of self-improvement and individual achievement;

Whereas 60 percent of the 45,000,000 Americans without health insurance are small business employees and their families;

Whereas most small businesses do not provide health insurance to their employees, primarily because of the surging cost;

Whereas the death tax causes one-third of all family-owned small businesses to liquidate after the death of the owner;

Whereas frivolous lawsuits and the rising costs of liability insurance represent serious threats to small business owners;

Whereas burdensome regulations and paperwork cost small businesses more than $5,500 per employee; and

Whereas Congress can help small businesses grow by establishing a climate to encourage small businesses to create jobs and offer more affordable health insurance to employees: Now, therefore, be it

Resolved, That it is the sense of the House of Representatives that American small businesses are entitled to the following Small Business Bill of Rights:

(1) The right to join together to purchase affordable health insurance for small business employees, who make up a large portion of the millions of Americans without health care coverage.

(2) The right to tax laws that allow family-owned small businesses to survive over several generations and offer them incentives to grow.

(3) The right to be free from frivolous lawsuits which harm law-abiding small businesses and prevent them from creating new jobs.

(4) The right to be free of unnecessary, restrictive regulations and paperwork which waste the time and energy of small businesses while hurting production and preventing job creation.

The SPEAKER pro tempore. Pursuant to House Resolution 235, the amendments to the text and preamble printed in the resolution are adopted.

The text of House Resolution 22, as amended, is as follows:

H. RES. 22

Whereas more than 90 percent of all American employers are small businesses;

Whereas small businesses generate approximately 70 percent of the new jobs created in the United States each year;

Whereas small businesses are crucial to the American economy and account for a significant majority of new product ideas and innovations;

Whereas small businesses, together with innovation and entrepreneurship, are central to the American dream of self-improvement and individual achievement;

Whereas 60 percent of the 45,000,000 Americans without health insurance are small business employees and their families;

Whereas most small businesses do not provide health insurance to their employees, primarily because of the surging cost;

Whereas the Internal Revenue Code of 1986 is exceedingly complex, making it difficult for small businesses to understand it and comply with its requirements;

Whereas the Internal Revenue Code of 1986 discriminates, in many instances, against small businesses and self-employed persons by limiting the availability of certain tax incentives to larger firms or corporations;

Whereas the death tax causes one-third of all family-owned small businesses to liquidate after the death of the owner;

Whereas frivolous lawsuits and the rising costs of liability insurance represent serious threats to small business owners;

Whereas burdensome regulations and paperwork cost small businesses more than $5,500 per employee;

Whereas adequate, affordable, and reliable energy supplies are essential to the success of small businesses, especially small manufacturers;

Whereas lack of access to capital and credit stifles new business growth and economic opportunity;

Whereas both unsound contract bundling or consolidation and the failure of various Federal agencies to closely monitor the small business goals and subcontracting plans of large businesses have dried up many procurement opportunities for small businesses; and

Whereas Congress can help small businesses grow by establishing a climate to encourage small businesses to create jobs and offer more affordable health insurance to employees: Now, therefore, be it

Resolved, That it is the sense of the House of Representatives that American small businesses are entitled to the following Small Business Bill of Rights:

(1) The right to join together to purchase affordable health insurance for small business employees, who make up a large portion of the millions of Americans without health care coverage.

(2) The right to simplified tax laws that allow family-owned small businesses to survive over several generations and offer them incentives to grow.

(3) The right to be free from frivolous lawsuits which harm law-abiding small businesses and prevent them from creating new jobs.

(4) The right to be free of unnecessary, restrictive regulations and paperwork which waste the time and energy of small businesses while hurting production and preventing job creation.

(5) The right to relief from high energy costs, which pose a real threat to the survival of small businesses, to be accomplished by reducing the Nation's reliance on imported sources of energy and encouraging environmentally-sound domestic production and conservation of energy.

(6) The right to equal treatment, as compared to large businesses, when seeking access to start-up and expansion capital and credit.

(7) The right to open access to the Government procurement marketplace through the breaking up of large contracts to give small business owners a fair opportunity to compete for Federal contracts.

The SPEAKER pro tempore. The gentleman from Florida (Mr. KELLER) and the gentlewoman from New York (Ms. VELÁZQUEZ) each will control 30 minutes.

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

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

Mr. Speaker, the goal of the Small Business Bill of Rights is to provide a blueprint for Congress to help small business employers create more jobs. A job is the best social program in the world. It provides income, health insurance, and dignity.

Significantly, 70 percent of all new jobs in the United States are created by small business people. In light of the fact that small business employers are the engine that drive this economy, I decided to meet with 20 very successful small business people in Orlando, Florida, to learn firsthand what, if anything, Congress could do to help small business employers create even more jobs.

I learned a lot by sitting down and listening to small business people. First, I learned that the number one issue facing small business people today is the skyrocketing cost of health insurance. In fact, a growing number of small businesses today are not able to provide health insurance to their employees, primarily because of the surging cost. Of the 45 million Americans without health insurance, 60 percent are small business employees and their families.

Right now, small businesses are unable to achieve the bargaining power of large corporations when negotiating with insurance companies to obtain affordable health insurance for their employees. The premiums that small businesses pay are typically 20 to 30 percent higher than those of large companies.

According to the Congressional Budget Office, small businesses that obtain insurance from association health plans can save up to 25 percent.

These small business people told me that they needed the right to be able to join together to purchase affordable health insurance for their employees so their workers have the opportunity to get the same health care benefits now reserved for those employees of Fortune 500 companies.

The second thing I learned is that many of these small businesses are family owned. Unfortunately, the death tax causes one-third of all family-owned businesses to liquidate after the death of the owner. If Congress does not undertake any meaningful reforms of the death tax laws, then small businesses will go back to paying up to 55 percent in tax rates in the year 2011. Unfortunately, the only small family-owned business in America that knows for sure whether they will die in the year 2010 is the Sopranos.

Understandably, these small business people want the right to tax laws that allow family-owned small business people to survive over several generations and offer them incentives to grow.

The third thing I learned is that frivolous lawsuits and the rising cost of liability insurance represent a very serious threat to small business owners. Unlike large, multinational corporations, small business owners do not have the resources to defend themselves against frivolous litigation and are often forced, for business reasons, to settle a claim for $5,000 to $10,000 rather than pay a defense attorney $100,000 to successfully defend them in court.

Finally, I learned that burdensome regulations and paperwork cost small business more than $5,500 per employee, and these small business owners understandably want the right to be free of unnecessary, restrictive regulations and paperwork which end up wasting their time and energy and prevent them from creating additional jobs.

After listening to the challenges and solutions proposed by various small business people, I worked with some of my Democrat colleagues to craft a Small Business Bill of Rights.

□ 1415

I want to particularly thank the gentleman from Alabama (Mr. CRAMER) for being an original cosponsor of H. Res. 22.

Now, we had a hearing on the Small Business Bill of Rights last month. At that hearing, witnesses from NFIB and the U.S. Chamber of Commerce testified that the four issues identified in the Small Business Bill of Rights were in fact the top four issues affecting small businesses in the United States today, according to the surveys of their members.

After the hearing, we added language relating to the importance of lower energy costs, increasing access to capital, and opening access to government contracts for small business. To my left here is a chart which shows the Small Business Bill of Rights.

Number one. The right to join together to purchase affordable health insurance for small business employees, who make up a large portion of the millions of Americans without health insurance.

Number two. The right to simplify tax laws that allow family-owned small businesses to survive over several generations, and offer them incentives to grow.

Number three. The right to be free from frivolous lawsuits, which harm law-abiding small businesses and prevent them creating new jobs.

Number four. The right to be free of unnecessary restrictive regulations and paperwork which waste the time and energy of small business people.

Number five. The right to relief from high energy costs, which pose a real threat to the survival of small businesses.

Number six. The right to equal treatment as compared with large businesses when seeking access to start-up and expansion capital and credit.

Number seven. The right to open access to the government procurement marketplace through the breaking up of large contracts to give small business owners a fair opportunity to compete for Federal contracts.

Now, if someone is not in favor of the Small Business Bill of Rights, if they would be voting ''no'' on this, then what would they be voting in favor of? In favor of higher health insurance costs, higher taxes, more frivolous lawsuits, more paperwork and regulations, higher energy costs, more obstacles to getting capital, more obstacles to getting Federal contracts for small business people?

In fact, the Small Business Bill of Rights, as you might imagine, passed the Committee on Small Business on a voice vote. Not a single Republican or Democrat member voiced opposition to this. There is nothing here at any time that any Republican or Democrat during the markup process or the Committee on Rules or anywhere else sought to remove. There is no controversy that has been articulated so far about these seven things.

To the extent people may have criticisms, it is criticism of what is not on here. Some folks wish that there were a couple of things that were added that were not here. I can tell you that when I met with small business people, various of them told me different items that were not on here. But when I interviewed 20 people and then had testimony from the witnesses of large organizations, I tried to put together the top-tier issues that affect people across the board in the United States. And while some issues may affect this person or that person, these are the top-tier issues.

Now, it does not list every issue in the world affecting small business people. This is merely a blueprint. If I put every single issue affecting small business people, all people, then what we would probably have is something that is as thick as a phone book. But what we have here are some consensus noncontroversial items, and I urge my colleagues to vote ''yes'' in favor of H. Res. 22.

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

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

As we are in the middle of recognizing National Small Business Week, most small business owners are going forward with their daily routine; waking up, heading into work, opening up their stores, and figuring out ways to pay their bills, manage their employees, and satisfy their customers.

All day today we have been hearing about the numbers of challenges facing small firms, and we will continue to hear about these challenges over and over again. But the sad reality is that small businesses are facing tougher times today, now more than ever. With skyrocketing health care, energy and gas prices, rising interest rates and a $427 billion budget deficit, there are already restrictions facing those entrepreneurs who want to start and expand their business ventures.

And now I want to ask, what is Congress' answer to all this, to all these challenges facing small firms? The answer is: Give small businesses some rights. You should have the right to access health care, the right to be relieved of regulatory burdens, and the right to tax simplification. This is all good when it is said and done, but what is Congress going to do to carry through on those promises? What action is going to be taken to back up the rhetoric?

Supporters of this bill will tell you that opposition to this resolution is opposition to helping small businesses. However, the truth is that if you votes ''yes'' on House Resolution 22, you have voted to do nothing more than offer empty promises to small businesses, empty promises that Congress probably will not keep.

This is because tonight, when this Nation's small business owners go home, probably somewhere around 10 or 11, well after we have been done and gone for the day and after having missed a family dinner and maybe even a Little League game because they believe so much in their business venture, not one of their challenges will be solved because we voted ''yes'' for House Resolution 22. Today's actions will not fix even one of the problems that most small business owners went to work with this morning.

The Small Business Bill of Rights will not provide health care, it will not give entrepreneurs more access to capital, it will not relieve them of regulatory burdens, and it definitely will not help minority- and women-owned firms to grow a successful business. So continue talking about what you want to do for small businesses today, keep talking about what the challenges are, but what I want to know is when my colleagues on the other side of the aisle are going to stop talking and start taking action.

The bottom line here is that voting for House Resolution 22 today will not make a single thing better for this Nation's small businesses. It might make a great press release for some and another opportunity to boast support for entrepreneurs, but, sadly, that is all it will be.

This Small Business Week all that our Nation's entrepreneurs will be getting are more empty promises. By voting for House Resolution 22, you are voting to make more empty promises to small businesses this week. What we need now is for small businesses to see some well-deserved and long-overdue action taken to address their challenges. No more rhetoric. That is the least we can do for this Nation's small businesses this week.

This should be seen for what it truly is, a sham, and it should be voted down.

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

Mr. KELLER. Mr. Speaker, I yield myself such time as I may consume to briefly address some of the items raised by the gentlewoman from New York. This bill, House Resolution 22, is what it says it is, a blueprint for Congress to follow; that, if followed, will help small businesses create additional jobs. She says, well, it is not enough just to have a blueprint, we should do something about some of these things; and why has this Congress not done anything about it?

I had to smile when hearing that, and I will give three examples of why. The very first thing in the Small Business Bill of Rights says the right to join together to purchase affordable health insurance for small business employees. Now, I happen to be a cosponsor of that legislation, the Association Health Plans, as is the gentlewoman who uttered that statement. And, in fact, Congress has just acted on that bill on the Committee on Education and the Workforce, on which I serve, and we will be bringing that bill up to the floor for a vote in the future where it will surely pass the House of Representatives. I recently met with President Bush about that issue and asked him to help push this issue in the Senate.

The second issue mentioned in the Small Business Bill of Rights is the right to simplify tax laws that allow family-owned small businesses to survive over several generations and offer them incentives to grow. Why have we not done anything about that? In fact, just last week we passed a law repealing the death tax. In fact, I cosponsored that legislation.

The third issue was the right to be free from frivolous lawsuits which harm law-abiding small businesses and prevent them creating new jobs. In fact, the gentleman from Texas (Mr. SMITH) has filed legislation called the Lawsuit Abuse Reduction Act, which I have cosponsored, which says we will have mandatory sanctions for frivolous lawsuits, and three strikes and you are out for those attorneys who file frivolous lawsuits. This is not really a Republican issue, but as well as having support of people like myself, it had the support of Senator JOHN EDWARDS and Senator JOHN KERRY on the campaign trail, who said we should have tough sanctions and a three-strikes-and-you-are-out penalty. That is legislation that passed the House last time and we will surely seek to pass it this time.

So, Mr. Speaker, we have laid out the blueprint here and then said we are creating order out of chaos. Of all the different myriad issues, these are the top-tier issues, and now we must take action to pass these pieces of legislation. And in fact this Congress is committed to doing that and has already done that in the three instances I have talked about.

Mr. Speaker, I am going to insert for the RECORD a copy of the exchange of letters between the chairman of the Committee on Small Business, the gentleman from Illinois (Mr. MANZULLO); the chairman of the Committee on Ways and Means, the gentleman from California (Mr. THOMAS); and the chairman of the Committee on Government Reform, the gentleman from Virginia (Mr. DAVIS) regarding H. Res. 22.

And I will also insert into the RECORD a statement by the chairman of the Committee on Small Business, the gentleman from Illinois (Mr. MANZULLO).

HOUSE OF REPRESENTATIVES,
COMMITTEE ON WAYS AND MEANS,
Washington, DC, April 26, 2005.

Hon. DONALD A. MANZULLO,
Chairman, Committee on Small Business, Washington, DC.

DEAR CHAIRMAN MANZULLO: I am writing concerning H. Res. 22, a resolution ''[e]xpressing the sense of the House of Representatives that American small businesses are entitled to a Small Business Bill of Rights,'' which was reported by the Committee on Small Business on Thursday, April 21, 2005.

As you know, the Committee on Ways and Means has jurisdiction over the Internal Revenue Code. The second resolution clause referring to the ''right'' afforded to small businesses to simplified tax laws would require changes to the Internal Revenue Code, and thus clearly falls within the jurisdiction of the Committee on Ways and Means. However, the Committee will not take action on this particular resolution. This is being done with the understanding that it does not in any way prejudice the Committee with respect to the appointment of conferees or its jurisdictional prerogatives on this or similar legislation.

I would appreciate your response to this letter, confirming this understanding with respect to H. Res. 22, and would ask that a copy of our exchange of letters on this matter be included in the Congressional Record during floor consideration.

Best regards,

BILL THOMAS,
Chairman.

HOUSE OF REPRESENTATIVES,
COMMITTEE ON SMALL BUSINESS,
Washington, DC, April 26, 2005.

Hon. WILLIAM M. THOMAS,
Chairman, Committee on Ways and Means, Washington, DC.

DEAR CHAIRMAN THOMAS: Thank you for your letter regarding H. Res. 22, which expresses the sense of the House of Representatives that American small businesses are entitled to a ''Small Business Bill of Rights.'' As you noted, some of the provisions of the bill fall within the Rule X jurisdiction of the Committee on Ways and Means. I appreciate your willingness to forgo consideration of the bill, and I acknowledge that by agreeing to waive its consideration of the bill, the Committee on Ways and Means does not waive its jurisdiction over these provisions.

A copy of your letter and this response will be included in the Congressional Record during consideration of H. Res. 22 on the House floor.

Thank you for your assistance in this matter.

Sincerely yours,

DONALD A. MANZULLO,
Chairman.

HOUSE OF REPRESENTATIVES,
COMMITTEE ON GOVERNMENT REFORM,
Washington, DC, April 27, 2005.

Hon. DONALD A. MANZULLO,
Chairman, Committee on Small Business, Washington, DC.

DEAR MR. CHAIRMAN: I am writing to you concerning the jurisdictional interest of the Government Reform Committee in matters being considered in H. Res. 22, expressing the sense of the House of Representatives that American small businesses are entitled to a Small Business Bill of Rights.

I recognize the importance of H. Res. 22 and the need for the legislation to move expeditiously. Therefore, while the Committee has a valid claim to jurisdiction over certain provisions of the resolution, I have not requested a sequential referral of H. Res. 22. My decision to forego a sequential referral does not waive, reduce or otherwise affect the jurisdiction of the Government Reform Committee. I respectfully request that a copy of this letter and of your response acknowledging our valid jurisdictional interest will be included in the Congressional Record when the bill is considered on the House Floor.

Thank you for your cooperation in this matter.

Sincerely,

TOM DAVIS,
Chairman.

HOUSE OF REPRESENTATIVES,
COMMITTEE ON SMALL BUSINESS,
Washington, DC, April 27, 2005.

Hon. TOM DAVIS,
Chairman, Committee on Government Reform, Washington, DC.

DEAR MR. CHAIRMAN: Thank you for your recent letter regarding the Government Reform Committee's jurisdictional interest in H. Res. 22, expressing the sense of the House of Representatives that American small businesses are entitled to a Small Business Bill of Rights, and your willingness to forego consideration of H. Res. 22 by the Government Reform Committee.

I agree that the jurisdiction of the Government Reform Committee will not be adversely affected by your decision to not request a sequential referral of H. Res. 22. As you have requested, I will include a copy of your letter and this response in the Congressional Record during consideration of the legislation on the House floor.

Thank you for your assistance, as I work toward the passage of this resolution.

Sincerely,

DONALD A. MANZULLO,
Chairman.

STATEMENT OF THE HONORABLE DONALD A. MANZULLO ON H. RES. 22

Mr. Chairman, I am pleased that the House is taking up this resolution that essentially lists the small business priorities for this Congress. It is particularly fitting that on Small Business Week, we take time out of our busy schedule to honor small businesses and list their top priority issues. Representative Ric Keller has authored a commendable resolution, based on input he has received from his small business constituents, which expresses the sense of the House of Representatives that the top challenges facing small businesses are: staggering health care costs; a high tax, regulatory and paperwork burden; frivolous lawsuits; growing energy costs; inadequate access to capital and to federal procurement opportunities. Surveys of small businesses continually show similar priorities, which was reflected in the hearing the Small Business Committee held last month. These priorities should be the focus of Congressional action to improve the climate for small businesses.

On many fronts, Congress is making progress addressing these issues. In February, we were finally able to break the logjam in the Senate on class-action litigation reform and it is now the law of the land.

This Committee held two hearings on health care in recent weeks and I am optimistic that we can build on the success in the previous Congress that established Health Savings Accounts to break the impasse in the Senate on Association Health Plans and medical liability reform.

I am pleased that the President's Fiscal Year 2006 budget request and the House FY '06 Budget resolution includes making the tax cuts we already passed into law permanent, which helps about 85 percent of all small businesses that pay their taxes on an individual—not corporate—basis. Two weeks ago, the House passed making permanent repealing the estate or ''death'' tax repeal so that small businesses can be passed on to the next generation.

I am going to work very hard this Congress to see meaningful reform of the Regulatory Flexibility Act (RFA) to insure that no federal agency bypasses the concerns of small business in the regulatory process. As a first step, the Committee held a hearing on legislation to improve the RFA last month.

Last week, the House passed a comprehensive energy bill that is one part of the solution to help lower the price of energy in the United States through increasing supply and encouraging conservation.

Finally, various SBA programs can help improve access to capital and procurement opportunities for small business. Now that the 7(a) loan guarantee program is on a stable footing, it has grown by 27 percent during the first six months of this fiscal year as compared to a similar period last year. It is on track to reach a record level of usage both in terms of the number of small businesses served and the dollar amount loaned out. The 504 Certified Development Company (CDC) and the Small Business Investment Company (SBIC) programs also play critical roles in meeting the expansion and venture capital needs of small business. In addition, SBA oversight over many of the federal procurement programs has produced positive results for small businesses—for the first time in many years, the federal government met its overall 23 percent small business goal by providing $65.5 billion in prime contracting opportunities for small business in FY 2003.

I encourage my colleagues to support H. Res. 22 and commend Representative Keller's leadership in offering this initiative.

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

Ms. VELÁZQUEZ. Mr. Speaker, I yield myself 20 seconds. I would say that a blueprint is important, but at some point we need to start building a house.

Mr. Speaker, I yield 2 minutes to the gentleman from North Carolina (Mr. PRICE).

(Mr. PRICE of North Carolina asked and was given permission to revise and extend his remarks.)

Mr. PRICE of North Carolina. Mr. Speaker, it is ironic, or perhaps hypocritical is the right word, to be passing a Small Business Bill of Rights when in fact our Republican friends are gutting the very programs that support small businesses in this country. We will very likely pass this so-called bill of rights, but the danger is that in this Congress, this will become a smoke screen for inaction or worse.

The Bush administration can find a trillion here and a billion there for tax cuts of questionable benefit to the economy, but they cannot find the funds necessary to help our small businesses that have time and time again proven their power to create jobs and spur economic growth.

The Small Business Administration budget proposed by President Bush would provide the SBA with just over half the funds they had during the final year of the Clinton administration. That is like taking money right out of the hands of our small business owners.

One out of every three small business loans in this country has been provided by 7(a). Last year the Bush administration eliminated funding to subsidize this critical program, and for the life of me I cannot figure out why.

The return on this government investment is staggering. In 2004, 7(a) loans returned an estimated $12 billion on an $80 million investment. That is a more than a 100-fold return to the economy. It does not take a genius to realize that is good business and it is good common sense.

Despite this, the President says he thinks it is not the government's business to support this program. Instead, he wants to pass the cost along to small business owners, significantly raising the fees they pay to use the program, up to $50,000 in some cases. That is ironic coming from a President who claims that any change in his tax policy will stall our economic recovery.

Mr. Speaker, Democrats understand small businesses and their need for accessible capital. In vote after vote, we are willing to support this vital sector of our economy. If the Republican leadership of this body feels the same, I suggest we stop wasting our time with feel-good resolutions and start putting our money where our mouth is.

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

Mr. Speaker, I recognize how important access to capital is to America's small businesses. That is why we listened to small business owners when they testified here last month and included language in this bill emphasizing the importance of capital and credit to small business growth. I am very happy that the 7(a) program, referenced by the gentleman, is not only thriving but that it is self-sufficient, operating at a zero subsidy and saving American taxpayers millions of dollars.

With the passage of the Small Business Bill of Rights, we will be emphasizing Congress' commitment to access to capital for small businesses.

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

□ 1430

Ms. VELÁZQUEZ. Mr. Speaker, I yield 2 minutes to the gentleman from Maryland (Mr. WYNN).

Mr. WYNN. Mr. Speaker, I thank the gentlewoman for yielding me this time.

This is very interesting, this is a resolution, sense of the Congress. It is all the good things one can imagine. They have also just recently called it a blueprint. What it is not is action. It is not concrete action to solve the problems of the small business community, and that is what Democrats are trying to say today.

If we look at it, and this is the irony, some of the things they are trying to advocate have already been passed. They talk about tort reform, and they passed some tort reform. This House has passed association health plans. I am for them; the gentlewoman is for them.

My point is they are talking about things that have passed or things that they have no intention of passing. They have had every opportunity to do something about bundling, the consolidation of Federal contracts. They have not done a thing. Democrats have been talking about this for years.

There are a lot of things in this bill that on its face are not necessarily objectionable, they are not so bad, but they do not mean anything. At the end of the day, they are empty platitudes. I do not take great offense at these platitudes, but Congress has to be candid with the American people and the American small business community and say these are platitudes that do not do anything. It is time we do something.

Let me mention one other item, and that is what is not in this bill of platitudes, and that is it does not address the concerns of the minority community. The minority community in America is about 32 percent of our population, 13 percent of our companies. The Democrats said, look, let us not just do platitudes, let us do some things to improve the condition of minority businesses, let us improve those government programs that are targeted at the minority communities, such as the 8(a) program. Let us streamline it and let us modernize it. They were not interested in that. The gentleman from North Carolina (Mr. PRICE) just pointed out we need to beef up the 7(a) program. The administration is trying to zero out that program so we do not have loans for small businesses.

What we have here is a bill of platitudes that sound nice that ignores the minority community and does not really do anything except rehash some of the ideological positions of the Republican side of the aisle, without really offering the business community any real meat.

Mr. Speaker, I urge Members to reject this bill of platitudes, and let us do something for small businesses.

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

Mr. Speaker, again I have to smile listening to the gentleman's comments because he said this is a bill of platitudes that is a partisan Republican agenda, and then he turns around and

said that he proudly supports association health plans, along with the ranking member, and we need action on them. I think that is a bit inconsistent, although I will agree with the gentleman, association health plans are very important. I think it is fair to say that they will pass overwhelmingly in the House. We want to make that a priority. I think it is fair to say the Senate has not taken them up, should have taken them up, and darn well better take them up and finally pass them this term. I think we want to send a strong message that the House considers this a top priority of small businesses.

With respect to the other issues, certainly we want to focus on the top-tier issues, such as repealing the death tax, and not just a platitude. We want it to pass and we took action last week, and it is going to come back in the form of a conference report. We want the small business community to be on record as saying that we think that is important that we finally repeal the death tax once and for all.

With respect to frivolous lawsuits and liability concerns, we will have an opportunity to address that this Congress. We want this country to know we are listening to small business people when they say that they are concerned about frivolous lawsuits and there should be some sanctions. So we have simply taken many, many issues, identified them in this blueprint by saying these are the top-tier issues that the NFIB says are the top issues to their members, the Chamber of Commerce says, and the regular people that I have interviewed say, and say, we hear you, we know you want action, and we are identifying these top priorities, and we intend to take action on those top priorities.

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

Mr. Speaker, yes, I agree with the gentleman that we have association health plans, and that is a bipartisan issue that has support; but we have voted in this House four times on that issue. How many more times do we need to vote in the House? The other side controls the White House and the Senate. On the one issue where there is bipartisan support, the other side cannot get the President to call the Senate and get this legislation passed. That is how much the other side of the aisle cares about access to health care for small businesses.

Mr. Speaker, I yield 2 minutes to the gentleman from Arizona (Mr. GRIJALVA).

Mr. GRIJALVA. Mr. Speaker, I thank the gentlewoman for yielding me this time.

The resolution we are talking about today is supposed to express the sense of Congress that we are committed to meeting the needs of small businesses. But, frankly, as we fiddle away, we ignore that small businesses need action now. We have been speaking of the most glaring example, where Congress and the administration have been long on promises and very short on action. A comprehensive health care reform for small business needs to be a priority.

The number one challenge facing our Nation's businesses today is inability to access affordable health care. The problem has deepened in the past 5 years, an increase in cost of over 60 percent over the past 5 years. While it seems that everybody recognizes there is a problem, there has been no major reforms in the last 5 years. Since 2001, the President has repeatedly talked about bringing down health care costs for small businesses, but he has done little in the way of making any real changes.

In the meantime, we have passed a bankruptcy bill, four tax cuts, a Medicare bill, a class-action bill; but the number one problem facing small businesses continues to see no action. Meaningful support means a comprehensive approach to health care reform for small business and not merely an unworkable gesture. Bringing down health care costs for small business and the self-employed is and should be a top priority. Unfortunately, Congress and the President have failed to do so. That means health care costs are going to continue to skyrocket.

We need to end the back and forth. We need comprehensive health care reform and to start taking steps forward to implement a solution that is workable and actually helps small business owners.

As the economic engines of this great Nation, small businesses deserve to be confident in their ability to provide health care for themselves, their families, and their employees. I urge a ''no'' vote on this resolution.

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

Mr. Speaker, the gentleman from Arizona (Mr. GRIJALVA) just urged a ''no'' vote. Now what does that mean: A Member is not for the things that we have here in the bill of rights, seven things that no person at any time on the Committee on Small Business has ever moved to strike, and we are voting on this Small Business Bill of Rights. We are not voting on what is not here; we are voting on what is in front of us.

I want to be very clear to Members who are heeding this gentleman's advice that they should vote ''no.'' If a Member votes ''no'' on what we are advocating, you are voting ''yes'' for higher health insurance costs, ''yes'' for higher death taxes, ''yes'' for more frivolous lawsuits, ''yes'' for more paperwork, ''yes'' for higher energy costs, ''yes'' for more obstacles to getting capital, and ''yes'' for more obstacles for getting contracts from the Federal Government for small businesses.

I believe the appropriate vote here is a ''yes'' vote to send a message to the small business people in this country that we appreciate the fact that they are creating 70 percent of all the new jobs in this country. We hear their concerns. We want to help them. We have listened to their top priorities; and by golly, we are going to work to pass each and every one of these items in this Congress.

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

Ms. VELÁZQUEZ. Mr. Speaker, I yield 2 minutes to the gentlewoman from Nevada (Ms. BERKLEY).

Ms. BERKLEY. Mr. Speaker, I thank the gentlewoman for yielding me this time.

Mr. Speaker, today we are going to vote on a resolution that will do nothing to help small businesses in Nevada and throughout this country. My friends on the other side of the aisle call this resolution the Small Business Bill of Rights; yet in my opinion this is another case where their rhetoric does not match the reality.

Small business is very important to me. Half of the businesses in Nevada are small businesses. We are all concerned about the cost of health care to small businesses. We are all concerned about the amount of paperwork that small businesses are deluged by, and we are all concerned about the skyrocketing costs of energy for all business, including small business.

But the bill before us does a disservice to small business. It fails to recognize the importance of women-owned small businesses. This is especially important in Nevada which has over 50,000 women-owned small businesses and has the fastest growing number of women-owned small businesses in the country.

The number one issue for the women in Nevada that own small businesses is access to capital. It is the number one issue for women. It is the number one issue for women-owned businesses. Gutting the 7(a) loan program and microloans is a disaster for these businesses.

House Resolution 22 also fails to condemn the illegal practice of Federal Government contract bundling. When small business owners come to see me, one of the first issues they bring up is lack of access to Federal contracting opportunities. Contract bundling shuts small businesses out of the marketplace and should certainly be included in any genuine Small Business Bill of Rights.

Nevada has been rated among the best States for entrepreneurs to start a small business. These businesses must have opportunities in the Federal marketplace. Increasing small business participation in Federal contracts will result in lower cost to taxpayers and give small businesses more opportunities in the Federal marketplace. Small businesses make up 97 percent of all business in the United States; yet the Federal Government does more than 77 percent of its business with only 3 percent of our Nation's companies.

Mr. Speaker, I urge my colleagues to vote ''no'' on House Resolution 22 and ''yes'' on the Velazquez motion to recommit.

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

Mr. Speaker, I do not know if the gentlewoman from Nevada (Ms. BERKLEY) had the opportunity to read the bill. She said it does not say anything about access to capital or contract bundling. In reality, it specifically says small businesses shall have the right to equal treatment as compared to large businesses when seeking access to start-up and expansion capital and credit. It says small businesses should have the right to open access to the government procurement marketplace through the breaking up of large contracts to give small business owners a fair opportunity to compete for Federal contracts.

We specifically added those provisions knowing that they were of concern to the minority members on the Committee on Small Business.

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

Ms. VELÁZQUEZ. Mr. Speaker, I yield 2 minutes to the gentleman from North Carolina (Mr. WATT).

Mr. WATT. Mr. Speaker, there are some things in this resolution I agree with, and there are some things that I do not agree with; but the real problem that I have with the resolution is it does nothing. It is just a bunch of rhetoric. Where I come from, we say it is a lot of words with sound and fury signifying nothing. Nothing will be done for small businesses at the end of the day under this bill.

Why we need a blueprint or a road map to address something in Congress escapes me. This bill does nothing.

The 20 businesses the gentleman from Florida (Mr. KELLER) says he talks to obviously did not include any minority businesses, and the number one issue that minority people are indicating to us as members of the Congressional Black Caucus is they cannot even get into business.

Mr. Speaker, that is 21 percent of the population, 7 percent of the small businesses, 7 percent of the businesses in this country; and yet when we tried to offer amendments to this bill to address the access to capital needs, 8(a), 7(a) and the things that are important to incentivizing minority businesses, the committee objected to including those things in this bill, and the Committee on Rules said, no, you cannot offer those amendments.

We want access to capital. We want the ability to just be able to get into business. We want access to contracts; and while the bill talks about unbundling Federal contracts, nobody on the other side of the aisle has done anything about unbundling contracts.

We have met with administration officials time after time after time, and they have done nothing. This resolution does nothing, and I encourage my colleagues to vote against it.

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

Mr. Speaker, I certainly respect the gentleman from North Carolina (Mr. WATT) and appreciate the gentleman agreeing with at least some of the positions in here, although the gentleman's position is somewhat interesting to me because on the one hand he is demanding that certain items be included that are not included, and on the other hand he says the resolution is meaningless.

□ 1445

So if in reality the resolution is meaningless, then why is it so key to him to have those things included?

The second thing he mentioned is we must not care about minority- or women-owned businesses. There is not one single thing in the Small Business Bill of Rights that says anything bad about women or minority businesses. I have not heard from any colleague any ill feelings to any women or minority businesses. There is language talking about equal access to capital and government contracts.

His saying next, I believe, we must not have talked to any folks representing minority-owned businesses, in reality we had testimony from the Chamber of Commerce at this hearing which said they represent 3 million businesses, testimony from NFIB representing 600,000 small businesses, small business owners, white, black, Hispanic and others; and they gave us their top four issues as surveyed by their own members as association health plans, repealing the death tax, cracking down on frivolous lawsuits, and reducing paperwork. So these were the top-tier issues of these organizations, which do include small businesses.

Mr. WATT. Mr. Speaker, will the gentleman yield?

Mr. KELLER. I yield to the gentleman from North Carolina.

Mr. WATT. Mr. Speaker, I appreciate the gentleman's yielding to me.

I just want to be clear on whether this committee considered any amendments dealing with 8(a) or any of the incentivizing provisions and what disposition this committee made and what disposition the Committee on Rules made of efforts to amend this resolution to include some incentives for minority business participation that would close the gap that exists between minority individuals in business and other individuals in business. Did they consider anything?

Mr. KELLER. Mr. Speaker, reclaiming my time, with respect to what was considered by the committee, the committee, minority members included, got a full hearing. Everybody got to ask questions twice. They then had three provisions added to the original Small Business Bill of Rights by me through substitute amendments, and then they got a vote on four of their six amendments before time expired. No, there was not a vote on the 8(a) program. There is nothing in here that says 8(a) is bad or good.

Ms. VELÁZQUEZ. Mr. Speaker, will the gentleman yield?

Mr. KELLER. I yield to the gentlewoman from New York.

Ms. VELÁZQUEZ. Mr. Speaker, two things. Only one person, one witness, testified on behalf of the 8(a) program. So she represented 100 percent of minority businesses in this country. Secondly, is it not true that in the list of priorities for NFIB, frivolous lawsuit does not make the top 50, it does not rank?

Mr. KELLER. Mr. Speaker, reclaiming my time, and certainly she can get her own time to respond, but, no, there was a lady who was invited to testify before the committee representing herself. She certainly did not represent 100 percent of all minorities in the country. She did not pretend to represent any minorities other than herself.

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

Ms. VELÁZQUEZ. Mr. Speaker, I yield 2 minutes to the gentlewoman from California (Ms. LINDA T. SÁNCHEZ).

Ms. LINDA T. SÁNCHEZ of California. Mr. Speaker, I thank the gentlewoman from New York (Ms. VELAZQUEZ) for yielding me this time.

Mr. Speaker, I rise in opposition to H. Res. 22, the so-called Small Business Bill of Rights. There is nothing that is right about this resolution since it does not recognize the right of small businesses to have access to capital that meets their needs.

Last night I offered an amendment to the Committee on Rules that recognized the right of small businesses to have access to capital; and I am extremely disappointed that, despite valiant efforts on the part of Democrats, this amendment was not made in order. Small businesses need the 7(a) loan program, the microloan program, and other SBA access to capital programs that help them maintain and expand their businesses.

My amendment would have also recognized the importance of the microloan program, which provides small loans to startups that are not served by traditional lenders. I know for a fact that access to capital programs are vitally important to small businesses in my district because when I held a small business roundtable meeting, access to capital was the number one issue each business brought forward as being an obstacle; and I know that this is the number one issue across the country.

Why are we not helping small businesses? They produce two-thirds to three-quarters of all the new jobs in this country, and they are the backbone of our economy. Unfortunately, many small businesses continue to face barriers to accessing the capital they need.

And I believe that Congress needs to take a stand today and strengthen these programs. It is time for Congress to go on the record in support of access to capital programs, like the microloan program, like the 7(a) loan program. Small businesses need more than just rhetoric and good intentions. They need action by this Congress.

So I urge my colleagues to oppose this resolution because it leaves out this critical priority.

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

I will respond to the comments of the gentlewoman from California. Mr. Speaker, no one, no one, at the hearing of this resolution, either submitted written testimony or spoke about the Small Business Administration's microloan program. That is not to say that the program is unimportant. The Committee on Small Business has argued against eliminating the microloan program in the past. However, the main purpose of this resolution is to include only those issues that affect a broad cross-section of all small businesses. The microloan program serves a small niche marketplace. Access to capital issues are already addressed in the Small Business Bill of Rights. We specifically say small businesses should be entitled to the right to equal treatment as compared to large businesses when seeking access to startup and expansion capital and credit.

Again, this is an example of someone criticizing the resolution not for what it says. They do not disagree with what it says. It is something that is not even there in it, and it confounds me a little bit. And I have to tell my colleagues when I interviewed various businessmen, they had a lot of ideas that they thought should be included and focused on in Congress that, frankly, I did not include in this resolution, even though I like them and they are sincere and it is important to them, because it was not a top-tier issue. It did not affect a broad cross-section of people. It was not a consensus noncontroversial issue.

Just to give one example, one of the businessmen I interviewed was Mr. Bruce O'Donohue, who installs traffic lights. He says the biggest frustration as a small business person is getting reimbursed from the local, State, and Federal Government when they install traffic lights. It has a big impact on a small business guy to do work and then wait 4 or 5 months to get paid much more than it does a Fortune 500 company. I am sure for him this is more important than death tax laws and association health plans and frivolous lawsuits, and I do not doubt the sincerity. But I did not include it because it was the only time I heard it. It did not come up in the hearing. It was not a broad consensus issue.

So I could have made this piece of legislation as thick as a phone book and included everything in the world, but then nothing would ever get done. Instead, we decided to go with a blueprint of the top-tier issues that essentially says to Congress these are important; and if we do nothing else, let us at least achieve these top priorities.

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

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

Mr. Speaker, I just would like to say that more than 50 percent of the microloan program loans went to minority entrepreneurs, making it a critical source for funding for new minority-owned firms. That is quite a niche for us. It might not be for the other party.

Mr. Speaker, I yield 2 minutes to the gentlewoman from California (Mrs. NAPOLITANO).

Mrs. NAPOLITANO. Mr. Speaker, I am sitting here listening to the information being disseminated in regards to small business.

I have been for many years a small business entrepreneur, if the Members will. I have sat on the committee for 6 years and have seen how the funding for some of the programs that are most helpful to minority business and other small business have dwindled and we have had to fight, especially for women-owned businesses. One year it was from 8 million, increased by 3 million to all of 11 million for the whole of the United States. Yet women-owned businesses were the biggest growing segment of new business in the United States.

So here we have areas that need help. The ability for some of our small business to grow, to be able to start up, grow, to be able to expand, to create the jobs. Small business is the recovery engine of our United States; and yet we are saying these are important things, that it does not really say anything about it, it just does not say anything about them to help them grow in these hard economic times that we are facing right now. When we are talking about the reimbursement of business license, that is a local issue. That is local government. It has nothing to do with the Federal Government. Those are reimbursement issues that procurement at the local level is handling. That has nothing to do with assistance in programs that will enable small business to be able to produce the jobs that we need to recover.

And, yes, there are a lot of other issues that I could bring up, but I stand here and cannot help but wonder why they are so adamantly opposed to add provisions in a bill this year that we can institute to be able to further along our engine of recovery through our small business assistance.

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

Ms. VELÁZQUEZ. Mr. Speaker, I yield 3 minutes to the gentleman from Georgia (Mr. BARROW).

Mr. BARROW. Mr. Speaker, I rise in support of today's Small Business Bill of Rights, but I feel it necessary to address the concerns of the one small business community whose concerns are not addressed in this resolution, America's minority-owned businesses. This is not a small part of the small business marketplace. It is not a niche market, though this resolution treats the minority small business market as though it were a niche market.

Despite the fact that nearly one-third of America's population consists of minorities, these individuals own only 15 percent of America's small businesses.

Earlier this month, the gentlewoman from Wisconsin (Ms. MOORE) and I attempted to offer an amendment to address this disproportion. Our amendment was simply a call for modernizing and streamlining the eligibility criteria of the Small Business Administration's 8(a) program so that minority-owned small businesses had substantially the same eligibility criteria that we use to serve the rest of the small business community.

The 8(a) program was created nearly 40 years ago, and it is the major business development program that this government offers to help minority business development.

Currently, businesses applying for 8(a) certification have to meet a number of restrictive criteria. These include a net worth cap of $250,000; a 9-year maximum time in the program; a weaning off of government contracts; having been in business for 2 years prior to entering the program; and having to show written proof of ''prospects for success.''

Today these restrictions apply only to the 8(a) program. The eligibility criteria for the 8(a) program has not been updated, revised, or changed at all in the last 17 years. During that time, we have seen many other improvements in the Federal marketplace, including three new procurement programs targeting specific sectors of the small business community: the HUBZone program, the Women's Procurement program, and the Small Disadvantaged Business program. These are good initiatives that help America's small businesses; but in order to qualify for them, they do not have to jump through the same hoops they have to jump through to get 8(a) certification.

Mr. Speaker, 17 years without a legislative update is the equivalent of repeal by neglect. Instead of ensuring that minority entrepreneurs have equal access to Federal contracts and subcontracts, this resolution does nothing to eliminate out-of-date and unnecessary obstacles for minority-owned companies.

Mr. Speaker, this amendment was not even given the chance to be considered in committee. Just when it was time for us to introduce our amendment, a motion for previous question was made, preventing us from even introducing our amendment.

Yesterday, I argued before the Committee on Rules that this amendment be considered today, and that request too was denied.

Mr. Speaker, I understand that this is a House of procedure and protocol. But the curious and unusual procedure and protocol afforded this amendment has been unfair and unjust.

This resolution offered us an opportunity to help remove antique barriers that limit the potential of our Nation's minority-opened businesses. Until this Congress addresses the fact that minority small businesses have to jump

through hoops that do not apply in other small business programs, minority small businesses will continue to be second-class concerns.

A bill of rights for small businesses ought to fix that.

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Mr. KELLER. Mr. Speaker, I continue to reserve the balance of my time.

Ms. VELÁZQUEZ. Mr. Speaker, I would like to inquire of the Chair how much time is remaining on both sides.

The SPEAKER pro tempore (Mr. FOLEY). The gentleman from Florida (Mr. KELLER) has 9 minutes remaining; the gentlewoman from New York (Ms. VELÁZQUEZ) has 8 minutes remaining.

Ms. VELÁZQUEZ. Mr. Speaker, I yield 2 minutes to the gentlewoman from Ohio (Mrs. JONES).

(Mrs. JONES of Ohio asked and was given permission to revise and extend her remarks.)

Mrs. JONES of Ohio. Mr. Speaker, I want to, so the world knows, speak in support of all of the work that the gentlewoman from New York (Ms. VELÁZQUEZ) has done on behalf of small business across this country. Without her leadership, small businesses might not have a voice in this Congress.

I rise to speak in opposition to this resolution and, specifically, on the importance of tax relief for American small businesses. This bill specifies that small businesses have ''the right to be free of unnecessary, restrictive regulations and paperwork which waste the time and energy of small business, while hurting production and preventing job creation.''

My only question is, what have the Republicans done since they took the majority in 1994 to relieve the tax burden on small business? Over a decade ago, when Republicans took control of the House, they promised that they would make our tax laws more simple and fair. Former Committee on Ways and Means Chairman Bill Archer promised on many occasions that he was going to rip the code out by its roots and replace it with a simpler one. This has not happened.

Actually, Mr. Speaker, the truth is no action has been taken. The Republicans have done the very opposite of what they promised.

Here are some disturbing facts. The IRS estimates that the average taxpayer with self-employed status has the greatest compliance burden in terms of preparation: 59 hours. This is about 10 hours longer than in 1994. According to the GAO, in 2000 and 2001, small businesses overpaid their taxes by $18 billion because of return errors and complexity in the Tax Code. The Small Business Act of 1996 made 657 Tax Code changes that expanded the code by more than 50 pages. The Job Growth and Tax Relief Act of 2003 made 51 Tax Code changes and expanded the Tax Code by nearly 12 pages. During the 108th Congress, the Republicans orchestrated nearly 900 changes to the Tax Code. And it goes on.

I just rise to say, Mr. Speaker, that I rise in opposition to the legislation. Small businesses need a simplified Tax Code.

An analysis of the legislation by the Joint Committee on Taxation describes how the new law will require more than 10 percent of all small businesses to keep additional records, result in more disputes with the IRS, increase tax preparation costs, and require additional complex calculations.

Mr. Speaker, small businesses are the foundation of our economy. They need a tax system that frees resources for investment and encourages job creation. We must support small businesses and American entrepreneurship.

When this resolution before us states that small businesses have "The right to be free of unnecessary, restrictive regulations . . .," we can't help but question the sincerity of that declaration.

Since they took the majority in 1994, Republicans have enacted 42 new tax laws. These new laws contain 4,268 changes to our tax code, resulting in over 500 additional pages to our tax code. These changes have made the tax code significantly more complex for Americans and small businesses, with no serious effort to provide tax simplification.

Mr. Speaker, when we say that small businesses have the right to be free from unnecessary regulation and deserve tax simplification, we cannot just "talk the talk." We must also "walk the walk." This is the time in which we need to initiate fundamental tax reform; it has become vital to our small businesses and American entrepreneurship. We must act now.

Mr. KELLER. Mr. Speaker, I yield myself such time as I may consume, just to respond to one allegation by the gentlewoman which essentially was that Republicans have been in power for a while and have done nothing to help small businesses with respect to tax relief. I would dispute that pretty vigorously, and I do not need to look for too many examples of that.

When I was elected to Congress in the year 2000, small businesses, most of which are subchapter S pass-through entities, were paying a tax rate of 40 percent. On the other hand, the Fortune 500 corporations were paying a corporate tax rate of 35 percent. President Bush thought that was unfair, and we passed President Bush's tax relief initiative and brought small businesses from 40 percent down to 35 percent. We have seen 2 million new jobs created in the past year in large part because of that tax policy, and, in fact, 70 percent of those new jobs were created by small business people.

He also thought it was important that people have incentives to invest, so he asked us and we complied, and we lowered the capital gains tax from 20 percent down to 15 percent. We have had extraordinary tax growth. So I think the President has taken the lead with respect to tax relief, and the Congress has agreed with him, and we have had some pretty good success with that.

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

Ms. VELÁZQUEZ. Mr. Speaker, small businesses got only $500. That is nothing compared to the $3,000 that they have to pay in fees through the 7(a) program.

Mr. Speaker, I yield 2 minutes, 15 seconds to the gentlewoman from Wisconsin (Ms. MOORE).

(Ms. MOORE of Wisconsin asked and was given permission to revise and extend her remarks.)

Ms. MOORE of Wisconsin. Mr. Speaker, I will not repeat the many cogent remarks that my colleagues have made, but I would like to address some of the things that the gentleman from Florida has said.

First of all, minority- and women-owned businesses are very, very proud to have contributed to this economy. The 3 million businesses with close to 5 million workers have generated close to $600 billion in revenue. My concern is that there will be a serious attrition because, in fact, the programs that have helped to create these businesses are being gutted and have not been improved in 17 years. As a result of our not modernizing these programs, there has been a loss of $10 billion in Federal contracting opportunities.

I would also like to address the gentleman's remarks about no one having a complaint about things in this bill. I suppose, Mr. Speaker, that the welcome for me, a new Member of Congress, is that I was not even allowed to debate my amendment, something that I regret, because I feel that I am a great contributor.

Mr. Speaker, I would just like to share a few of the staggering economic statistics in my district of Milwaukee, Wisconsin. In the past 5 years, the city of Milwaukee has lost 33,000 manufacturing jobs. We have had an 80 percent unemployment increase among residents in the city of Milwaukee. According to the Bureau of Labor Statistics, 59 percent, 59 percent of African American males are unemployed, and 92 percent of them live in the city of Milwaukee.

The late great Ronald Reagan once said anecdotally, the best way to address minority business unemployment is to create minority businesses. I could not have said it better.

Mr. Speaker, small businesses create nearly 75 percent of all new jobs, account for 99 percent of all employers, and make up half of our nation's Gross Domestic Product, GDP. Many people of color have embraced the idea of the American dream through business ownership, as minorities own more than 3 million businesses with close to 5 million workers and generate close to $600 billion in revenue.

However, despite the fact that minorities make up one-third of the population, minority-owned businesses account for only 15 percent of all U.S. companies. It seems that an ownership divide exists in this country and more of an effort should be made to encourage minority entrepreneurship. Unfortunately, H. Res. 22 does not adequately reflect the challenges facing many of today's minority entrepreneurs.

Let me briefly run down a few staggering statistics in terms of my district:

Since 1999, the number of unemployed residents in Milwaukee has increased by close to 80 percent.

According to the 2000 census, 59 percent of African American working age males in Milwaukee are either unemployed or out of the workforce.

In the past 5 years, the city of Milwaukee has lost 33,000 manufacturing jobs.

Ninety-two percent of the Metropolitan Milwaukee area's African American labor force lives in the city of Milwaukee.

I know the creation of a handful of new small businesses in my district would be a step in the right direction towards addressing some of the eye-opening figures I mentioned a moment ago. But the resources have to be made available in order to make this happen. Sadly, the actions of the federal government indicate the opposite.

It concerns me that programs established by Congress to promote minority business development, such as the SBA's 8(a) program, have been ignored and allowed to fall behind the times—with no action taken during the past 17 years to ensure that these vital services are able to meet the demands of today's small business marketplace. This is unacceptable.

In the meantime, numerous reforms occurred in the federal procurement process that made it quicker and easier to participate in contract practices. Regrettably, minority-owned firms were unable to capitalize on these improvements due to the outdated procurement initiatives offered through minority business development programs. As a result, these companies lost out on nearly $10 billion in Federal contracting opportunities.

In addition, there are significant racial disparities in Small Business Administration's lending practices. The average loan size for 7(a) loans is $170,000. However, the average 7(a) loan for African American-owned companies is $86,000, and the average 7(a) loan for Hispanic-owned businesses is $128,000.

The Federal Government has also added to the barriers to success already facing minority small business owners though the shutdown of the Small Business Investment Company's, SBIC, Participating Securities program. In 2003, 14 percent of all SBIC's program financings in 2003 went to minority-owned businesses. Entrepreneurs now have one less avenue for capital.

Furthermore, the administration also recommended eliminating the SBA's MicroLoan and PRIME programs, which provide financing and technical assistance to budding minority entrepreneurs. Given the importance of small businesses to the American economy and the serious problems facing urban communities, Congress should take proper action to accommodate the needs of small business owners.

Mr. Speaker, along with my colleague from Georgia, Representative BARROW, I made a good faith effort to introduce an amendment during the Small Business Committee Markup of H. Res. 22 which would have added the concerns of minority small business owners. Unfortunately, we were never granted the opportunity to offer our amendment.

To paraphrase former President Reagan, "the best way to increase employment in minority communities is to increase the number of minority-owned businesses." I couldn't have said it better myself.

This Small Business Bill of Rights does not accurately reflect the concerns of all small businesses in my district. Therefore, I cannot support the resolution. I urge my colleagues to vote "no" on H. Res. 22.

Mr. KELLER. Mr. Speaker, I continue to reserve the balance of my time.

Ms. VELÁZQUEZ. Mr. Speaker, I would like to inquire how much time is left.

The SPEAKER pro tempore. The gentlewoman from New York has 3¾ minutes remaining; the gentleman from Florida has 7½ minutes remaining.

Ms. VELÁZQUEZ. Mr. Speaker, I yield 1½ minutes to the gentleman from Illinois (Mr. DAVIS).

(Mr. DAVIS of Illinois asked and was given permission to revise and extend his remarks.)

Mr. DAVIS of Illinois. Mr. Speaker, in my community, there is an old saying that goes: After all is said and done, much more is said than done.

Now, we have heard a great deal about what some people have called the do-nothing, the empty-promises Small Business Bill of Rights. The gentleman from Florida asked the question, if you vote against this, what are you really voting against? What you are voting against is the gamesmanship of playing games with the needs of small businesses.

Yes, small businesses need some things. They need access to capital, money, cash. They need venture capital, money, cash to expand and grow their businesses. They need protection from the inopportunity to do business. They need the big contracts broken up, unbundled, so that they can compete. So they need assistance. They do not need rhetorical commentary, they do not need advice, they need help.

I am afraid that my colleagues have been correct. This legislation is full of empty promises. As my colleague from North Carolina said, sound and fury signify nothing.

We all love small businesses, but we want them to know the truth. The Bible says, "Know ye the truth, and the truth will set you free."

The truth is, this administration has not been supportive of small businesses.

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

Again, I respect the comments and enthusiasm of the gentleman from Illinois, and I wish I had his wonderful voice, by the way; maybe I would be more persuasive.

We hear criticisms that, well, this is just a blueprint, we need action. And then it is criticized because it does not have a thing or two that they want in there. So if it is, in fact, a meaningless blueprint and does not in fact do what I say it does, and that is provide a blueprint of action for this Congress, why are they so desperately trying to get their provisions in here?

I have to tell my colleagues that there are some folks who do not agree with their characterization that this is not important. The NFIB, which represents 600,000 small businesses, sent out a letter yesterday to every Member of Congress, please vote for the Keller Small Business Bill of Rights. This is important to us to have this blueprint.

The Chamber of Commerce sent out a letter on April 25, 2 days ago, which represents 3 million people, asking each Member of Congress, please vote for this Small Business Bill of Rights. This is a blueprint that is critical to have on the record so that this Congress will follow it.

I believe that we do need to have action after this. I believe that the gentlewoman from New York (Ms. VELÁZQUEZ) was smart and right to cosponsor the Association Health Plans. I share her criticism as to why the Senate has not acted, but we are going to act on this, and we are going to demand they act.

She inquired of me earlier, well, you, and I assume she meant my party, control the White House and the Senate; why do you not do something and get the President to act? I have to share with my colleagues that on March 18, just a little while ago, I had the happy privilege of flying down to my home district of Orlando with President Bush on Air Force One and he invited me up to his cabin there where his mom, Barbara Bush was, and I got the chance to chat with them, just he and I and Senator MARTINEZ, for an hour. He said, if you could have me do anything, what would you want me to do? I said, sir, I want you to use your bully pulpit to help us pass association health plans in the Senate. He said he supports it and he would agree to do that.

So I do not know what more I can do, other than asking the Commander in Chief, one on one, and getting his commitment that he is going to push for that. But I have tried. I wish I were a dictator for a day sometimes, because if I was, we would have association health plans.

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

Ms. VELÁZQUEZ. Mr. Speaker, I yield 1 minute to the gentlewoman from Guam (Ms. BORDALLO).

Ms. BORDALLO. Mr. Speaker, I rise today to address a provision of H. Res. 22 that states that small businesses have a right to be free from unnecessary regulation and paperwork. Small business is important to me, Mr. Speaker, since 95 percent of the businesses in Guam are small businesses. My concern is the practical aspect of including this language in a bill that is meant to serve essentially as a statement of legislative goals for the 109th Congress.

The Regulatory Flexibility Act is routinely ignored by Federal agencies who are supposed to review regulations every 10 years. The Office of Advocacy and the Office of Information and Regulatory Policy are the offices assigned to review proposed regulations.

The point is that sufficient authority exists to protect small businesses against unnecessary regulatory burdens but, unfortunately, Mr. Speaker,

these laws are not being carried out to the intended level by the executive branch. I agree with the regulatory provision of H Res. 22. However, this issue should remain where it belongs: in the committee's oversight plan.

Mr. Speaker I, therefore, support House Resolution 22.

Mr. Speaker, I rise to address a provision of H. Res. 22 that states that small businesses have a right to be free from unnecessary regulation and paperwork. My purpose is not to judge the merits of this provision in the rhetorical sense, as I too agree that we need to do more to relieve the regulatory and paperwork burden on small businesses. My concern is the practical aspect of including this language in a bill that is meant to serve essentially as a statement of legislative goals for the 109th Congress, particularly a bill such as H. Res. 22 that has unfortunately poisoned some of the bipartisan spirit that I believe made the Small Business Committee so strong and effective in past Congresses.

Section 610 of the Regulatory Flexibility Act requires federal agencies to review regulations every ten years in order to strike or revise those provisions which are obsolete or for which a more modern perspective would lead to a better rule. This Act is routinely ignored by federal agencies. The Office of Advocacy and the Office of Information and Regulatory Policy are the offices assigned to review proposed regulations for their impact on small businesses and to ensure that agencies comply with the Regulatory Flexibility Act and the paperwork Reduction Act. Both offices have been provided fewer resources than in previous years, with the administration now proposing to eliminate the line item for advocacy's research budget.

The point is that sufficient authority exists to protect small businesses against unnecessary regulatory burdens, but unfortunately these laws are not being carried out to the intended level by the executive branch. I agree with the regulatory provision of H. Res. 22 in substance, however, this issue should remain where it belongs: in the committee's oversight plan. As the ranking member of the Regulatory Reform and Oversight Subcommittee, I am very much looking forward to conducting oversight hearings on the challenges facing the Federal agencies in complying with existing mandates. The chairman of my subcommittee is a good man, with whom I know there exists much common ground for which we can work on a bipartisan basis.

Last year, we worked on a bipartisan basis to advance an SBA reauthorization that had many important provisions. We worked together on a number of other items such as small business health care and restoring funding for the 7(a) Loan Program that we felt were of mutual interest to small businesses despite objections from other members of our own parties. Unfortunately many of the bipartisan points were scuttled, including a very important provision for my district, and many of the issues for which there is not as strong a consensus are now being advanced. I don't question the commitment to small businesses of those supporting or not supporting H. Res. 22. I do however question whether or not this strategy is conducive to what we really need to be doing as a committee and as a Congress in advancing the interests of our small business community, particularly those issues on which we all agree.

Mr. KELLER. Mr. Speaker, I continue to reserve the balance of my time.

Ms. VELÁZQUEZ. Mr. Speaker, who was the right to close?

The SPEAKER pro tempore. The gentleman from Florida has the right to close.

Ms. VELÁZQUEZ. Mr. Speaker, I ask unanimous consent for an additional 1½ minutes for myself.

Mr. KELLER. Mr. Speaker, I yield 1 minute to the gentlewoman from New York (Ms. VELÁZQUEZ).

The SPEAKER pro tempore. The gentlewoman is yielded an additional 1 minute then, for 2¼ minutes.

Ms. VELÁZQUEZ. Mr. Speaker, I yield myself the remaining time.

My colleagues have all heard about the challenges facing small business today during this debate. It has become very clear that House Resolution 22 will do nothing to address these issues, and it is nothing more than pure rhetoric.

This resolution fails terribly in providing strong solutions and action items to help this Nation's small businesses. It also fails terribly in representing the needs of all sectors of the small business community. With all the respect due to the main sponsor of this resolution, 20 small businesses from his district do not represent 20 small businesses in my district, or 20 small businesses in any other Members' district. By voting for House Resolution 22, you are merely casting a blank ballot. This bill of rights is nothing more than empty promises to our Nation's small businesses.

I am going to request a motion to recommit this bill back to the committee. By voting for this motion to recommit, you will be voting to give small businesses the opportunity to truly receive more capital through SBA lending programs and to protect them from free trade agreements. Most importantly, you will be voting to make the needs of women- and minority-owned businesses a true priority. These are critical provisions that need to be addressed.

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This resolution does not represent the needs of all our Nation's small businesses. In order to enhance House Resolution 22, I urge you to vote ''yes'' on the motion to recommit this legislation to the committee. And I urge you to vote ''no'' on final passage.

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

The SPEAKER pro tempore (Mr. FOLEY). The gentleman from Florida has the right to close.

Mr. KELLER. Mr. Speaker, may I inquire as to how much time I have remaining.

The SPEAKER pro tempore. The gentleman from Florida has 4½ minutes remaining.

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

Mr. Speaker, let us talk a little bit about this Small Business Bill of Rights and whether or not it accurately represents small business people. When I was assigned to the Small Business Committee, before accepting my Chair there, I decided to personally go interview small business people in my district.

I did not pretend to have any idea as to what their top issues were. I just knew that they were creating 70 percent of all new jobs in this country; and I wanted to see what, if anything, I and other Members of Congress could do to help them. I went into those meetings with an open mind. I then came out learning that the skyrocketing health insurance was the number one issue, and they wanted association health plans.

I learned their number two issue was small family-owned businesses wanting to pass the businesses from one generation to the next under some reformed death tax laws. Right now what we have was unacceptable.

I have learned that they had concerns about frivolous lawsuits, and their liability premiums were going up, and that it was hard for them to defend a case in court, even if they were not at fault, because attorneys are so expensive, and so they would rather pay 10 grand to settle a case where they did nothing wrong rather than pay $100,000.

I also learned that they were spending about $5,500 per employee on unnecessary paperwork and regulations. I learned from these meetings that, in fact, those were not only the top four issues, but in about that order.

And then later, when the gentlewoman from New York (Ms. VELÁZQUEZ) said that she wanted to have a hearing on this matter, we had the majority and minority call witnesses. And I did not know what these witnesses were going to say at that hearing.

But when we got to the hearing, we had the U.S. Chamber of Commerce, which does represent 3 million businesses, and not just the 20 I spoke of, say that, in fact, according to the polls of those members, those four issues that consistently came up in my district of Orlando were the top four issues in the country facing small businesses.

We then had a gentleman testify on behalf of NFIB named Jerry Pierce. And he testified those were the top four issues according to him and NFIB. And so, in fact, we had isolated the top four issues affecting small businesses, and they rightfully deserve to be there.

So we put together this Small Business Bill of Rights; did not do it alone, sat down and talked with a Democrat colleague of mine who is the original cosponsor of this, the gentleman from Alabama (Mr. CRAMER), and put together what we thought were the top four issues.

We then had a hearing. And the minority said, well, there are some other issues that are also important dealing

with energy costs and access to capital and contract bundling. We put those there as well.

And so we came up with this Small Business Bill of Rights, not by accident or witchcraft or consulting some psychic. We came up with these issues by talking directly to business people out in the field, in congressional hearings, and listening to what they said in their surveys. And we came up with a pretty good bill that almost everyone, Republican and Democrat, should support.

Now, there is a reason not to support this; and I will tell you, in the interest of straight talk. If you disagree with what this says, and you believe there should be higher health insurance, then do not support it. If you think there should be more taxes, then do not support it. If you think we should have more frivolous lawsuits, do not support it. If you want more red tape and paperwork, do not support it. If you want higher energy costs, do not support it. If you want more obstacles to getting contracts, do not support it. If you want it to be harder to get access to capital, do not support it. But if you are a small business person and you represent small business people, realize that this Small Business Bill of Rights represents what they tell us they want Congress to do.

During this week, National Small Business Week, let us send a message to small business people: we hear you, we have a resolution listing these as the blueprint for our priorities in Congress, and we are going to vote ''yes'' to send a message that we are going to get these things done, if nothing else.

With that, Mr. Speaker, I ask my colleagues on both sides of the aisle to vote ''yes'' on H. Res. 22 and vote ''no'' on the motion to recommit.

GENERAL LEAVE

Mr. KELLER. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days within which to revise and extend their remarks and include extraneous material on H. Res. 22.

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

There was no objection.

Mr. UDALL of New Mexico. Mr. Speaker, thank you for allowing me the opportunity to offer my remarks today regarding H. Res. 22. As a member of the House Small Business Committee, small business creation and development is one area in which I take great interest. As the Representative from a largely rural district, I understand that small businesses are the livelihood of rural America. They bring goods and services to these communities, providing the foundation for local rural economies. They also are the main source of employment in many rural areas.

In many rural areas, it is a priority to ensure small businesses access to capital. Without access to financing, small businesses are unable to target new markets, grow, or even hire new workers. Often, undercapitalized businesses go bankrupt, leaving a void in rural communities across the country.

The Small Business Administration's 7(a) loan program was created to fill this void as well as to ensure that small businesses would always have an available source of affordable capital. The program is administered by a network of lenders, which based on SBA rules, sets up its own processes. SBA provides a guarantee on a portion of the loan, and allows the bank to extend more capital than they would without the guarantee. The 7(a) loan program, which is the SBA's core lending program, is responsible for 30 percent of all long-term lending to small business owners.

Unfortunately, the Administration recently shifted the cost of the 7(a) program to small businesses and their lenders—raising fees on these loans for both the borrowers and lenders. Upfront fees were raised by nearly $1,500 for smaller loans and as much as $3,000 for larger loans. For the largest loans available, which are for $2 million, these fees are now over $50,000. This has doubled lenders' annual costs for making loans and reduced their incentives for participating in the program.

The Administration's actions are starting to take their toll. During the last quarter of FY04, when the program was operating unfettered and with lower fees in place, the program did $3.94 billion worth of business. Recent quarterly figures show that this has dropped to $3.42 billion—a 14 percent decline. And the Administration has now proposed more fees for next year. This will only serve to further harm small businesses and the communities that they are located in.

There are many creditworthy businesses that are in need of capital but that do not fit a lender's traditional underwriting standards. Some entrepreneurs put off needed improvements or forgo potential expansion. Others are forced to turn to costly lending alternatives and end up financially strapped with insurmountable debt before their companies have even had a chance to get off the ground.

To make things worse, credit conditions are tightening for small business owners. The Federal Reserve has just raised interest rates for the seventh time since last June. Many lenders have followed suit, lifting their prime lending rates to 5.75 percent. Small business loans are tied to the prime lending rate, and as a result many small businesses will face higher interest rates.

It is evident that many small business owners are unable to access the capital they need. This creates a situation where not only is the entrepreneur unable to achieve their goal, but our local communities lose out on the potential job creation and economic growth that these new firms bring with them.

Small businesses are critical to our nation's economy and we must ensure that they have access to capital. Yet, this resolution fails to call for Congress to help strengthen the SBA programs that best help small businesses. This resolution falls far short of helping small businesses. As such, I urge my colleagues to oppose H. Res. 22.

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

The SPEAKER pro tempore. All time for debate has expired.

Pursuant to House Resolution 235, the previous question is ordered on the resolution and the preamble, as amended.

MOTION TO RECOMMIT OFFERED BY MS. VELÁZQUEZ

Ms. VELÁZQUEZ. Mr. Speaker, I offer a motion to recommit.

The SPEAKER pro tempore. Is the gentlewoman opposed to the resolution?

Ms. VELÁZQUEZ. Yes, in its current form.

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

The Clerk read as follows:

Ms. VELÁZQUEZ moves to recommit the bill, H. Res. 22, to the Committee on Small Business.

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

There was no objection.

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

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

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

The yeas and nays were ordered.

The vote was taken by electronic device, and there were—yeas 188, nays 222, not voting 24, as follows:

[Roll No. 140]

YEAS—188

Abercrombie
Ackerman
Allen
Andrews
Baca
Baird
Baldwin
Barrow
Bean
Becerra
Berkley
Berman
Berry
Bishop (GA)
Bishop (NY)
Blumenauer
Boswell
Boucher
Boyd
Brady (PA)
Brown (OH)
Butterfield
Capps
Capuano
Cardin
Cardoza
Carnahan
Carson
Chandler
Clay
Cleaver
Clyburn
Cooper
Costello
Cramer
Crowley
Cuellar
Cummings
Davis (AL)
Davis (CA)
Davis (FL)
Davis (IL)
Davis (TN)
DeFazio
DeGette
Delahunt
DeLauro
Dicks
Dingell
Doggett
Doyle
Edwards
Emanuel
Engel
Eshoo
Etheridge
Evans
Farr
Fattah
Filner
Ford
Frank (MA)
Gonzalez
Gordon
Green, Al
Green, Gene
Grijalva
Gutierrez
Harman
Hastings (FL)
Herseth
Higgins
Hinchey
Holden
Holt
Honda
Hooley
Hoyer
Inslee
Israel
Jackson (IL)
Jackson-Lee (TX)
Jefferson
Johnson, E. B.
Jones (OH)
Kanjorski
Kaptur
Kennedy (RI)
Kilpatrick (MI)
Kucinich
Langevin
Lantos
Larsen (WA)
Larson (CT)
Lee
Levin
Lewis (GA)
Lipinski
Lofgren, Zoe
Lowey
Maloney
Markey
Marshall
Matheson
Matsui
McCarthy
McCollum (MN)
McDermott
McGovern
McIntyre
McKinney
McNulty
Meehan
Meek (FL)
Meeks (NY)
Melancon
Menendez
Michaud
Millender-McDonald
Miller (NC)
Miller, George
Mollohan
Moore (KS)
Moore (WI)
Moran (VA)
Murtha
Nadler
Napolitano
Neal (MA)
Oberstar
Olver
Ortiz
Owens
Pallone
Pascrell
Pastor
Payne
Pelosi
Peterson (MN)
Pomeroy
Price (NC)
Rangel
Reyes
Ross
Roybal-Allard
Ruppersberger
Rush
Ryan (OH)
Sabo
Sánchez, Linda T.
Sanchez, Loretta
Sanders
Schakowsky
Schiff
Schwartz (PA)
Scott (VA)
Serrano
Sherman
Skelton
Slaughter
Smith (WA)
Snyder
Solis
Spratt
Stark
Strickland
Stupak
Tanner
Tauscher
Thompson (CA)
Thompson (MS)
Tierney
Towns
Udall (CO)
Udall (NM)
Van Hollen
Velázquez
Visclosky
Wasserman Schultz

Waters
Watson
Watt
Waxman
Weiner
Wexler
Woolsey
Wu
Wynn

NAYS—222

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

NOT VOTING—24

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

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

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

□ 1546

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

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

So the motion to recommit was rejected.

The result of the vote was announced as above recorded.

Stated for:

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

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

The resolution was agreed to.

A motion to reconsider was laid on the table.

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

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

Record votes on postponed questions will be taken tomorrow.

SUPPORTING GOALS OF WORLD INTELLECTUAL PROPERTY DAY

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

The Clerk read as follows:

H. RES. 210

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

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

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

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

Whereas World Intellectual Property Day is an opportunity to encourage young people everywhere to recognize the creator, the problem-solver, and the artist within themselves, because the classrooms of today will produce the entrepreneurs, the scientists, the designers, and the artists of tomorrow;

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

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

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

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

Resolved, That the House of Representatives—

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

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

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

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

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

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

GENERAL LEAVE

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

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

There was no objection.

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

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

economic, social, and cultural development.

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

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

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

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

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

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

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

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

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

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

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

World Intellectual Property Day brings attention to the importance of intellectual property in the world economy and celebrates the contribution made by innovators and artists to the development and growth of societies across the globe. While most Members of the Congress have had the opportunity to see firsthand the importance of intellectual property to artists and businesses in our respective districts, World Intellectual Property Day serves as a helpful reminder to us and as an educational tool for those who may not realize how vital intellectual property is to our economic prosperity.

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

The question was taken.

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

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

The yeas and nays were ordered.

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

GENERAL LEAVE

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

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

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

There was no objection.

CHILD INTERSTATE ABORTION NOTIFICATION ACT

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

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

□ 1556

IN THE COMMITTEE OF THE WHOLE

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

The Clerk read the title of the bill.

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

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

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

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

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

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

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

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

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

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

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

□ 1600

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

Please listen carefully and reject this unwarranted piece of legislation.

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

□ 1615

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

□ 1630

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

I urge my colleagues to vote against this deplorable legislation.

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

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

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

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

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

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

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

I certainly encourage and urge passage of this legislation.

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

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

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

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

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

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

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

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

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

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

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

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

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

□ 1645

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

□ 1700

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

There are so many reasons to vote against this bill.

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

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

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

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

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

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

CIANA is potentially dangerous from a health and safety perspective.

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

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

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

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

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

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

I implore you to vote against this bill.

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

He went on to say:

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

And he concluded:

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

Finally he said that:

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

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

I urge a vote against this bill.

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

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

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

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

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

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

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

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

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

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

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

I urge my colleagues to oppose this legislation.

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

H.R. 748

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE.

This Act may be cited as the "Child Interstate Abortion Notification Act".

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

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

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

"Sec.
"2431. Transportation of minors in circumvention of certain laws relating to abortion.

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

"(a) OFFENSE.—

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

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

"(b) EXCEPTIONS.—

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

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

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

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

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

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

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

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

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

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

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

"(ii) proceedings in a State court; and

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

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

"(4) the term 'parent' means—

"(A) a parent or guardian;

"(B) a legal custodian; or

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

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

SEC. 3. CHILD INTERSTATE ABORTION NOTIFICATION.

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

''CHAPTER 117B—CHILD INTERSTATE ABORTION NOTIFICATION

''Sec.

''2432. Child interstate abortion notification.

''§ 2432. Child interstate abortion notification

''(a) OFFENSE.—

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

''(ii) proceedings in a State court;

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

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

''(6) the term 'parent' means—

''(A) a parent or guardian;

''(B) a legal custodian; or

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

as determined by State law;

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

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

SEC. 4. CLERICAL AMENDMENT.

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

''117A. Transportation of minors in circumvention of certain laws relating to abortion 2431

''117B. Child interstate abortion notification ..... 2432''.

SEC. 5. SEVERABILITY AND EFFECTIVE DATE.

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

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

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

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

AMENDMENT NO. 1 OFFERED BY MR. SCOTT OF VIRGINIA

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

The Acting CHAIRMAN. The Clerk will designate the amendment.

The text of the amendment is as follows:

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

Page 4, after line 11, insert the following:

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

Redesignate succeeding subsections accordingly.

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

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

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

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

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

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

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

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

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

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

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

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

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

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

□ 1715

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

Support the Scott amendment.

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

□ 1730

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

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

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

The Acting CHAIRMAN. The Clerk will designate the amendment.

The text of the amendment is as follows:

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

Page 4, after line 11, insert the following:

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

□ 1745

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

SEQUENTIAL VOTES POSTPONED IN COMMITTEE OF THE WHOLE

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

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

AMENDMENT NO. 1 OFFERED BY MR. SCOTT OF VIRGINIA

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

The Clerk will redesignate the amendment.

The Clerk redesignated the amendment.

RECORDED VOTE

The Acting CHAIRMAN. A recorded vote has been demanded.

A recorded vote was ordered.

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

[Roll No. 141]

AYES—179

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

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

NOES—245

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

NOT VOTING—10

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

□ 1817

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

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

So the amendment was rejected.

The result of the vote was announced as above recorded.

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

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

The Clerk will redesignate the amendment.

The Clerk redesignated the amendment.

RECORDED VOTE

The Acting CHAIRMAN. A recorded vote has been demanded.

A recorded vote was ordered.

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

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

[Roll No. 142]

AYES—177

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

NOES—252

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

NOT VOTING—5

Brown, Corrine
Istook
Rothman
Westmoreland
Wicker

□ 1827

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

So the amendment was rejected.

The result of the vote was announced as above recorded.

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

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

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

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

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

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

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

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

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

MOTION TO RECOMMIT OFFERED BY MR. NADLER

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

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

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

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

The Clerk read as follows:

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

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

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

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

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

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

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

□ 1830

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

There was no objection.

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

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

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

The yeas and nays were ordered.

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

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

[Roll No. 143]

YEAS—183

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

NAYS—245

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

NOT VOTING—6

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

□ 1855

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

So the motion to recommit was rejected.

The result of the vote was announced as above recorded.

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

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

RECORDED VOTE

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

A recorded vote was ordered.

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

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

[Roll No. 144]

AYES—270

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

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

NOES—157

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

NOT VOTING—7

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

□ 1903

So the bill was passed.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

□ 1900

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

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

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

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

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

The Clerk read the resolution, as follows:

H. RES. 241

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

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

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

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

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

Mr. Speaker, this rule provides that upon its adoption, House Resolution 240 will be adopted. This will take us back to the 108th Congress's rules with regard to ethics, word for word, comma for comma, exactly the same rules that existed in the 108th Congress.

Mr. Speaker, our Founding Fathers understood the need for Members to scrutinize the actions of their peers. I commend those who, over the years, have volunteered for service to the House as members of the Committee on Standards of Official Conduct.

Mr. Speaker, the Father of our great Constitution, James Madison, in Federalist No. 57 said: ''The aim of every political constitution is, or ought to be, first to obtain for rulers men who possess most wisdom to discern, and most virtue to pursue the common good of society; and in the next place, to take the most effectual precautions for keeping them virtuous whilst they continue to hold their public trust.''

Now, it is not surprising that our Constitution contains in Article I, section 5 the peer review requirements for each House of the Congress. Article 1, section 5 is as follows: ''The House shall be the Judge of the Elections, Returns and Qualifications of its own Members,'' and ''may punish its Members for disorderly behavior.''

Now, Mr. Speaker, unfortunately, we have recently seen that there are those who have wanted to use the ethics process for political purposes. At the start of the 109th Congress, our great Speaker, the gentleman from Illinois (Mr. HASTERT), decided, along with the membership of the Republican Conference and through a vote of the full House, to include reforms of the ethics process because we believed it was flawed and needed increased transparency and accountability. Mr. Speaker, we still believe that.

The reforms adopted at the start of the 109th Congress were an effort to address the fairness of the ethics process.

Now, as many of you know, the ethics complaints filed at the end of the 108th Congress placed Members in jeopardy without any notice or opportunity for due process. That is not fair to any Member or to the institution itself.

Speaker HASTERT justly has been concerned about the rights of every single Member of this institution on both sides of the aisle, and he has also been very concerned about the integrity of this institution in the eyes of the American people. The Members of this great body and the American people deserve a structure which provides due process in the area of ethics.

Accordingly, we tried to take political jeopardy out of the ethics process with our changes at the beginning of this Congress.

Now, Mr. Speaker, in spite of this ongoing issue with which we have had to contend, we are extraordinarily proud of the fact that we have been able to successfully get the work of the American people done. We have been doing the American people's business with a great deal of success. We have engaged in a rigorous debate over ideas.

In just the first few months of this year, the beginning of the 109th Congress, we have shown strong bipartisan support, reaching across the aisle to Democrats and gaining support for funding for our troops, the energy bill, the highway bill, the Continuity of Congress bill, the border security issue, and other issues. And in the legislation that we just passed, 54 Democrats joined with Republicans to once again show that we are working in a bipartisan way to get the work of the American people done.

The fact is, the House needs an ethics committee, and today remains without one because, unfortunately, our friends on the other side of the aisle made a decision not to organize.

Mr. Speaker, this House needs an ethics committee which can begin its work. Unfortunately, we have seen our friends on the other side of the aisle choose not to organize the ethics committee.

I will say that my very good friend, the gentleman from Washington (Mr. HASTINGS), has worked valiantly to try and reach out and bring together bipartisan compromise to ensure that the ethics committee can get down to work and do its business, so that it can, in fact, comply with Article I, section 5 of the Constitution; and it is a struggle which the gentleman has been involved in for the past several months. And unfortunately, the gentleman has not been as successful as he would like.

We believe that with the action that we are about to take here today, that we can now move ahead with depoliticization of the ethics process and do the kinds of things that need to be done.

Now, as I said, we stand by the rules changes that we proposed, that underscore the importance of due process and underscore the importance of ensuring that we have an ethics committee which can guarantee the rights of every individual in this institution. But I believe that it is even more important now for us to move back to the rules of the 108th Congress. Why? So that we can, in fact, let the gentleman from Washington (Chairman HASTINGS) and the gentleman from West Virginia (Mr. MOLLOHAN), the ranking member, and the other members of the ethics committee begin their work.

Mr. Speaker, I reserve the balance of my time.

Ms. SLAUGHTER. Mr. Speaker, I yield myself such time as I may consume.

(Ms. SLAUGHTER asked and was given permission to revise and extend her remarks.)

Ms. SLAUGHTER. Mr. Speaker, this bill represents a true victory for the American people and provides some hope for the integrity of this body, which has been so badly tarnished by the actions of this majority that can one day be restored.

As a child, my parents taught me that integrity means doing what is right when no one is looking.

Well, 4 months ago when they thought no one was looking, the Republican majority of this House passed a rules package that gutted the House ethics standards and effectively neutered the House ethics committee, a committee that genuinely worked well and that had not had a complaint for years.

The changes were made in an obvious attempt to protect one man from further prosecution or investigation by the ethics committee. Four months later, after the world has been awakened to the unethical brand of sweep-it-under-the-rug politics, the Speaker has finally relented to public pressure and agreed to reinstate the ethics rules that have governed the House for years, rules that should have been governing the House during the 109th Congress from the very start.

You know, it is easy to do the right thing when the whole world is watching, and today the whole world is watching. And it appears that the majority, with their back against the wall, may finally do the right thing. It appears as though they will heed the call of the minority and the call of America to reinstate the ethics committee.

It appears they may heed the overwhelming call to return to the rules of the 108th Congress. And not just a section from part A, or a smidgeon of part B; but all of them.

Even now, at this low point, there is concern that the rules changes the majority proposes today will not include measures to ensure that the staff of the ethics committee remain nonpartisan. That, Mr. Speaker, would be a tragedy. And it is crucial that they maintain a professional and nonpartisan staff if the ethics committee will retains any credibility moving forward.

But even in defeat, it seems the majority has no shame. I will say that whatever the outcome today, they do not deserve a pat on the back for this apparent about-face.

And as I said earlier, we should always remember, it is easier to make the right decision when the world is watching. But what defines our character is what we do when no one is watching.

We saw clearly what this majority is all about. We have been witness to it for the past 4 months, and every day we discover new abuses of the rules by the Republican leadership and new abuses of the democratic process here in the House. Example: what happened in the report from the Judiciary Committee.

All of us owe the gentleman from West Virginia (Mr. MOLLOHAN) a debt of gratitude for his resoluteness and steadfastness on this issue and for having the courage to fight against this clear attempt by the majority to subvert the democratic process and destroy the principles of ethics and integrity in the House.

Let us hope that America will not soon forget what the majority did and the Herculean effort it has required to convince them to reverse course.

Mr. Speaker, I reserve the balance of my time.

Mr. DREIER. Mr. Speaker, I have mentioned him several times in my remarks. I am now very pleased to yield 4 minutes to my friend, the gentleman from Pasco, Washington (Mr. HASTINGS), the hardworking member of the Committee on Ethics who actually chairs the committee and is ready to go to work.

Mr. HASTINGS of Washington. Mr. Speaker, I would like to thank the distinguished chairman of the Rules Committee (Mr. DREIER) for his graceful words. And I want to say, Mr. Speaker, that no one has worked longer and harder over the years or devoted more personal energy to the critically important institutional issues of this House than the chairman of the Rules Committee, the gentleman from California (Mr. DREIER).

□ 1915

Those issues do not win you many headlines back home but they are absolutely essential to our continuing ability to work in an effective bipartisan fashion history in the people's House.

So I thank the gentleman from California (Mr. DREIER) for his leadership in the past and his insistence in moving this resolution to the floor.

Mr. Speaker, I have introduced House Resolution 240 for one reason and one reason only: to restore a functioning ethics process here in the House. Regrettably, the Democrats have kept the Ethics Committee shut down now for more than 2 months. It simply must be restarted as soon as possible.

Members will recall that in January as part of our opening day rules package for the 109th Congress, the Members of this House adopted a series of much-needed ethics reforms. We adopted those reforms in order to ensure that the ethics rules treat Members of the House as fairly as possible.

We believe, for example, and still believe that it is unfair for the Ethics Committee to tell individuals called before the committee during an investigation whom they can or cannot hire as their lawyer. This right to counsel, after all, is a fundamental right enjoyed by all Americans, so we moved to protect it. In addition, we believed and still believe that it is unfair for Members to be publicly embarrassed when the committee issues a public letter of reprimand or admonishment or violation, et cetera, without providing the Member in question with any advance notice that they are being scrutinized by the committee in any way. So we moved to make sure that this never happens to any Member of either party in the future.

And finally, we believe and still believe that it is unfair for Members of either party to be kept in perpetual limbo after initial investigation of a complaint if a bipartisan majority of the committee cannot agree to proceed with the full-scale investigation. Contrary to many published reports, no investigation has ever been undertaken by the Ethics Committee without bipartisan support. But under the old rules of the 108th Congress, the burden of proof to get out from under an ethical cloud fell on the Member in question, whether Democrat or Republican. So we acted to restore fairness to that part of the ethics process as well.

Nevertheless, despite the fact that the full House adopted these rules, the Democrat members of our committee refused to accept the clear directive of the House and to let us organize our committee. For 2 months now, I have worked in good faith to address the substantive objections of the gentleman from West Virginia (Mr. MOLLOHAN) to these rules, and I know that he holds these objections in a very sincere way. And while I have a great deal of respect for the gentleman from West Virginia, I regret that he has declined to consider any of my proposed compromises.

As it should be, membership on our committee is evenly divided between the majority and minority, which means that substantive action of any kind requires support from both sides of the aisle and a genuine commitment to compromise. However, Democrat leaders and the gentleman from West Virginia (Mr. MOLLOHAN) have made clear that they remain absolutely unwilling to compromise on any of these matters and insist on overturning the expressed will of the House by returning to the rules of the 108th Congress.

Because I believe it is severely damaging to this institution to permit Members on the other side of the aisle to keep the doors locked on the Ethics Committee, I have concluded that we must return now to the rules of the past Congress, the 108th Congress. My resolution would do just that. But at the same time, Mr. Speaker, I am hopeful that once Democrats agree to put a functioning Ethics Committee back in business, they will then agree to work with us in a bipartisan way to address the real problems of unfairness to Members that are inherent in the 108th rules.

Mr. Speaker, the American people have every right to expect the highest ethical standards here in the House. Those of us charged with upholding the integrity of the institution stand ready to carry out our important responsibilities.

Accordingly, I urge adoption of H. Res. 240 so all of us who serve on the Ethics Committee, from both sides of the aisle, can get back to work.

Ms. SLAUGHTER. Mr. Speaker, I yield 4 minutes to the gentleman from Maryland (Mr. HOYER), the minority whip.

Mr. HOYER. Mr. Speaker, I thank the gentlewoman for yielding me time.

I would observe at the outset that if the arguments propounded by the gentleman from California (Mr. DREIER) and the distinguished chairman of the Ethics Committee, which they have made repeatedly over the last 4 months, were agreed to by the American public, we would not be here today. But those arguments were rejected.

A vote on this important legislation which will restore the bipartisan ethics rules that were originally adopted in 1997 and which functioned well in every Congress since then is long overdue. And I believe that it was inevitable.

Today is not a day for those of us on the Democrat side of the aisle to gloat. However, it is a day for those who instigated and supported these partisan rules changes in January to recognize that a serious mistake in judgment was made. That does not seem to be the case.

The gentleman from Colorado (Mr. HEFLEY) will observe, as he has in the past, that this is the first time, and I have served here for 24 years, the first time that the rules of the Ethics Committee were changed in a partisan action. As the former chairman, the gentleman from Colorado (Mr. HEFLEY) stated 2 weeks ago, ''We can't make rule changes unilaterally.'' We've never made rules for the Ethics Committee ''unilaterally.'' ''The way it was done was wrong.''

Today the Speaker recognizes the validity of that statement and seeks to rectify this error. It is a good step. However, let me say as clearly as I can, this legislation marks a beginning, not an ending. It is in reality a procedural prerequisite to a real, meaningful ethics process that ensures the American people of the integrity of this great institution. Surely every one of us wants that to be the reality.

In the last several months a great number of issues have become public that warrant an inquiry by the Ethics Committee. The press has asked me numerous times over the last 3 months, Are you going to file a complaint? And I have said, No, I am not going to file a complaint. And the reason I am not going to file a complaint is because I believe it is the responsibility of the Ethics Committee, particularly when ethics questions are raised in the public arena, that the Ethics Committee address those issues so that the public's confidence can be kept intact.

It is imperative now that the committee organize as soon as practicable so that it may conduct its important business. Let me also urge the chairman and the ranking member to honor the letter and the intent of the 1997 rules package by agreeing to hire a nonpartisan professional staff. I say that because the chairman indicated that he was going to treat this like any other committee and install his chief of staff.

His chief of staff, I am sure, has high integrity and great ability. I do not question that at all. But it is incumbent upon us to make sure that both sides have confidence in the leadership of this staff as was intended by the rules.

Mr. Speaker, the Ethics Committee is the only mechanism that this institution has to police itself. Today we have taken a vital step in restoring procedural vitality to our ethics process and ensuring public confidence in this institution. I urge my colleagues to vote for this bill.

Mr. DREIER. Mr. Speaker, I yield 2 minutes to the gentleman from Miami, Florida (Mr. LINCOLN DIAZ-BALART), the distinguished vice chairman of the Committee on Rules.

Mr. LINCOLN DIAZ BALART of Florida. We did the right thing, Mr. Speaker, the first day of this Congress when we passed amendments to the rules as they relate to the Ethics Committee, which the chairman of the Ethics Committee has referred to. Basically they dealt with the right to counsel, with the right to notice, and the right to action within a time limit.

In other words, if you will, the fish-or-cut-bait amendment, decide amendment, and do not theoretically hold any and all Members potentially in limbo with regard to accusations ad infinitum.

Now, Mr. Speaker, the Spanish philosopher Ortegay Gasset said, ''Man is man plus his circumstances.''

What are our circumstances today?

The minority has said that they will not organize, they will not commence the work of the Ethics Committee unless we, the majority, agree to go back to the rules of the prior Congress. In other words, that the amendments that we talked about that have to do with due process be eliminated before they begin even, they agree to begin the work of the Ethics Committee. Those are our circumstances.

Either no Ethics Committee, for us to say to the minority, you won, there will be no Ethics Committee, or to go back to the prior rules without the very wise and necessary amendments that we carried forth the first day of this Congress. In other words, to have an ethics process that is flawed. And that is what we are agreeing to today. It is better to have a flawed ethics process than no ethics process. Thus, we are passing the rule that we have brought forth today which I support and urge the adoption of.

Ms. SLAUGHTER. Mr. Speaker, I yield 6 minutes to the gentleman from West Virginia (Mr. MOLLOHAN).

Mr. MOLLOHAN. Mr. Speaker, I am pleased to rise in support of this resolution which will repeal the unfortunate ethics rules changes that the majority included in the House rules package that was adopted on January 4 of this year.

For those of us who have opposed these rules changes from the outset, it has been a long, difficult effort and it is gratifying to see it finally succeed.

I have maintained from the outset, Mr. Speaker, that what is at issue in

these rules changes is in fact the fundamental question of whether the House is going to continue to have a credible ethics process, a credible ethics process that will command the respect and confidence of both the Members of the House and the public. And I firmly believe that nothing less than this is at stake here tonight.

Back in 1967, the House of Representatives in its wisdom also thought that it was important for the House to have a credible ethics process. The premise to ensuring credibility of that ethics process was bipartisanship. It was the standard by which the Ethics Committee's organization was measured; and the original committee established back in 1967 was, in fact, bipartisan. An equal number of Democrats and an equal number of Republicans. A unique situation in the House of Representatives where partisanship is the way we are organized, and rightly so. But it is not right with regard to the Ethics Committee.

Those founding Members, if you will, recognized that the Ethics Committee that was going to be able to do its job, if it is going to be able to have the confidence of the body, if it was going to be able to maintain the standards that reflect favorably upon the House of Representatives and enforce those standards in the face of the American people, then its decisions had to come from bipartisanship.

Mr. Speaker, that bipartisanship has been reflected each and every time the House of Representatives has reconsidered major rules changes. So far as I know, in each time that the House of Representatives has undertaken to change the rules with regard to the Ethics Committee, it has abided by that principle of bipartisanship by establishing a committee that was equally represented of Democrats and equally represented from Republicans.

□ 1930

These bipartisan task forces, one established in 1988 when the Democrats were in charge of the House, in the majority, one established in 1997 when the Republicans were in charge of the House of Representatives, each maintained this principle of bipartisanship. These bipartisan ethics rules task forces were charged with going off, sitting around a table and coming up with rules that they could recommend; and they were charged with recommending back to the House of Representatives.

On each occasion, those bipartisan task forces fulfilled that mission admirably. They negotiated in that proper environment ethics rules, each side saying why they objected to the other side's proposals and working out the compromises.

The gentleman from Maryland (Mr. CARDIN), our colleague who is here tonight, performed distinguished service, along with his Democrat and Republican counterparts in that 1997 bipartisan task force, and it is under those rules which the committee was operating last year in the 108th Congress.

Mr. Speaker, whatever the motivation for the Speaker and the Republican leadership directing the Committee on Rules to change the Committee on Standards of Official Conduct rules, the process which they undertook was flawed from the beginning. Why? Because they violated that tradition and the principle that is embedded in that tradition to change Committee on Standards of Official Conduct rules through bipartisan task forces.

That is our first objection to the majority's rule changes of January 4 of this year, that because they could, because they were in the majority, come up with rules changes, direct the Committee on Rules to embed them in the House rules package, pass them in that omnibus package by the most partisan vote the House casts, all Republicans voting for, all Democrats voting against, and in that process, imposing in a partisan manner the rules changes.

It is no wonder that these three rules changes, the automatic complaint dismissal rule, the rule that allows the attorney of accused to represent all the witnesses, and the rule that allows anybody mentioned unfavorably to immediately opt for a trial rather than investigation, it is no wonder that in that partisan process those rules were flawed, and they were.

It is imperative that we change these rules. The gentleman from Illinois (Speaker HASTERT) is doing the right thing here tonight by reversing his decision earlier this year and directing that this resolution be brought to the floor.

The committee, Mr. Speaker, can now organize. It can now get on with its business. It can now consider some of the very tough issues like staffing issues that have been referenced here; and if there is a concern about rules in the House, we can all move on a bipartisan basis in the right direction, through the right format, by forming a bipartisan task force to come up with bipartisan rules changes to the Committee on Standards of Official Conduct and, in the process, assure the Chamber and the American people that the credibility of the Committee on Standards of Official Conduct is going to be maintained.

I look forward to working with the gentleman from Washington (Chairman HASTINGS), my distinguished chairman, in moving forward with the business of the Committee on Standards of Official Conduct.

Mr. DREIER. Mr. Speaker, I am happy to yield 2½ minutes to the gentleman from Colorado Springs, Colorado (Mr. HEFLEY), the very distinguished former chairman of the Committee on Standards of Official Conduct, our friend.

Mr. HEFLEY. Mr. Speaker, I thank the gentleman very much for the time.

Let me say that the Committee on Standards of Official Conduct was not broken. There was no deadlock ever. There were no partisan votes ever. Almost every vote was unanimous. Every staff member was hired or fired in a bipartisan way; but at the same time, neither the process nor the rules are perfect, and they should be looked at. They just should not be looked at in the way we have done it. My colleagues have heard me say it over and over, and they are getting tired of it and I apologize, and maybe we will not have to talk about it anymore; but we cannot have a Committee on Standards of Official Conduct unless it is completely bipartisan in every way.

I want to praise the Speaker of the House for taking the leadership in this and getting us out of this mess. I want to praise the gentleman from Washington (Chairman HASTINGS) and the other members of the Committee on Standards of Official Conduct for trying to resolve this dispute.

I want to praise the gentleman from West Virginia (Mr. MOLLOHAN) for trying to resolve the dispute and making sure that we continue with an absolute nonpartisan or bipartisan committee. There are ethics charges flying around this place that are being used in a political way, there is no question about it. I do not think the gentleman from West Virginia (Mr. MOLLOHAN) is a part of that, however. I think he sincerely is concerned about the institution, and I think all of us are.

We should be open to reforming the ethics process when necessary; and I encourage the committee, and in a bipartisan way, to look at these rules and to look at other rules.

The gentleman from West Virginia (Mr. MOLLOHAN) and I talked often about a package of rules that we would like to present to the House for consideration of changing, and I would encourage the committee to do that.

Some of the due process provisions of the rules that were made in the January decision are good, and the committee should give consideration to adopting them even if not directed by the House. I am encouraged by this effort to return to a bipartisan ethics process that existed during the last Congress.

I urge my colleagues to vote for this and to continue the effort to return the process to a bipartisan type of process that it absolutely must be. Then we can go from here and make sure that when we have a Committee on Standards of Official Conduct, it is an ethics committee we can all be proud of.

Ms. SLAUGHTER. Mr. Speaker, I am pleased to yield 3 minutes to the gentleman from Maryland (Mr. CARDIN).

Mr. CARDIN. Mr. Speaker, I just want to compliment the gentleman from Colorado (Mr. HEFLEY) for his comments. I support this resolution, and I think he has really stated the case very well, that the ethics process must work in a bipartisan manner.

In fact, I served on the Committee on Standards of Official Conduct for 6 years during some of the most difficult times, including the investigation of Speaker Gingrich and the House so-called banking scandal. At no time during any of that debate did we break

down on a partisan line in the Committee on Standards of Official Conduct. We worked things out. We figured out what needed to be done. The facts speak for themselves. So allowing for the Committee on Standards of Official Conduct process moving forward will allow it to operate in a nonpartisan way.

The revisions that were passed in a partisan manner on the first day of this session were wrong. They were wrong in process, and they were wrong in substance. The process needed to be bipartisan.

I had the opportunity to co-chair with Mr. Livingston the 1997 ethics task force that brought about the changes in our ethics rules. We worked together in a bipartisan manner to bring about those changes. That was not done in this case.

The substance of these rules changes made it very difficult for the committee to function. All one needed to do was to allow time to go by and there was automatic dismissal. Failure to act was rewarded. It encouraged the partisan divisions since there is an equal number of Democrats and Republicans on the Committee on Standards of Official Conduct. That is not the way that the ethics committee can function in a nonpartisan or bipartisan manner. The rules changes were flawed, and the process was flawed.

It is interesting that we have this resolution before us today. The reason is because the public understood what we did on the first day of this session, and they knew it was wrong.

This is the people's House, and the people's voice has been spoken and heard by this body. We, today, will correct a mistake that we made on the opening day of this session. It will allow us to restore a proper ethics process that truly can function to carry out one of our most sacred responsibilities.

Under the Constitution, we are required to judge the conduct of our own Members. This rules change will permit us to carry out that most sacred responsibility so we can restore public confidence in this body. This is a great institution, and this rules change will allow this institution to carry out that responsibility.

Mr. Speaker, I regret that we have been delayed 4 months in this work. I am glad tonight that we are correcting the mistake that was made. I urge my colleagues to support the resolution.

Mr. DREIER. Mr. Speaker, I am happy to yield 1¾ minutes to the gentleman from Marietta, Georgia (Mr. GINGREY), a very hard-working new member of the Committee on Rules.

Mr. GINGREY. Mr. Speaker, I rise today in support of House Resolution 240, a bill providing for changes to the rules of the House of Representatives related to the procedures of the Committee on Standards of Official Conduct, the ethics committee.

Mr. Speaker, it is truly unfortunate the House of Representatives must take up this legislation that rescinds progressive reforms made to the practice of the Committee on Standards of Official Conduct.

Mr. Speaker, new rules were agreed upon that would have allowed a bipartisan majority to resolve ethics disputes in an expeditious and judicious fashion. These rules would have ensured that the House Committee on Standards of Official Conduct could never be used by either party, Republican or Democrat, as a weapon to malign and tarnish the reputation of any Member in this body for political purposes.

Yet, Mr. Speaker, the House Democrats have refused to accept these changes and, thus, have brought the Committee on Standards of Official Conduct to a screeching halt. Not only have the House Democrats essentially shut down the House Committee on Standards of Official Conduct but they have also used its demise for political gain.

Over the past few months, House Democrats have abandoned any substantial discussion of policy like Social Security modernization and resorted to an incessant stream of personal and political attacks upon Members of this body, especially upon one Member in particular.

The Democrats do not have a plan to strengthen Social Security for our seniors, but they will spend months upon months stonewalling and refusing to allow the Committee on Standards of Official Conduct to function. Mr. Speaker, if the House Democrats actually allowed the Committee on Standards of Official Conduct to meet and conduct investigations, then they would lose their ability to exploit tabloid sensationalism and would have to return to doing the work of the American people.

So, Mr. Speaker, the House must now consider a return to the old rules. Despite the flaws in the old rules, we in the majority cannot and will not accept a Committee on Standards of Official Conduct held hostage for purposes of political gain.

Mr. Speaker, I encourage my colleagues to support the bill.

Ms. SLAUGHTER. Mr. Speaker, I yield 2 minutes to the gentleman from Massachusetts (Mr. MCGOVERN).

(Mr. MCGOVERN asked and was given permission to revise and extend his remarks, and include extraneous material.)

Mr. MCGOVERN. Mr. Speaker, this resolution is long, long, long overdue. We should not have to be here today at all. We should not have to fix something that the Republicans broke for no good reason.

Let us be clear and honest about this. The ethics rules are not being reinstated today because suddenly the majority has had a change of heart. They are being reinstated because the American people have been outraged by Republican attempts to dismantle the ethics process. They have demanded that the House do the right thing. They have demanded that we restore the sensible, bipartisan procedure we used to have.

We have heard a lot of complaints from some on the other side about the politicization of this ethics process; but, Mr. Speaker, the partisan politics are coming from the other side. In fact, the Republican leadership is still playing politics.

In my hand is a copy of some of the talking points put out by the House Republican Conference on this rule change. Here are just a few samples of the poisonous rhetoric being put out today by the other side.

They accuse the Democrats of ''questionable motives''; a ''cynical attempt to corrupt the process''; ''partisan hackery in the guise of 'good government.'''

These talking points have the audacity to claim that Republicans are now taking the high road. Hardly. Their low-ball tactics continue, and I will insert these into the RECORD at this point so the American people can see what is going on here.

RETURN TO THE RULES OF THE 108TH CONGRESS

Despite the best good-faith efforts of the Ethics Committee Chairman and the Republican Leadership, House Democrats have left no way to restart the ethics process without a full and complete return to the Rules of the 108th Congress. For the good of the House, an operating but flawed Ethics Committee is preferable to a more equitable, but non-operational Committee.

House Republicans stand by the changes made to the rules of the House at the outset of the 109th Congress, but believe it is more important for the institution to have a functioning Ethics Committee that may be flawed, than to have a more perfect, but non-operational Committee.

The three major rules changes made at the start of this Congress greatly increased the bipartisan nature of the ethics process, prevented the Ethics Committee from being used as a political tool, and ensured fairness for Members targeted by politically motivated charges.

The three changes—guaranteeing Members the right to be represented in front of the Committee by counsel of their choice, ensuring Members' right to due process, and eliminating the possibility that a charge could wind up ''in limbo''—were opposed by House Democrats in a blatantly political attempt to use the ethics process for electoral gain.

Despite the questionable motives behind Democrat opposition to the rules changes, House Republicans worked to come to an agreement with the Minority in order to get the Ethics Committee up and running.

Unfortunately—but not surprisingly—each attempt by either the Republican Leadership or Chairman Hastings was rejected.

Chairman Hastings offered on numerous occasions to meet with Ranking Member Mollohan in order to craft a compromise, but was rebuffed. When he presented his written and signed guarantee addressing Mr. Mollohan's concerns, Minority Leader Pelosi called his good-faith effort ''a sham'' (Weekly Media Availability, April 21, 2005).

Just one week prior to Leader Pelosi's statement, Ranking Member Mollohan said: ''We would proceed by our rules, not any other way'' (Pittsburgh Post-Gazette, April 14, 2005).

The Democrat intransigence clearly indicates their intention to use the ethics process as a tool in their political arsenal. Their

cynical attempt to corrupt the process by injecting political rancor is odious, and will be seen for what it truly is—partisan hackery in the guise of ''good government.''

But rather than let the Democrat ''my way or the highway'' strategy drag on, House Republicans have elected to take the high road.

By returning to the Rules of the 108th Congress, the House will once again have an operational Ethics Committee which, while flawed, will at least be able to begin functioning.

Unlike the obstructionist Democrats who would rather bluster about supposed abuses of power by the Majority than actually come to an agreement on ethics, House Republicans are committed to moving forward and protecting the integrity of the House.

Mr. Speaker, I hope that today marks a real return to an honest, bipartisan ethics process and not just an attempt to change the subject.

I hope that members of the Committee on Standards of Official Conduct will continue to work in a bipartisan way and that the leadership of the House will let them do that work, without pressure or intimidation.

I hope the committee will continue the tradition of nonpartisan, professional staff members.

Only time will tell. In the meantime, Mr. Speaker, I take comfort in the knowledge that the American people are watching very, very closely.

Mr. DREIER. Mr. Speaker, may I inquire of the Chair how much time remains on both sides.

The SPEAKER pro tempore (Mr. LAHOOD). The gentleman from California (Mr. DREIER) has 13½ minutes remaining, and the gentlewoman from New York (Ms. SLAUGHTER) has 12 minutes remaining.

Mr. DREIER. Mr. Speaker, I am happy to yield 1½ minutes to the very distinguished gentleman from Moore, Oklahoma (Mr. COLE), who serves on both the Committee on Rules and the Committee on Standards of Official Conduct.

Mr. COLE of Oklahoma. Mr. Speaker, I rise to support this resolution because I am convinced that it is the right and proper way to address a tough partisan division that exists at this time. I thank the Speaker and the gentleman from Washington (Chairman HASTINGS) for their work in resolving this difficult issue.

As we move forward, Mr. Speaker, I think we would be well advised to operate according to the spirit of a statement once made by John Wesley, the founder of the Methodist Church. He said: ''Differences that begin in points of opinion seldom terminate there. How unwilling men are to grant anything good in those who do not in all things agree with themselves.''

□ 1945

Mr. Speaker, people of both sides in this dispute have acted honorably; however, many have questioned the integrity of those who disagreed with them on the substance of the questions at hand. It is my sincere hope that we do not question the motives and the intentions of the members of the Committee on Standards of Official Conduct as we go about our work. There has been far too much division and imputation of motives with respect to questions surrounding the Committee on Standards of Official Conduct and the rules by which it operates. That hurts the Committee, it reflects poorly on the House, and undermines public confidence in the institution.

Mr. Speaker, with that said, I commend the Speaker and the chairman of the Committee on Standards of Official Conduct for setting us on the path to providing this House with a functioning ethics committee and, therefore, I request all Members support this important rule.

Ms. SLAUGHTER. Mr. Speaker, I yield 3 minutes to the gentlewoman from California (Ms. MATSUI).

(Ms. MATSUI asked and was given permission to revise and extend her remarks.)

Ms. MATSUI. Mr. Speaker, I thank the gentlewoman from New York for yielding me this time. I rise in support of this resolution to restore the integrity to our ethics process and reinstate the standards of previous Congresses, standards which regrettably this Chamber chose to erode earlier this year. That action marked the first time in the history of the House of Representatives that our ethics rules were altered on a partisan basis.

Our constituents deserve a Congress that holds itself to the highest of standards. Many generations of our predecessors acknowledged the importance of this by having the Committee on Standards of Official Conduct be evenly divided between the parties, regardless of any electoral outcome, by working together in a bipartisan fashion, and by ensuring that neither party would be allowed to use partisanship and power as a shield against behavior that falls short of the standards our constituents expect and deserve.

With this action earlier this year, this Congress fell short of this standard. The ethics process must operate on a bipartisan basis to ensure that it functions in an evenhanded and just fashion, and it must be prepared to act without regard to party in order for the people of this country to have any faith in it. Simply put, this Chamber's ethics and the standards to which we hold ourselves must be put to a higher plane than any one political party.

We should never have reached this point, but with today's long overdue action, my hope is that the House of Representatives will correct that error.

Mr. Speaker, I want to thank my distinguished colleague, the ranking member of the Committee on Standards of Official Conduct, the gentleman from West Virginia (Mr. MOLLOHAN), for his determined and tenacious leadership on this matter. If it were not for his leadership and the leadership of others, it would have been all too easy for this to be ignored and the American people would not be seeing this victory. Had we not altered course, we could have done irreparable long-term damage to the institution that we all love. Instead, thanks to their efforts, we take much-needed corrective action.

Mr. Speaker, I urge my colleagues to support this much-needed resolution.

Mr. DREIER. Mr. Speaker, I yield 1¾ minutes to the gentleman from Madison, Ohio (Mr. LATOURETTE), a former member of the Committee on Standards of Official Conduct.

Mr. LATOURETTE. Mr. Speaker, I thank the gentleman from California (Mr. DREIER) for yielding me this time, and, Mr. Speaker, I am a recovering member of the Committee on Standards of Official Conduct. I just want to tell my story briefly about a complaint that was pending last year.

When the complaint was pending, these good government groups indicated that I was unfit to sit in judgment because the majority leader had donated to my campaign over 10 years and I was corrupt. When I voted unanimously with my colleagues to send a couple of letters to the majority leader, I then possessed the wisdom of Solomon. When the Speaker replaced me on the committee with other members this year, I am now up for sainthood in a number of churches across the country.

I tell this story because what I think what the Speaker was attempting to get at, during the course of that complaint there were press conferences held by people, rather than letting the Committee on Standards of Official Conduct do its work. And the Speaker saw that one of the rules changes was, you know what, you cannot choose your own lawyer. Well, that is ridiculous, and I do not think any of us would stand for that in any other venue.

He also, during consideration of one of the complaints, found that two members, who did not even have any part of what allegedly was going on, received letters from the committee saying, your conduct is in question. He felt that due process was required in that situation, and I agree with him, and I think most people in this body would agree with him.

I would hope as we make these changes, and I want to commend Speaker HASTERT, because this is a magnanimous gesture on his part, it is tough to recognize and admit that maybe something was not done in an appropriate way and that we take a step back and do it, and Speaker HASTERT has had the courage to do that today.

But the next step, Mr. Speaker, I will tell you, is going to be that there will be a complaint filed against a Republican or a Democrat and there will be these outside interest groups that say, if it is against the Democrat, the five Democrats on the committee are trying to protect their buddy; or if it is against a Republican, that the five Republicans are attempting to protect their friend and their buddy.

I would hope as we make these changes, with the Speaker's blessing,

that every Member of this House commit themselves to let the Committee on Standards of Official Conduct do their work, and we never impugn the integrity of the men and women who serve honorably.

Ms. SLAUGHTER. Mr. Speaker, I yield 2 minutes to the gentleman from Connecticut (Mr. SHAYS).

Mr. SHAYS. Mr. Speaker, I thank my colleague for yielding me this time, and since I do not need the full 2 minutes, I will be yielding back some time, but I just want to say to her and to everyone in this Chamber, that the ethics process needs to be bipartisan, and so it is so right to return the rules back to the way they were.

I believe that the gentleman from Washington (Mr. HASTINGS) and the gentleman from West Virginia (Mr. MOLLOHAN), the chairman and ranking members respectively, can work out whatever other differences that still remain. These are two good men.

And I also want to say that I have tremendous respect for Members of this Chamber from both parties for the good will and integrity they exhibit. I just think it is important for us to put this behind us and to move forward. It may be that on a bipartisan basis the chairman and ranking member and the full committee will come back with recommendations that this full body can consider.

It would be an absolute shame, I think, if the Committee on Standards of Official Conduct becomes a committee in which it is a place to just ''get Members'' and a place to score political points. And I hope and pray that it will be a committee that will see its primary purpose as maintaining the integrity of this Chamber and allowing us to all feel proud of what happens here.

So I thank my colleague for yielding me this time, and I think it was a mistake to have amended the rules and I am grateful that we are restoring them to the way they were.

Mr. DREIER. Mr. Speaker, I am happy to yield 1¼ minutes to the gentleman from Columbia, Missouri (Mr. HULSHOF), another former member of the Committee on Standards of Official Conduct.

(Mr. HULSHOF asked and was given permission to revise and extend his remarks.)

Mr. HULSHOF. Mr. Speaker, I rise, gratefully, in support of this resolution, and applaud you, Mr. Speaker, for allowing it to come to the floor for consideration.

My colleagues, there are those beyond this venerable hall who would hope that this body would erupt in partisan ethical warfare. There may even be a handful of colleagues who have threatened ethical retaliation against another Member on the other side. There are others that, with tonight's vote, will try to claim some moral or ethical superiority because of the vote; and still others who will continue to seek some political advantage by taking the alleged improprieties of one Member and trying to tarnish the rest of that Member's party.

To those that I have described, you need not heed my words. But for the vast majority of my colleagues that I have not described, that are fair and decent and honorable and honest, I say to you, we need a functioning ethics process. Matter of fact, let me rephrase that. This institution requires a credible ethics process. The American public deserves that credible ethics process.

The integrity of this institution is at stake. The memory of those who have served, those that are going to come after us who serve, this resolution sets us back on the correct path. I urge its adoption.

Ms. SLAUGHTER. Mr. Speaker, may I inquire how much time remains?

The SPEAKER pro tempore (Mr. LAHOOD). The gentlewoman from New York has 9 minutes remaining.

Ms. SLAUGHTER. And my colleague from California?

The SPEAKER pro tempore. The gentleman from California also has 9 minutes remaining.

Ms. SLAUGHTER. Mr. Speaker, I reserve the balance of my time.

Mr. DREIER. Mr. Speaker, at this time I am very happy to yield 1 minute to my good friend, the gentleman from San Diego, California (Mr. CUNNINGHAM).

Mr. CUNNINGHAM. Mr. Speaker, I am not a member of the Committee on Standards of Official Conduct, nor have I ever been, nor do I ever want to be. I think we need to laud the members on both sides of that Committee.

The other side knows me as being very frank. I speak an open mind. My perception of the rules changes, and I think the perception of many of my colleagues, is that they were made because we felt there were partisan attacks against our leadership. I know most of the members on the Committee on Standards of Official Conduct, and I consider them friends.

Even during the time of Newt Gingrich, I thought the Committee on Standards of Official Conduct did a credible job, but we felt that David Bonior was being partisan. We also felt that part of the Democrat leadership was directing partisanship on this committee.

Now, maybe the rule was wrong, but we think also the partisanship is wrong. Using Mr. HOYER's words, if we want a truly effective ethics committee, and I believe in my heart that most Members in this body want that, so I hope that that can happen. I pray that that can happen because we do not want a Hatfield-and-McCoy scenario. It would do disservice to this body.

Mr. DREIER. Mr. Speaker, I am happy to yield 1½ minutes to the gentlewoman from Hinsdale, Illinois (Mrs. BIGGERT), a very hardworking member of the Committee on Standards of Official Conduct.

Mrs. BIGGERT. Mr. Speaker, I rise to urge my colleagues to vote for this resolution, not because I think it is a good resolution, but because I think it is the lesser of two evils. What is the first evil? Well, those on the other side of the aisle claim it was the process by which the rules were changed last January. Perhaps they are right. As a member of the committee, I happen to believe that the changes were good ones, but perhaps we will look at that on another day in a bipartisan way.

But we should make no mistake about it: The greater evil by far is in not allowing the ethics committee to meet and do its job. And why do I say this? It is because without a functioning ethics committee, some Members will be tried in the press by partisan interest groups or by innuendo and accusation instead of by facts and due process. At the same time, complaints against other Members will go unresolved and uninvestigated. That is not right.

My point is that an ethics committee was not created for one particular Member of Congress, it was created for all of us and for the good of this body. As a three-term member of the Committee, I have great respect for both the Republican and the Democrat members with whom I have served on the committee. Peer review is never easy, and it is impossible if we are not allowed to leave politics and partisanship at the door.

I commend the chairman, the gentleman from Washington (Mr. HASTINGS), for his hard work and perseverance. He inherited a challenge, acted as an honest broker, and did everything possible to resolve it. I also commend the leadership of Speaker HASTERT on this issue.

I urge my colleagues on both sides of the aisle to vote ''yes'' to send us back to the table to do the jobs we have been assigned to do for this great body.

Mr. DREIER. Mr. Speaker, I am happy to yield 1½ minutes to my very good friend, the gentleman from Chattanooga, Tennessee (Mr. WAMP).

Mr. WAMP. Mr. Speaker, once again today, the Speaker of the Whole House, the gentleman from Illinois (Mr. HASTERT), has proven that he is a decent, fair, humble, and, today, magnanimous person, putting the institution first.

The truth is neither party has an exclusive on integrity or ideas. There are good and decent people in both parties. But we are not your enemy. Al Qaeda is our enemy. We are competitors. We need to stick together and pursue unity and reconciliation. Sometimes that means setting your own beliefs aside, which the Speaker did today for the purpose of the institution, holding it up above our own view of how things should be done.

I have spoken out when I thought we were going in the wrong direction, but in this case I, frankly, think the rules proposals were reasonable. And if one Member's foot was not in a snare today, I think a lot of Members over here would have agreed to them. But that is not a discussion point anymore.

I appeal to both sides. Let us make sure that this ethics conflict does not turn into a circular firing squad. It is not in our country's best interest and it is not in this institution's best interest. Let us pursue, as much as we can in the competitive battles we fight on ideas and our agendas, let us pursue reconciliation and unity, especially when it comes to the ethics of this great institution, putting it above either party's political agendas. It will serve our country well, and the Speaker should be commended.

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Ms. SLAUGHTER. Mr. Speaker, I reserve the balance of my time.

Mr. DREIER. Mr. Speaker, I yield 1 minute to the gentleman from Goddard, Kansas (Mr. TIAHRT).

Mr. TIAHRT. Mr. Speaker, I thank the gentleman for yielding me this time.

Some people may say the majority party is in full retreat, that we were wrong in processing substance with the new rules. Well, that is incorrect. The new rules were fair and just, and according to the rules of the House, were passed by a majority vote.

Where the fault lies is with those who use the ethics rules for pure political attacks, those who use the failure to act as an attack against one Member. The opposition claims these existing rules are unethical. That is also incorrect. What is unethical is to unjustly smear someone in order to destroy their character.

Mr. Speaker, I think that is the attempt here, to unfairly attack one Member and use the House rules to do so. I admire the efforts of the gentleman from Illinois (Mr. HASTERT) because I think the gentleman has gone above and beyond the call of duty to go back to the previous set of rules so we can move the process forward and continue the hard work, the successful work of the Republican-controlled House.

Mr. DREIER. Mr. Speaker, I yield 1 minute to the gentleman from Monticello, Indiana (Mr. BUYER).

Mr. BUYER. Mr. Speaker, some in the minority are obsessed with the vanity of power and they will hatchet the ethics process and people. I have taken down some of the words used here tonight by the minority: tarnish, gutted, subverted, destroyed, flawed, violated. What are they talking about? I am unceasingly amazed and gravely disturbed by the torrent of darkness caused by what I will refer to as false prophets of justice engaged in ignominious conduct. It is called the politicalization of the Committee on Standards of Official Conduct, and it is wrong.

I have been a victim of a vicious political attack and gone before the Committee on Standards of Official Conduct. I will assure Members, having been brought before the Committee on Standards of Official Conduct, and I was fortunately cleared by unanimous vote, but when another Member wants to make a partisan attack and go before the committee, that is wrong. So we are engaged in this session to clarify it. I supported the changes.

Mr. Speaker, to the American people, what are we talking about: the right to counsel, due process, notification, bipartisanship. That is what I demand. That is what I want, and I am going to vote against this.

Mr. DREIER. Mr. Speaker, I yield 1 minute to the gentleman from Texas (Mr. GOHMERT).

Mr. GOHMERT. Mr. Speaker, my sister says of our four siblings, I may be the only true optimist. I am like the kid who got the horse manure for Christmas, and all he could do is run around asking, Where is the pony?

In this body on this issue when we look through and sift through the piles and piles of rhetoric, and we look at just the rules, the rules were fair. They are not perfect, but they are better than what was there. I was not familiar with the process they went through, but the right to know you are being investigated, you would want to know that. The right to due process, the concept of a speedy trial and speedy disposition. Members want to talk about partisanship, if it a 5–5 split, that is partisan. The only way we can get bipartisan is if we make it a 6 vote to go forward with an investigation. That is bipartisan. I thought they were good rules when I voted for them the first time. I hope we can move on. I am going to vote for them again. I think they are more fair.

Mr. DREIER. Mr. Speaker, I reserve the balance of my time.

Ms. SLAUGHTER. Mr. Speaker, I yield such time as she may consume to the gentlewoman from California (Ms. PELOSI), the minority leader of the House.

Ms. PELOSI. Mr. Speaker, I commend the gentlewoman from New York (Ms. SLAUGHTER) for upholding a high ethical standard in the House, and I rise in strong support of the resolution before us.

Mr. Speaker, this is a great day for the American people. Across the country they have spoken out and editorial boards have reflected their views throughout our nation that not any one of us is above the law. No Member of Congress is above the law.

I come to this podium as the House Democratic leader, but I also would note that I bring to my office that I serve in now and to this podium the experience of serving on the House Committee on Standards of Official Conduct for 6 years, and an additional 7th year to be part of the Livingston task force. Mr. Livingston, a Republican Member, chaired our committee, and the gentleman from Maryland (Mr. CARDIN) was our ranking member on the task force that wrote the rules that we have been talking about this evening.

They were very important. We came together in a bipartisan way, hammered out all of the challenges that Members proposed, and came up with bipartisanship. When we did that, we were acting in the tradition of the Committee on Standards of Official Conduct in the House of Representatives, bipartisan in nature in terms of writing the rules and in implementing them.

My friends, we all should be deeply indebted to all of the Members who have served on the bipartisan Committee on Standards of Official Conduct. Anyone who has served on it will tell Members it is not an easy task, and one that any one of us would like to avoid. It is very hard to pass judgment on your peers.

What I learned on the committee was that there are only three things that matter in the discussion: the facts, the rules of the House, and the law of the land. Anything else, discussion, hearsay and the rest of it was irrelevant to the decision-making. So in a bipartisan way, friendships were developed, we worked together. Members are down in the lower levels of the Capitol for long, long hours; and it was sometimes very difficult and sad to make those judgments. We deliberated; we exchanged ideas. Indeed, we even prayed over our decisions because we knew what impact they would have on the lives of our colleagues.

In short, we took our responsibility to act in a bipartisan way very, very seriously. And so should the committee regarding the rules that we will be returning to now. They should be taken in the most serious way. I hope when we vote on these rules tonight, we will have a big vote and that big vote will show not only our support for this resolution but our respect for the Committee on Standards of Official Conduct and its need to act in a bipartisan way.

One concern that I do have that has not been addressed is something that has happened not by a rules change but by a practice, a one-time practice.

Mr. Speaker, this book is called the ''House Rules and Manual,'' and it determines how we function in the House and how each of the committees functions. This rule says here: ''All staff members shall be appointed by an affirmative vote of a majority of the committee.'' The rules governing staffing have been the standing rules of the House since the bipartisan task force recommendations were adopted in the 105th Congress, in the 106th Congress, the 107th Congress, the 108th Congress, and they are indeed the rules of the House now even without action being taken tonight.

Central to a bipartisan upholding of a high ethical standard is nonpartisan staffing of the Committee on Standards of Official Conduct. Certainly the Chair and the ranking member have their staff person for liaison purposes to the committee, but the work of the Committee on Standards of Official Conduct must be done in a nonpartisan way. Those are the rules of the House.

They must be upheld. They have been departed from in this Congress.

I would hope that it is implied in what we do here that the intent of Congress is to obey the rules of the House. If any Member has a different view of the intent of Congress regarding the hiring of staff for the committee in a nonpartisan way, I think that Member should speak up now because the intent of Congress should be clear, unequivocal, and not controversial.

I want to commend those that served during the 108th Congress, and especially the gentleman from Colorado (Mr. HEFLEY); and I agree with the gentleman from Colorado (Mr. HEFLEY) whole-heartedly: if there are rules changes that need to be made, let us subject these rules to the scrutiny that Members feel they should have, and let us do it in a bipartisan way.

In fact, on at least two, maybe three, occasions, I have brought that very proposal to the floor in a privileged resolution by saying, ''let us form a bipartisan task force to examine the rules and see how we go forward.'' We can still do that, but we cannot do it until these rules are in place for the committee to function and then to review them.

I commend the gentleman from West Virginia (Mr. MOLLOHAN) and am so proud of the dignified, serious way he approached his responsibilities to upholding a high ethical standard. And the gentleman from Washington (Mr. HASTINGS) is absolutely right, we will not compromise ever on the integrity of the House. I support the gentleman's statement and associate myself with the gentleman's statement in that regard.

And as we return to bipartisanship in upholding a high ethical standard in the House, let us also heed the voice of the American people who want us to return to bipartisan cooperation in growing our economy so we can create good-paying jobs in our country. Let us expand access to affordable health care for all Americans. That is what the American people want us to do. Let us work in a bipartisan way to broaden opportunities for our children so no child is left behind and so our children can go to college without going into crushing debt.

Let us listen to the American people who want us to work in a bipartisan way to truly protect our homeland, to strengthen Social Security; and let us listen to the American people when they say, ''we need relief at the pump now. We cannot pay these high prices at the pump. We cannot pay these high prices at the pharmacy.''

I contend that ethics impact policy. Certainly a high ethical standard is its own excuse for being. Integrity of the House should be unquestioned, and part of our responsibility is to uphold that ethical standard. But ethics does impact policy. The American people must believe that we are working in this House in the public interest and not in the special interest. A higher ethical standard is essential to creating policy which is consistent with our values.

And so I support this resolution, and I urge our colleagues all to vote for it and hope that the strong vote that it will receive will not only speak to the resolution but speak to the respect that we all have for the ethics process, for the Committee on Standards of Official Conduct, for upholding a high ethical standard, and for saying not any one of us is above the law.

Mr. DREIER. Mr. Speaker, I yield myself the balance of my time.

Mr. Speaker, the distinguished minority leader just made a very compelling case for the bipartisan legislative accomplishments that we have had in this House in the past few months.

We have had between 41 and 122 Democrats join with Republicans in passing legislation dealing with bringing the price of gasoline down by passing the energy bill, passing bankruptcy reform, passing the class action bill, passing Continuity of Congress legislation, and making sure that we deal with a wide range of concerns the American people want us to address. Unfortunately, the minority leader did not vote for any of those pieces of legislation, along with that large number of Democrats.

We are going to deal in a bipartisan way with the ethics issue. We feel strongly that we were absolutely right in saying that Members should be entitled to choose their own lawyer and absolutely right in saying that there should be due process, and we were absolutely right in saying that Members should not be left out hanging, there should be a resolution to their case.

But the gentleman from Illinois (Mr. HASTERT) has in his wisdom said it is very important for us to move ahead in a bipartisan way to do what those editorial boards correctly say should happen: we should be able to have a Committee on Standards of Official Conduct that works. That is what we believe is the right thing to do. I take my hat off to the gentleman from Illinois (Mr. HASTERT) for stepping up to the plate and making it clear that is just what we should do. Vote for this resolution.

Mr. Speaker, I yield back the balance of my time, and I move the previous question on the resolution.

The previous question was ordered.

The SPEAKER pro tempore. The question is on the resolution.

The question was taken; and the Speaker pro tempore announced that the ayes appeared to have it.

Ms. SLAUGHTER. Mr. 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 vote was taken by electronic device, and there were—yeas 406, nays 20, answered ''present'' 1, not voting 7, as follows:

[Roll No. 145]

YEAS—406

Abercrombie
Ackerman
Aderholt
Akin
Alexander
Allen
Andrews
Baca
Bachus
Baird
Baker
Baldwin
Barrett (SC)
Barrow
Bartlett (MD)
Bass
Bean
Beauprez
Becerra
Berkley
Berman
Berry
Biggert
Bilirakis
Bishop (GA)
Bishop (NY)
Bishop (UT)
Blumenauer
Blunt
Boehlert
Boehner
Bonilla
Bonner
Bono
Boozman
Boren
Boswell
Boustany
Boyd
Bradley (NH)
Brady (PA)
Brady (TX)
Brown (OH)
Brown (SC)
Brown-Waite, Ginny
Butterfield
Calvert
Camp
Cannon
Cantor
Capito
Capps
Capuano
Cardin
Cardoza
Carnahan
Carson
Case
Castle
Chabot
Chandler
Chocola
Clay
Cleaver
Clyburn
Coble
Cole (OK)
Conaway
Conyers
Cooper
Costa
Costello
Cox
Cramer
Crenshaw
Crowley
Cuellar
Cummings
Cunningham
Davis (AL)
Davis (CA)
Davis (FL)
Davis (IL)
Davis (KY)
Davis (TN)
Davis, Jo Ann
Davis, Tom
Deal (GA)
DeFazio
DeGette
Delahunt
DeLauro
DeLay
Dent
Diaz-Balart, L.
Diaz-Balart, M.
Dicks
Dingell
Doggett
Doolittle
Doyle
Drake
Dreier
Duncan
Edwards
Ehlers
Emanuel
Emerson
Engel
English (PA)
Eshoo
Etheridge
Evans
Everett
Farr
Fattah
Feeney
Ferguson
Filner
Fitzpatrick (PA)
Flake
Foley
Forbes
Ford
Fortenberry
Fossella
Foxx
Frank (MA)
Franks (AZ)
Frelinghuysen
Gallegly
Garrett (NJ)
Gerlach
Gibbons
Gilchrest
Gingrey
Gonzalez
Goode
Goodlatte
Gordon
Granger
Graves
Green (WI)
Green, Al
Green, Gene
Grijalva
Gutierrez
Gutknecht
Hall
Harman
Harris
Hart
Hastings (FL)
Hastings (WA)
Hayes
Hayworth
Hefley
Hensarling
Herger
Herseth
Higgins
Hinchey
Hinojosa
Hobson
Hoekstra
Holden
Holt
Honda
Hooley
Hostettler
Hoyer
Hulshof
Hunter
Hyde
Inglis (SC)
Inslee
Israel
Issa
Istook
Jackson (IL)
Jackson-Lee (TX)
Jefferson
Jenkins
Jindal
Johnson (CT)
Johnson (IL)
Johnson, E. B.
Johnson, Sam
Jones (NC)
Jones (OH)
Kanjorski
Kaptur
Keller
Kelly
Kennedy (MN)
Kennedy (RI)
Kildee
Kilpatrick (MI)
Kind
King (NY)
Kingston
Kirk
Kline
Knollenberg
Kolbe
Kucinich
Kuhl (NY)
LaHood
Langevin
Lantos
Larsen (WA)
Larson (CT)
Latham
LaTourette
Leach
Levin
Lewis (CA)
Lewis (GA)
Lewis (KY)
Linder
Lipinski
LoBiondo
Lofgren, Zoe
Lowey
Lucas
Lungren, Daniel E.
Lynch
Mack
Maloney
Manzullo
Marchant
Markey
Marshall
Matheson
Matsui
McCarthy
McCaul (TX)
McCollum (MN)
McCotter
McCrery
McDermott
McGovern
McHugh
McIntyre
McKeon
McKinney
McMorris
McNulty
Meehan
Meek (FL)
Meeks (NY)
Melancon
Menendez
Mica
Michaud
Millender-McDonald
Miller (FL)
Miller (MI)
Miller (NC)
Miller, Gary
Miller, George
Mollohan
Moore (KS)
Moore (WI)
Moran (KS)
Moran (VA)
Murphy
Murtha
Musgrave
Myrick
Nadler
Napolitano
Neal (MA)
Neugebauer
Ney
Northup
Norwood
Nunes
Nussle
Oberstar
Obey
Olver
Ortiz
Osborne

Owens
Oxley
Pallone
Pascrell
Pastor
Paul
Payne
Pearce
Pelosi
Peterson (MN)
Peterson (PA)
Petri
Pickering
Pitts
Platts
Pombo
Pomeroy
Porter
Portman
Price (NC)
Pryce (OH)
Putnam
Radanovich
Rahall
Ramstad
Rangel
Regula
Rehberg
Reichert
Renzi
Reyes
Reynolds
Rogers (AL)
Rogers (KY)
Rogers (MI)
Rohrabacher
Ros-Lehtinen
Ross
Roybal-Allard
Royce
Ruppersberger
Rush
Ryan (OH)
Ryan (WI)
Ryun (KS)
Sabo
Salazar
Sánchez, Linda T.
Sanchez, Loretta
Sanders
Saxton
Schakowsky
Schiff
Schwartz (PA)
Schwarz (MI)
Scott (GA)
Scott (VA)
Sensenbrenner
Serrano
Sessions
Shadegg
Shaw
Shays
Sherman
Sherwood
Shimkus
Shuster
Simmons
Skelton
Slaughter
Smith (NJ)
Smith (TX)
Smith (WA)
Snyder
Sodrel
Solis
Spratt
Stark
Stearns
Strickland
Stupak
Sullivan
Sweeney
Tancredo
Tanner
Tauscher
Taylor (MS)
Taylor (NC)
Terry
Thomas
Thompson (CA)
Thompson (MS)
Tiberi
Tierney
Towns
Turner
Udall (CO)
Udall (NM)
Upton
Van Hollen
Velázquez
Visclosky
Walden (OR)
Walsh
Wamp
Wasserman Schultz
Waters
Watson
Watt
Weiner
Weldon (PA)
Weller
Wexler
Whitfield
Wilson (NM)
Wilson (SC)
Wolf
Woolsey
Wu
Wynn
Young (AK)
Young (FL)

NAYS—20

Barton (TX)
Blackburn
Burgess
Burton (IN)
Buyer
Carter
Cubin
Culberson
Gillmor
Gohmert
King (IA)
McHenry
Otter
Pence
Poe
Price (GA)
Simpson
Thornberry
Tiahrt
Weldon (FL)

ANSWERED ''PRESENT''—1

Souder

NOT VOTING—7

Boucher
Brown, Corrine
Lee
Rothman
Waxman
Westmoreland
Wicker

□ 2040

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.

The SPEAKER pro tempore (Mr. LAHOOD). Pursuant to House Resolution 241, House Resolution 240 is adopted.

The text of H. Res. 240 is as follows:

H. RES. 240

Resolved, That clause 3 of rule XI of the Rules of the House of Representatives (relating to the Committee on Standards of Official Conduct) is amended as follows:

(1) Subparagraph (2) of paragraph (b) is amended to read as follows:

''(2) Except in the case of an investigation undertaken by the committee on its own initiative, the committee may undertake an investigation relating to the official conduct of an individual Member, Delegate, Resident Commissioner, officer, or employee of the House only—

''(A) upon receipt of information offered as a complaint, in writing and under oath, from a Member, Delegate, or Resident Commissioner and transmitted to the committee by such Member, Delegate, or Resident Commissioner; or

''(B) upon receipt of information offered as a complaint, in writing and under oath, from a person not a Member, Delegate, or Resident Commissioner provided that a Member, Delegate, or Resident Commissioner certifies in writing to the committee that he believes the information is submitted in good faith and warrants the review and consideration of the committee.

If a complaint is not disposed of within the applicable periods set forth in the rules of the Committee on Standards of Official Conduct, the chairman and ranking minority member shall establish jointly an investigative subcommittee and forward the complaint, or any portion thereof, to that subcommittee for its consideration. However, if at any time during those periods either the chairman or ranking minority member places on the agenda the issue of whether to establish an investigative subcommittee, then an investigative subcommittee may be established only by an affirmative vote of a majority of the members of the committee.''.

(2) Paragraph (k) is amended to read as follows:

''Duties of chairman and ranking minority member regarding properly filed complaints

''(k)(1) The committee shall adopt rules providing that whenever the chairman and ranking minority member jointly determine that information submitted to the committee meets the requirements of the rules of the committee for what constitutes a complaint, they shall have 45 calendar days or five legislative days, whichever is later, after that determination (unless the committee by an affirmative vote of a majority of its members votes otherwise) to—

''(A) recommend to the committee that it dispose of the complaint, or any portion thereof, in any manner that does not require action by the House, which may include dismissal of the complaint or resolution of the complaint by a letter to the Member, officer, or employee of the House against whom the complaint is made;

''(B) establish an investigative subcommittee; or

''(C) request that the committee extend the applicable 45-calendar day or five-legislative day period by one additional 45-calendar day period when they determine more time is necessary in order to make a recommendation under subdivision (A).

''(2) The committee shall adopt rules providing that if the chairman and ranking minority member jointly determine that information submitted to the committee meets the requirements of the rules of the committee for what constitutes a complaint, and the complaint is not disposed of within the applicable time periods under subparagraph (1), then they shall establish an investigative subcommittee and forward the complaint, or any portion thereof, to that subcommittee for its consideration. However, if, at any time during those periods, either the chairman or ranking minority member places on the agenda the issue of whether to establish an investigative subcommittee, then an investigative subcommittee may be established only by an affirmative vote of a majority of the members of the committee.''.

(3) Paragraphs (p) and (q) are amended to read as follows:

''Due process rights of respondents

''(p) The committee shall adopt rules to provide that—

''(1) not less than 10 calendar days before a scheduled vote by an investigative subcommittee on a statement of alleged violation, the subcommittee shall provide the respondent with a copy of the statement of alleged violation it intends to adopt together with all evidence it intends to use to prove those charges which it intends to adopt, including documentary evidence, witness testimony, memoranda of witness interviews, and physical evidence, unless the subcommittee by an affirmative vote of a majority of its members decides to withhold certain evidence in order to protect a witness; but if such evidence is withheld, the subcommittee shall inform the respondent that evidence is being withheld and of the count to which such evidence relates;

''(2) neither the respondent nor his counsel shall, directly or indirectly, contact the subcommittee or any member thereof during the period of time set forth in paragraph (1) except for the sole purpose of settlement discussions where counsel for the respondent and the subcommittee are present;

''(3) if, at any time after the issuance of a statement of alleged violation, the committee or any subcommittee thereof determines that it intends to use evidence not provided to a respondent under paragraph (1) to prove the charges contained in the statement of alleged violation (or any amendment thereof), such evidence shall be made immediately available to the respondent, and it may be used in any further proceeding under the rules of the committee;

''(4) evidence provided pursuant to paragraph (1) or (3) shall be made available to the respondent and his or her counsel only after each agrees, in writing, that no document, information, or other materials obtained pursuant to that paragraph shall be made public until—

''(A) such time as a statement of alleged violation is made public by the committee if the respondent has waived the adjudicatory hearing; or

''(B) the commencement of an adjudicatory hearing if the respondent has not waived an adjudicatory hearing;

but the failure of respondent and his counsel to so agree in writing, and their consequent failure to receive the evidence, shall not preclude the issuance of a statement of alleged violation at the end of the period referred to in paragraph (1);

''(5) a respondent shall receive written notice whenever—

''(A) the chairman and ranking minority member determine that information the committee has received constitutes a complaint;

''(B) a complaint or allegation is transmitted to an investigative subcommittee;

''(C) an investigative subcommittee votes to authorize its first subpoena or to take testimony under oath, whichever occurs first; or

''(D) an investigative subcommittee votes to expand the scope of its investigation;

''(6) whenever an investigative subcommittee adopts a statement of alleged violation and a respondent enters into an agreement with that subcommittee to settle a complaint on which that statement is based, that agreement, unless the respondent requests otherwise, shall be in writing and signed by the respondent and respondent's counsel, the chairman and ranking minority member of the subcommittee, and the outside counsel, if any;

''(7) statements or information derived solely from a respondent or his counsel during any settlement discussions between the committee or a subcommittee thereof and the respondent shall not be included in any report of the subcommittee or the committee or otherwise publicly disclosed without the consent of the respondent; and

''(8) whenever a motion to establish an investigative subcommittee does not prevail, the committee shall promptly send a letter to the respondent informing him of such vote.

''Committee reporting requirements

''(q) The committee shall adopt rules to provide that—

''(1) whenever an investigative subcommittee does not adopt a statement of alleged violation and transmits a report to that effect to the committee, the committee may by an affirmative vote of a majority of its members transmit such report to the House of Representatives;

''(2) whenever an investigative subcommittee adopts a statement of alleged violation, the respondent admits to the violations set forth in such statement, the respondent waives his or her right to an adjudicatory hearing, and the respondent's waiver is approved by the committee—

''(A) the subcommittee shall prepare a report for transmittal to the committee, a final draft of which shall be provided to the respondent not less than 15 calendar days before the subcommittee votes on whether to adopt the report;

''(B) the respondent may submit views in writing regarding the final draft to the subcommittee within seven calendar days of receipt of that draft;

''(C) the subcommittee shall transmit a report to the committee regarding the statement of alleged violation together with any views submitted by the respondent pursuant to subdivision (B), and the committee shall make the report together with the respondent's views available to the public before the commencement of any sanction hearing; and

''(D) the committee shall by an affirmative vote of a majority of its members issue a report and transmit such report to the House of Representatives, together with the respondent's views previously submitted pursuant to subdivision (B) and any additional views respondent may submit for attachment to the final report; and

''(3) members of the committee shall have not less than 72 hours to review any report transmitted to the committee by an investigative subcommittee before both the commencement of a sanction hearing and the committee vote on whether to adopt the report.''.

DEMOCRATS SHOULD REFOCUS EFFORTS

(Mr. WILSON of South Carolina asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. WILSON of South Carolina. Mr. Speaker, the American people elected us to represent their best interests, and Republicans in the 109th Congress are fulfilling their duties. In only 4 months, Republicans have made real progress in decreasing the deficit, strengthening America's borders, preventing frivolous lawsuits, improving our highways, and providing our country with a comprehensive energy policy.

Unfortunately, in an effort to obstruct the successful Republican agenda, House Democrats have dedicated their time and energy to play politics and obstruct Republican Members of Congress.

Last week, Republican Members of the Committee on Standards of Official Conduct agreed to impanel a formal investigation into the recent allegations regarding the majority leader. Today, the House considered another proposal to address this issue.

House Democrats prefer to attack our effective majority leader, the gentleman from Texas (Mr. DELAY), instead of allowing Congress to hold an open and honest discussion on this issue. I am disappointed by their actions and hopeful that Democrats will refocus their efforts on providing real solutions for the American people.

In conclusion, God bless our troops, and we will never forget September 11.

TRAVEL RESTRICTIONS TO CUBA AFFECTING AMERICAN TROOPS

(Mr. MCDERMOTT asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. MCDERMOTT. Mr. Speaker, we heard the last speaker say ''God bless the troops.''

I want to tell you the story of a man named Carlos Lazo. He is a Cuban-American. He joined the military. He served honorably in the National Guard in the State of Washington. He spent a year in Iraq as a medic in Fallujah, the most violent area of Baghdad or all of Iraq.

When he came back he thought, Maybe I would like to go see my children. So he went and applied for a visa to Cuba, and he was told, Well, we are sorry, you went in 2003. You can't see your children until 2006.

Now, we are out here passing these ridiculous resolutions about how the Cubans act about travel. Why can Carlos Lazo not go and see his children?

I write a letter to OFAC up at the Department of Treasury. They do not even answer my letter. They give no justification for why a man who served cannot see his kids. And guess what? He is going back to Iraq. That is how much we respect the military in this country.

Somebody ought to act on his behalf. The Republicans have control of this Congress. They have control of the White House. And Carlos cannot see his kids. Some democracy you are selling in Iraq.

CONGRATULATING COACH GENE MAYFIELD ON HIS INDUCTION TO THE TEXAS HIGH SCHOOL FOOTBALL HALL OF FAME

(Mr. CONAWAY asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. CONAWAY. Mr. Speaker, I rise tonight to congratulate Coach Gene Mayfield on his induction into the Texas High School Hall of Fame. On May 7, 2005, Coach Mayfield will be inducted into the Texas High School Hall of Fame.

Coach Mayfield was a master at turning mediocre football programs into State title contenders. A graduate of Quitaque High School, Mayfield played quarterback for Coach Frank Kimbrough at West Texas State University. In 1950, Mayfield led his team to a Border Conference Championship and a win over the University of Cincinnati in the 1951 Sun Bowl. After serving as Kimbrough's assistant for two seasons, Mayfield accepted the job at Littlefield High School, where his teams advanced to the Texas State semi-final games in 1954 and 1956.

Coach Mayfield began rebuilding the football program at Borger High School in 1958 with a district title in his first season. His 1962 squad was undefeated until losing the Texas State championship game to San Antonio Brackenridge 30 to 26.

In 1965, the ''Father of Mojo'' took over an Odessa Permian team picked to finish last in the district. The Panthers went on to win the Texas State championship, beating San Antonio Lee 11 to 6. Mayfield's teams also advanced to the title game in 1968 and 1970.

Mayfield left Odessa Permian and took the West Texas State University job in 1971. He finished his coaching career at Levelland High School.

Coach Mayfield posted a career high school record of 156 wins, 35 losses and 4 ties. While his teams were very successful, Coach Mayfield's greatest accomplishment was the influence he had on the lives of the young men he coached. He instilled in all of us the value of hard work, responsibility, discipline, and being prepared. Coach Mayfield left a lasting impression on everyone he coached.

I credit much of my personal success to his influence on my life during these years since 1965.

Congratulations, Coach Mayfield, on a life well led.

WELCOME HOME TENNESSEE NATIONAL GUARD FROM MCNAIRY COUNTY, TENNESSEE

(Mrs. BLACKBURN asked and was given permission to address the House for 1 minute and to revise and extend her remarks.)

Mrs. BLACKBURN. Mr. Speaker, today I would like to welcome home some of our Tennessee Army National Guard, our friends and neighbors from McNairy County who were deployed in 2004.

America relies on men and women who are willing to give of their time and effort and energy to defend our great Nation. These are men and women of courage and bravery, and that is what each individual has done. They have defended this Nation; they have defended our freedom.

I know the Tennessee National Guard Family Group Service of McNairy County has done a great job coming together to support the men and women in uniform and working to be sure that the families of those deployed had the help that they needed.

Mr. Speaker, McNairy County really has been a model community in this effort, and I hope all of my colleagues will join me in congratulating them and welcoming home their loved ones in the Tennessee Army National Guard.

SPECIAL ORDERS

The SPEAKER pro tempore (Mr. CARTER). Under the Speaker's announced policy of January 4, 2005, and under a previous order of the House, the following Members will be recognized for 5 minutes each.

The SPEAKER pro tempore. Under a previous order of the House, the gentlewoman from Florida (Ms. ROS-LEHTINEN) is recognized for 5 minutes.

(Ms. ROS-LEHTINEN addressed the House. Her remarks will appear hereafter in the Extensions of Remarks.)

The SPEAKER pro tempore. Under a previous order of the House, the gentlewoman from New York (Mrs. MCCARTHY) is recognized for 5 minutes.

(Mrs. MCCARTHY addressed the House. Her remarks will appear hereafter in the Extensions of Remarks.)

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Texas (Mr. HENSARLING) is recognized for 5 minutes.

(Mr. HENSARLING addressed the House. His remarks will appear hereafter in the Extensions of Remarks.)

ORDER OF BUSINESS

Mr. JONES of North Carolina. Mr. Speaker, I ask unanimous consent to take this time for my Special Order.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from North Carolina?

There was no objection.

IN SUPPORT OF LIEUTENANT PANTANO

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from North Carolina (Mr. JONES) is recognized for 5 minutes.

Mr. JONES of North Carolina. Mr. Speaker, today is the second day of the Article 32 hearing for Second Lieutenant Ilario Pantano, a marine who I have talked about at great length who has served our Nation bravely in both Gulf Wars.

In an action of self-defense a year ago, Lieutenant Pantano made a split-second battlefield decision to shoot two Iraqi insurgents who refused to follow his orders to stop their movement towards him. Two and one-half months later, a sergeant under his command, who never even saw the shooting and who was earlier demoted for his lack of leadership abilities, accused him of murder. Because of that, Lieutenant Pantano today continues to face an Article 32 hearing where a hearing officer will determine whether he will face a court-martial for two counts of premeditated murder.

Mr. Speaker, today's hearing came to a halt when it became apparent that Lieutenant Pantano's accuser, Sergeant Coburn, had recently violated his superior's orders not to give interviews on this case. The defense showed that he has interviewed with many media outlets. Just last week, New York Magazine ran a cover story on this case with multiple quotes from Sergeant Coburn. It is clear that his testimony cannot be considered credible.

What is happening to this young man is an injustice. I see absolutely no way these charges can move forward any further when the accuser and key witness in this case is an individual who did not see the incident, has continually disobeyed orders, and who has clearly made it his mission to defame the character and integrity of a superior who demoted him for poor performance.

Lieutenant Pantano has served this Nation in great honor. My personal experience with him and his family convinced me that he is a dedicated family man who loves his Corps and his country. By all accounts, he was an exceptional marine.

I hope that in the next day or two as these hearings end, the hearing officer comes to the same conclusion that I and many like me have come to, that Lieutenant Pantano should never have been charged in the first place, and that all charges against him are dropped. I hope and pray that the truth will prevail.

Mr. Speaker, I have put in a resolution, House Resolution 167, to support Lieutenant Pantano as he faces trial. I hope that my colleagues in the House will take some time to read my resolution and look into this situation for themselves. But, most of all, I hope it is not necessary for us to discuss this further after this week.

I close with a quote from a witness in today's trial, Navy Corpsman George "Doc" Gobles, who was present during the shooting, but did not actually see anything. He did, however, testify to the character and leadership of Lieutenant Pantano. When he was asked about Lieutenant Pantano on the stand earlier today, he said, "I just felt a sense of security when a situation arose, I knew he would be able to take care of it. I felt the safest with this platoon, more than any other platoon in our company, more than anything because of Lieutenant Pantano and his leadership."

Mr. Speaker, as I close I want to mention that his mother, who is a wonderful lady from New York whom I have had the pleasure of talking to on several occasions, has set up an Internet Web site. It is www.defendthedefenders.org, and I would ask my colleagues to please look into this and join me on House Resolution 167. I ask the good Lord in heaven to please bless Lieutenant Pantano and his family, and I ask the good Lord to please bless all of our men and women in uniform and their families, and I ask God to please bless America.

REPORT ON RESOLUTION WAIVING REQUIREMENT OF CLAUSE 6(a) OF RULE XIII WITH RESPECT TO CONSIDERATION OF CERTAIN RESOLUTIONS

Mr. PUTNAM, from the Committee on Rules, submitted a privileged report (Rept. No. 109–60) on the resolution (H. Res. 242) waiving a requirement of clause 6(a) of rule XIII with respect to consideration of certain resolutions reported from the Committee on Rules, which was referred to the House Calendar and ordered to be printed.

REAL SOLUTIONS FOR IMMIGRATION POLICY

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Illinois (Mr. GUTIERREZ) is recognized for 5 minutes.

Mr. GUTIERREZ. Mr. Speaker, I rise this evening to continue my ongoing efforts to offer real solutions to fix our immigration system and to highlight the real contributions of our Nation's immigrant community.

Last week, we talked about CNN's Lou Dobbs and his "Broken Borders" segment. We talked about how Mr. Dobbs uses his show to offer a venue to anti-immigrant extremists. We talked about how, between all of his regular guests, one would be hard-pressed to find a solution to the challenges we face, because they would rather demagogue and divide than offer tangible ideas or pragmatic proposals. I guess they think it is better for ratings, better for raising money for their organizations, or better for riling up their membership.

Well, let me say this: It is not better for America. It is not better for America to do nothing about an immigration system that hurts families, hampers businesses, and harms communities.

So, this evening, I thought we could continue our discussion on mending borders, and I thought we could do it by answering a few questions that Mr. Dobbs left unanswered at the end of his show last week.

Let me start with Ray from Michigan's comment. Ray wrote the following to Mr. Dobbs: "Isn't hiring illegal aliens just another way to outsource labor? The money doesn't stay in the United States."

Well, Ray from Michigan, since Mr. Dobbs did not refute the inaccuracy of your statement, let me point you to a recent study by the Inter-American Development Bank.

According to the study, approximately 16.7 million U.S. workers born in Latin America had a combined gross income of $450 billion last year, of which 93 percent was spent locally. That means billions of dollars spent at local stores for local services, that means hundreds of thousands of jobs created. Just look at Chicago. According to a study by the Center For Urban Economic Development at the University of Illinois, the estimated 220 undocumented immigrants in the Chicago

area alone added $5.5 billion to the local economy, creating more than 31,000 jobs.

So I would simply and respectfully say to Ray from Michigan that immigrants make enormous contributions to our economy and to our communities, and we should work together to create a system that allows them to come out of the shadows and work here legally, safely, and humanely.

Now, let's go to Judy in Belvedere, Illinois. Judy wrote the following to Mr. Dobbs: ''I feel like this country is finally waking up to the fact that the illegal population is draining our country of millions of taxpayers' money.''

Let me respond with a few points, the first being that all immigrants pay taxes, income taxes, property taxes, sales taxes, gasoline taxes, cigarette taxes, every tax when they make a purchase. As far as income tax payments go, sources vary in their accounts, but a range of studies find that immigrants pay between $90 billion and $140 billion in Federal, State, and local taxes.

And let us not forget the Social Security system. Recent studies show that undocumented workers sustain the Social Security system with a subsidy as much as $7 billion a year. Let me repeat that: $7 billion a year.

Mr. Speaker, I know I have provided a lot of facts and figures this evening, so let me close with a newspaper quote describing immigrants: ''These people are by their nature unruly and not fit for civil society and government. We have little hope of containing them, other than by force of law.''

Somebody writing to Lou Dobbs? No. The source of the quote, an editorial in the esteemed New York Times. In their defense, it was in 1895.

And what unruly, ungovernable misfits was the New York Times writing about? Italian immigrants.

Now, my point in reading this quote is not to be critical of the New York Times or, let me be clear, to say anything disparaging about Italian immigrants.

My point, I hope, is obvious.

Uncertainty and fear and ignorance about immigrants, about people who are different, has a history as old as our Nation. Boston and Philadelphia papers in the early 19th century editorialized against the Irish who they said were ruining our Nation, for the only real Americans, those, of course, being of English ancestry. It is not new or unusual for the real Americans, meaning those immigrants who came to America a little bit longer ago, to fear the outsiders, the pretenders, the newcomers. But I think we have an obligation to set the record straight.

Because the truth is, today's immigrants, as they have for generation after generation, work the longest hours at the hardest jobs for the lowest pay, jobs that are just about impossible to fill. They pick our fruit, they care for our children and elderly, they change bedpans, they clear our tables and wash our dishes. And they do those jobs not because they want to take away anything from America, but because they want to give their skills, their sweat, their labor, for a better life and to help build a better America, just as those who came before them.

I hope we in this body can work in a bipartisan manner to ensure that our immigration system can better reflect their contributions.

ETHICS DISCUSSIONS IN WASHINGTON, DC

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from North Carolina (Mr. MCHENRY) is recognized for 5 minutes.

Mr. MCHENRY. Mr. Speaker, we are hearing a lot about ethics these days, ethical problems, ethical controversies. Why is ethics coming up as a topic of discussion here in Washington, DC? It is because the Democrat leadership has led their party on a campaign against our Republican majority through what I believe is a conspiracy of character assassination and misleading attacks.

Let me quote this week's U.S. News and World Report. Democrat strategists, confident that voters are increasingly fed up with the Republican establishment, are planning an all-out attack on what they call the ''abuse of power'' by Republicans. Democrat strategists, Mr. Speaker. Those folks who live and crawl around the basement of the Democrat National Committee and the DCCC, they see ethics as a way that might be able to gain them a few congressional seats.

I can tell my colleagues why they are doing this. It is because in the last 2 election cycles, Democrats, their agenda, their leaders, their ideas, or lack thereof, are going nowhere. They lost six U.S. Senate seats. They have posted double digit losses in the U.S. House of Representatives races. They are sitting back and trying to obstruct as Republicans pass tax relief. In fact, in just this Congress, we eliminated the death tax, the double taxation of inheritance. They watched as the Republicans passed an energy policy to keep and lower gas prices. They tried to obstruct class action lawsuit reform which Republicans passed to protect small businesses and individuals from the frivolous lawsuits of ambulance-chasing trial lawyers. They sat back as we passed comprehensive bankruptcy reform. And they are losing their own Members on these votes.

Mr. Speaker, over 70 Democrats have abandoned their leadership, their Democrat leadership to support a Republican bill on bankruptcy reform. Forty-two Democrats bolted their leadership, their left-wing leadership to support the permanent repeal of the death tax. Forty-one Democrats abandoned their leadership on energy policy, because they see that our ideas are better than their party's. A whopping 50 members of the Democratic Caucus abandoned their leader, the gentlewoman from California (Ms. PELOSI), on class action lawsuit reform. The Democrat Party is hemorrhaging. They are hemorrhaging.

□ 2100

So how does the leadership fight back, when they cannot even win their own rank-and-file members? How do they fight back? It is by baseless, senseless attacks and character assassinations, that is how. Let me quote an article that ran in a January issue of the New Republic, a liberal left wing magazine. The article is called ''How the Democrats Can Overthrow the House.'' And I quote: ''Democrats should consider fighting back by extraparliamentary means, going beyond the standard perimeters of legislative debate and attacking Republicans not on issues but on ethics. Character. In other words, it may be time for Democrats to burn down the House in order to save it.''

Not my words, Mr. Speaker. This is the liberal strategy for taking control of this House of Representatives. Burn down the House. Burn down this institution. That is the Democrats' plan. They are willing to tear down this very institution so they can gain raw political power. We have seen this before, and that is why you are hearing all of this about House rules and ethics.

But here is the deal. Democrats want to apply the rules, Mr. Speaker. They do. They just do not want to apply the rules to themselves. Consider the Democratic leader, the gentlewoman from California (Ms. PELOSI). She called for an investigation of the House majority leader, our Republican majority leader, for alleged irregularities for his travel records.

But ABC News reported last night that members of her very own Democrat leadership staff have not properly disclosed their own travel forms. Not just once. Not just twice. But a dozen times. The gentlewoman from Ohio (Mrs. JONES) who is a member of the ethics committee, Mr. Speaker, the gentlewoman is a member of the ethics committee, she went on a trip to Puerto Rico. I do not blame her for wanting to go on a nice trip. The gentlewoman from Ohio went on this with the gentlewoman from California (Ms. PELOSI) herself, as well as a number of other Democrats.

According to ABC News last night, the gentlewoman from Ohio (Mrs. JONES) said the incident was paid for by a registered lobbyist, while the gentlewoman from California (Ms. PELOSI) said it was paid for by a different organization.

Then, the gentlewoman from Ohio (Mrs. JONES) went back and amended her forms to say that the lobbyist did not pay for it. But you know what? Two other Democrats that went on that trip did not even disclose their travel. Did not even disclose it. When asked, one Member told the Washington Times, this happened 4 years ago; I am not sure why this is even relevant. Wow.

Do you hear hypocrisy? This is the pot calling the kettle black.

The SPEAKER pro tempore (Mr. CARTER). The time of the gentleman has expired.

POINT OF ORDER

Mr. ISRAEL. Mr. Speaker, I make a point of order.

The SPEAKER pro tempore. The gentleman will state his point of order.

Mr. ISRAEL. Mr. Speaker, is the gentleman allowed to make allegations, false allegations about another Member on the floor of the House during this time?

Mr. MCHENRY. Mr. Speaker, if I may address this, these are not false allegations

Mr. ISRAEL. Mr. Speaker, I would appreciate a ruling.

Mr. MCHENRY. I am reporting what ABC News reported.

The SPEAKER pro tempore. The gentleman will suspend.

Mr. MCHENRY. This is reported in the press.

The SPEAKER pro tempore. The Chair will remind all Members to refrain from arraigning official reference to the conduct of other Members. The gentleman's time has expired.

Mr. MCHENRY. Mr. Speaker, it is in reference to a reported incident that is covered by ABC News.

The SPEAKER pro tempore. The gentleman's time has expired.

SMART SECURITY AND THE TSUNAMI OF PEACE

The SPEAKER pro tempore. Under a previous order of the House, the gentlewoman from California (Ms. WOOLSEY) is recognized for 5 minutes.

Ms. WOOLSEY. Mr. Speaker, those watching C–SPAN right now probably are wondering what they are watching. They probably think it is a circus. But they are pretty familiar with the 5-minute speeches that Members of Congress deliver each day after the House of Representatives wraps up its legislative session.

Some critics and political opponents may claim that these nightly speeches serve little purpose, and sometimes they do serve little purpose. It is hard to accomplish much in 5-minute increments, they say.

But because half of the American people are not being represented by the Bush administration's shameful and threatening foreign policy, and half the American people are not receiving the representation they deserve from the Republicans in Congress, those who cower to the President's every demand when it comes to funding the illegal, ill advised and dangerous war in Iraq, I come here nightly so that I can discuss that very issue, the issue of the war in Iraq. That issue says to me that we need to change the way we think about foreign policy if we hope our country will survive the threat of global terrorism from fanatical groups like al Qaeda.

That is why next week I will reintroduce the SMART Security Resolution for the 21st Century, legislation that provides a positive alternative to the Bush doctrine of unilateralism and preemptive war. SMART Security addresses the threat of terrorism and nuclear security by augmenting and encouraging diplomatic efforts with other nations.

We need to address the threats we face through international cooperation, not war, because the military option does not solve our problems.

Only by promoting an effective national security strategy that is based on conflict prevention, diplomacy, multilateralism, and nonproliferation can we truly secure America for the future, while at the same time holding on to the liberties and values that make this country so very great.

Many of my House colleagues have stood with me in urging a new and smarter American foreign policy. Fifty Members of Congress cosponsored the SMART Security resolution during the 108th Congress, and my staff and I will work to ensure that this number increases in the 109th Congress.

But Members of Congress are not alone in this effort. Many of my constituents get it too. I am incredibly privileged to serve as the voice in Congress for the people of Marin and Sonoma counties, just north of the Golden Gate Bridge, which comprises California's 6th Congressional District.

My constituents get democracy as well as anyone else in the country. In last November's election, for example, a record 89½ percent of registered voters turned out to vote in California's 6th district; 91.1 percent turned out in my hometown of Petaluma, California.

That is why I quote them, and I want to quote Marge Piaggio, who lives in Fairfax, California. She called my office earlier this month to say that what the world needs is, and I am quoting her pretty liberally here, but she said what the world needs is a ''peace tsunami.'' The tsunami analogy might sound like an odd idea at first, but I think Marge is on to something. It is about time, she said, and I agree with her, that we washed over the war machine and cleaned up our political system.

Of course Congress will need the help and the support of citizens of the United States in this effort. And another one of my constituents, Jean Walz of Santa Rosa, wrote because she realizes that there is an important role that she and others like herself can play in helping to end the war in Iraq.

In reference to my nightly 5-minute speeches, Jean wrote the following in an e-mail, and I quote her: ''If you can do this each night, so can I. I will send an evening missive each and every night to my local elected representatives to please stop this war in Iraq.''

Everyone in this country, Mr. Speaker, who opposes the Bush administration's dangerous current path can emulate Jean Walz's heroic efforts to influence her local representatives. Then we will have peace in the United States between ourselves and other countries.

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Indiana (Mr. BURTON) is recognized for 5 minutes.

(Mr. BURTON of Indiana addressed the House. His remarks will appear hereafter in the Extensions of Remarks.)

EXCHANGE OF SPECIAL ORDER TIME

Mr. BRADLEY of New Hampshire. Mr. Speaker, I ask unanimous consent to take the time of the gentleman from Indiana (Mr. BURTON).

The SPEAKER pro tempore. Is there objection to the request of the gentleman from New Hampshire?

There was no objection.

COMMEMORATING THE 90TH ANNIVERSARY OF THE ARMENIAN GENOCIDE

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from New Hampshire (Mr. BRADLEY) is recognized for 5 minutes.

Mr. BRADLEY of New Hampshire. Mr. Speaker, I rise today to commemorate the 90th anniversary of the Armenian genocide and to commend the Armenian Caucus co-chairs, the gentleman from Michigan (Mr. KNOLLENBERG) and the gentleman from New Jersey (Mr. PALLONE), for again encouraging their colleagues to remember this solemn occasion.

April 24 marked the beginning of this systematic and deliberate campaign of genocide perpetrated by the Ottoman Empire in 1915. Over the next 8 years, 1.5 million Armenians were tortured and murdered, and more than half a million were forced from their homeland into exile.

The U.S. Ambassador to the Ottoman Empire during the genocide vividly documented the massacre of the Armenians by stating: ''I am confident that the whole history of the human race contains no such horrible episode as this. The great massacres and persecutions of the past seem almost insignificant when compared to the sufferings of the Armenian race in 1915.''

As this crime against humanity was being committed, the United States led the world in attempting to end the slaughter and to save those who survived. American intervention prevented the full realization of the Ottoman Empire's genocidal plan, and U.S. humanitarian assistance was extended to those who survived.

While the U.S. record on the Armenian genocide is the most expansive in the detail of its coverage of the events of 1915 to 1918, the official records of many other countries, Austria, France, Germany, Great Britain, Italy, and Russia corroborate the evidence gathered by U.S. diplomats.

Therefore, it is important for our government to reaffirm its own record on the Armenian genocide and to assure that the relevant historical

records are preserved. By keeping memories alive through history, we will prevent other instances of inhumanity from occurring.

As an ardent supporter of New Hampshire's Armenian community, I would like to pay particular respect to hard-working individuals within my State. Mr. Mike Manoian and Mr. John Aranosian have long advocated on behalf of the Armenian-American citizens in New Hampshire, and their efforts have resulted in the increased awareness and understanding of Armenian interests. I applaud that dedicated work and greatly appreciate their strong commitment. As a proud member of the Congressional Caucus on Armenian Issues, I will continue to encourage my colleagues to honor the memory of those Armenians who suffered and perished nearly a century ago.

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from California (Mr. GEORGE MILLER) is recognized for 5 minutes.

(Mr. GEORGE MILLER of California addressed the House. His remarks will appear hereafter in the Extensions of Remarks.)

EXCHANGE OF SPECIAL ORDER TIME

Mr. ISRAEL. Mr. Speaker, I ask unanimous consent to take the time of the gentleman from California (Mr. GEORGE MILLER).

The SPEAKER pro tempore. Is there objection to the request of the gentleman from New York?

There was no objection.

COMMEMORATION OF THE 60TH ANNIVERSARY OF AUSCHWITZ

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from New York (Mr. ISRAEL) is recognized for 5 minutes.

Mr. ISRAEL. Mr. Speaker, in January I attended the commemoration of the 60th anniversary of the Auschwitz death camp in Poland. This month and over the next several weeks, the world will pause and reflect on the 60th anniversary of the liberation of so many Holocaust death camps and, in fact, the drawing to a close of the Holocaust.

Every day the memory of the Holocaust diminishes as survivors find their eternal rest. And that is why it is so profoundly important that we teach the lessons of the Holocaust to our young people, to generations who become more and more removed and more and more distant from that gruesome experience.

I recently received a poem from a very bright young woman who met with a survivor from Auschwitz named Josephina Prins. I want to read this poem on the floor of the House because it shows just how powerful that experience was, bridging the divide of generations and making one of histories most unfathomable tragedies real for a 13-year-old girl named Ophelia Snyder. The poem is entitled ''The Miracle, Josephina Prins.''

They called you a number,
A thing.
They called you an animal.
You were a star.
You were a Jew.
They treated you like a smudge,
Like an object.
You are a person just like us.
Prick your finger.
What comes out?
Ask a friend.
What comes out?
Red blood.
We are all the same.
Then why,
Why did you seem so different?
Why are you not treated the same?
Are you not flesh?
Are you not blood?
Does your heart not beat?
Are we not the same?
74937.
You are special.
But then you are the same.
74937.
P-R-I-N-S.
Let that name live forever.
Even in the darkest night.
Let those letters shine with the hope of others.
Let her memories live forever.
Let her life inspire.
Let others remember.
And let us never forget.
P-R-I-N-S.
Josephine Prins.
The Jewel.
The Jew.
A miracle.
By the girl who met the miracle.
Ophelia B. Snyder.

Ms. Snyder is 13 years old, but she teaches lessons that are, in fact, eternal.

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Ohio (Mr. PORTMAN) is recognized for 5 minutes.

(Mr. PORTMAN addressed the House. His remarks will appear hereafter in the Extensions of Remarks.)

EXCHANGE OF SPECIAL ORDER TIME

Mr. DAVIS of Kentucky. Mr. Speaker, I ask unanimous consent to assume the time of the gentleman from Ohio (Mr. PORTMAN).

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Kentucky?

There was no objection.

DEFINITION OF HYPOCRISY

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Kentucky (Mr. DAVIS) is recognized for 5 minutes.

Mr. DAVIS of Kentucky. Mr. Speaker, Webster's Dictionary defines hypocrisy as a false pretension to personal qualities or principles not actually possessed.

Politicize is defined as to make the subject a political discussion or dispute. Progress is defined as moving forward, advancing, developing.

Now, of those three words, I can pick out two that occur regularly in this Chamber as the minority party perfects its blocking maneuvers. Unfortunately, it is not progress.

Let us talk about hypocrisy. Four Members of the minority party took the same trip with the foreign agent that the Democrats keep crowing that the majority leader took. Another Member of the minority party filed travel papers clearly stating that a lobbyist paid for her trip, but then corrected the papers after reporters asked about them and chalked it up to human error.

□ 2115

Yet the minority leader continues to insist that the ethics problems her party has trumped up is a Republican issue. I think that those who live in glass houses should not throw stones, lest their own walls begin to crack.

The minority leader's staff has not properly disclosed their own travel 12 times. A Democrat member of the ethics committee reported that a registered lobbyist paid for a trip she took to Puerto Rico. Two other Democrats did not even disclose that they went on the same trip. The minority whip took ten trips paid for by private parties that he never disclosed.

If you listen closely, you will hear the tinkling clatter of cracked glass falling on the ground outside the minority leader's office.

It is regrettable that the shameless hypocrisy of the liberal wing of the minority party in this Chamber chose to politicize the ethics committee. The reasons for doing this are simple: The liberal wing of the minority party knows that they have no agenda, no ideas, and frankly no leadership. So they are striking out against a successful majority leader who has brought forth an agenda, continues to offer ideas, and continues to lead his party.

The liberal wing of the minority party, still stinging from their losses in November, especially in the great State of Texas, are going after the majority leader. He must be doing something right to account for all the vitriolic slander aimed at him.

The liberal wing of the minority party had to create a distraction in hopes that the country would not notice that the Republicans were busy passing bipartisan legislation to create jobs, to help small businesses, to strengthen our borders, and craft a comprehensive energy policy.

So what do we do now?

The minority party will not let the ethics committee meet so the majority leader can clear his name. For the good of the House, the ethics process has to be above partisan politics. The Republicans have been willing throughout these long months of blustering from the obstructionist party to work towards a solution for the ethics committee to do its work.

Maybe returning us to the rules of the previous Congress will be acceptable to them, maybe not. I guess we will find out as the minority leader is sweeping up the broken glass resulting from her shattered strategy of personal attacks, personal destruction, and personal slander.

The SPEAKER pro tempore (Mr. CARTER). Under a previous order of the House, the gentleman from New Jersey (Mr. PALLONE) is recognized for 5 minutes.

(Mr. PALLONE addressed the House. His remarks will appear hereafter in the Extensions of Remarks.)

EXCHANGE OF SPECIAL ORDER TIME

Mr. MCDERMOTT. Mr. Speaker, I ask unanimous consent to claim the time of the gentleman from New Jersey (Mr. PALLONE).

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Washington?

There was no objection.

PRACTICE WHAT YOU PREACH

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Washington (Mr. MCDERMOTT) is recognized for 5 minutes.

Mr. MCDERMOTT. Mr. Speaker, we passed the bankruptcy bill out of here the other day and I voted ''no,'' and I will show you what I got for my reward. I got two more credit cards in the mail the very same day I voted ''no.''

The credit card industry in this country is demonstrating what is anti-Christian about this body. A lot of people stand around and tell us, oh, we believe in the Judeo-Christian religion and that is the root of all our efforts and everything else. Well, let me tell you something: The Israelites went down into Egypt and they were slaves. God said, look, I am going to take you out of Egypt, I will put you in the promised land but you have got to develop a community where nobody is enslaved.

Now, that took us to several different points in the presentation. The first was the idea of the Sabbath. On the Sabbath day, everybody was supposed to rest; slave, worker, wife, husband, animals, everybody rested on the seventh day.

The second concept was of the Sabbath year. And here is what the Sabbath year was. And I read this, this is from Deuteronomy 15. If you do not know, that is the fifth book in the Jewish Bible and it is also the fifth book in the Christian Bible.

''Every seventh year you shall grant a remission of debts. And this is the manner of the remission: Every creditor shall remit the claim that is held against a neighbor, not exacting it of a neighbor who is a member of the community, because the Lord's remission has been proclaimed. When the Lord, your God, has blessed you as he has promised you, you will lend to other nations but you will not borrow.''

How do we explain $450 billion of borrowing?

''You will rule over other nations but they will not rule over you.'' And it goes on. ''If there is among you anyone in need, a member of your community in any of our towns within the land that the Lord, your God, is giving you, do not be hard-hearted or tight-fisted towards your needy neighbor. You should open your hand, willingly lend enough to meet the need, whatever it may be. Be careful you do not entertain a mean thought, thinking the seventh year, the year of remission is near, and therefore view your needy neighbor with hostility and give nothing. Your neighbor might cry to the Lord against you and you will incur guilt. Give liberally but be ungrudging when you do so, for on this account the Lord, your God, will bless you and all your work and all that you undertake.

''Since there will never cease to be some in need on the Earth, I therefore command you, open your hand to the poor and the needy neighbor in your land.''

Now we have stood out here and passed a bill that is in exact contradiction. This same idea goes right into the Christian faith. This is not a Jewish idea. It is not a Christian idea. It is the Judeo-Christian ethic under which we live.

The bankruptcy bill says, if you have taken more money and borrowed more money than you can pay off, we are going to get you. We are going to squeeze the last dime out of you.

In that bill that passed here the other day, we changed a basic principle in our bankruptcy law in this country; that if you are in bankruptcy the first draw on any money available is the wife and the children. Child support. That should be the first money that goes out to be paid. If there is nothing else left, that should be first.

What this bill said was, these credit card companies who are out there sending these cards out all over this country with absolutely no regulation whatsoever, they are hooking people and then we are going to squeeze the last dime. We will put the poor woman and her kids in court, arguing with attorneys from the credit card company about whether or not they are going to get any money. So the poor woman and the kids are going to spend their food money on a lawyer to fight these people. No protection whatsoever.

That is not what the book of Deuteronomy said. That is not what God commended us to do. Whether we are Christian or Arab or Muslim or whatever, that bill was an abomination. We ought to start paying attention to the base of the values that we say we submit to in this House.

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Minnesota (Mr. GUTKNECHT) is recognized for 5 minutes.

(Mr. GUTKNECHT addressed the House. His remarks will appear hereafter in the Extensions of Remarks.)

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Maryland (Mr. CUMMINGS) is recognized for 5 minutes.

(Mr. CUMMINGS addressed the House. His remarks will appear hereafter in the Extensions of Remarks.)

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Illinois (Mr. EMANUEL) is recognized for 5 minutes.

(Mr. EMANUEL addressed the House. His remarks will appear hereafter in the Extensions of Remarks.)

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Arizona (Mr. FLAKE) is recognized for 5 minutes.

(Mr. FLAKE addressed the House. His remarks will appear hereafter in the Extensions of Remarks.)

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Texas (Mr. CONAWAY) is recognized for 5 minutes.

(Mr. CONAWAY addressed the House. His remarks will appear hereafter in the Extensions of Remarks.)

The SPEAKER pro tempore. Under a previous order of the House, the gentlewoman from California (Ms. MILLENDER-MCDONALD) is recognized for 5 minutes.

(Ms. MILLENDER-MCDONALD addressed the House. Her remarks will appear hereafter in the Extensions of Remarks.)

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Pennsylvania (Mr. DENT) is recognized for 5 minutes.

(Mr. DENT addressed the House. His remarks will appear hereafter in the Extensions of Remarks.)

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Pennsylvania (Mr. PETERSON) is recognized for 5 minutes.

(Mr. PETERSON of Pennsylvania addressed the House. His remarks will appear hereafter in the Extensions of Remarks.)

UPDATING SOCIAL SECURITY

The SPEAKER pro tempore. Under the Speaker's announced policy of January 4, 2005, the gentlewoman from Kentucky (Mrs. NORTHUP) is recognized for 60 minutes as the designee of the majority leader.

GENERAL LEAVE

Mrs. NORTHUP. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days within which to revise and extend their remarks and include extraneous material on my Special Order.

The SPEAKER pro tempore. Is there objection to the request of the gentlewoman from Kentucky?

There was no objection.

Mrs. NORTHUP. Mr. Speaker, I rise today to highlight an important issue that has become the topic of much discussion across our country: Social Security.

Republicans in Congress have joined together to form a series of teams to highlight the important issues facing our Nation today, and I am proud to serve as the chairman of the Retirement Security Team and to be joined by a number of my esteemed colleagues for this important discussion tonight.

Mr. Speaker, we know that it is important that Congress address the challenges that Social Security stand before us in the coming years. We know that there is an increased number of retirees and that there are fewer joining the work force. When Social Security first paid out benefits in 1950 there were about 16 workers for every retiree. Today there are 3.3 workers for every retiree, and we are headed towards a time when there will be only 2 workers in the system for every retiree. This means that we need a system that can support a Social Security team program.

When Social Security began, it happened that it paid out benefits when you were 65, but the life expectancy was at the age of 62. So this means for the average American they paid into a system where they were expected to die 3 years before they would be entitled to collect benefits. To our great benefit and to all Americans' benefit, our lives are much different now. We know that our life expectancies are much greater than 65; 79, 80, 81 are becoming the life expectancy. And not only that, Americans are healthier. They are enjoying vibrant lives after they retire, and that means we have to have a Social Security system that can support the hope and opportunities that so many seniors have come to depend on and look forward to in their years after the age of 65.

It is an exciting time for Social Security. The Members here in Congress that are with me tonight are eager to address the challenges of Social Security so that we can meet our responsibilities and so that we can live up to the expectations of also our children and grandchildren who are going to be expected to bear the responsibility of this program after we ourselves are retired.

This is a good time to embrace this challenge, to put ideas on the table, to ask our friends across the aisle to join us and to make a difference for today's seniors that they know they are in a system that is strong and vital and is there for them as they have always known it. For those that are about to be retired, that there is a system that they can expect is going to stay the same and benefit them.

We need to invite seniors today and those that are about to be seniors to join us in this conversation as seniors in previous generations have done, to sit down at the table and to help ensure that this program that means so much to them will be there for their children and grandchildren.

The seniors in my district are appreciative of the generations before them that planned for a program that would be sustainable while they themselves were retired. And I know that they are eager to roll up their sleeves and to join in this discussion and make sure that the program for their children and grandchildren will be stainable too.

So tonight let me introduce several of my colleagues as we discuss what the opportunities are before us with relationship to Social Security.

First, I would like to introduce my very good friend, the gentleman from South Bend, Indiana (Mr. CHOCOLA) or Elkhart, Indiana to be exact. I thank the gentleman for being with us tonight.

Mr. CHOCOLA. Mr. Speaker, I thank the gentlewoman for yielding to me. I also thank her for her leadership on this issue.

This is not the first time that we have come to the floor and talked about this important issue that we face as a Nation, and it is really a test we cannot afford to fail. We need to act responsibly. We need to find ways to find a bipartisan solution to the challenges, the really undeniable challenges that we face with Social Security. People like the Chairman of the Federal Reserve and the Comptroller General of the United States have said that the sooner we act, the less painful any solutions will be.

We can talk tonight about important numbers like 2017 when we go into a negative cash flow. We can talk about 2041 when the trust fund is exhausted and we can not pay the promised benefits to future retirees. We can talk about $10.4 trillion unfunded liability that we have as a Nation today that we must face up to. But I think that this problem is really even bigger than that. And to that end, I will tell just a quick story.

I was in a committee hearing not long ago where the Secretary of the Treasury, John Snowe, was testifying. And our friends on the other side of the aisle were criticizing the Secretary about any proposed solutions that had been discussed or offered to address this problem. And after that criticism I talked to one of my friends on the other side of the aisle and said, If this is so bad, if our solutions are so unwelcomed by the American people, why do you not just let us do it because that would be the quickest way to go back into the majority? If this is such a bad idea and the American people will like it so little, they will throw us out of office for trying to solve this problem in a responsible way.

□ 2130

I do not think that that offer is going to be taken because I think that many understand that this is much bigger than Social Security in itself. This is a bigger test and a challenge that we face as a Nation.

Just stop and think for a second that if we allowed every working American the opportunity to own a little bit of a growing economy, we would truly become an ownership society, and think about the fact that every American could own a piece of this growing Nation, the strongest economy on Earth, and got the benefit of this and could build a nest egg and build wealth over the course of their career, they would not really like things like frivolous lawsuits anymore or excessive regulation or excessive corporate taxes. We pay the highest corporate taxes in the industrialized world. People would understand, take ownership of how we grow the economy, and we all could benefit from that.

I think the ramifications of that go much beyond Social Security. They represent an ownership society, and we can use those types of principles to address even bigger problems like Medicare, Medicaid, pension reform.

So this is such an important issue that we have to move forward. It is a test we cannot afford to fail, and we need to find a bipartisan solution.

Before I turn it back over to the gentlewoman from Kentucky, I just say that I invite all Members of this body to become part of the solution. I used to be in the private sector before I was elected to Congress; and the people I worked with never came and said, boy, we have got a problem and all your ideas are rotten. What they would do is say, you know, we have got a problem and here are some ideas that I have to solve those problems and so we can act responsibly.

Is that not what we are elected to do? Because it is easy to be against things. It is easy to criticize other people's ideas, but we are really elected to find solutions to hard problems. If we are not willing to stand up and offer solutions to tough problems, rather than just criticizing others for their solutions, I do not think we are living up to the responsibility that we have as public servants. It is certainly not why anyone sent us here from home to serve in this body.

So I thank the gentlewoman for her leadership, and I invite every Member of this body to participate in a constructive discussion to find a bipartisan solution to an undeniable challenge that we face as a Nation; and if we do not live up to it, we are not doing what we need to do to serve future generations and generations that are currently retired in a responsible way.

Mrs. NORTHUP. Mr. Speaker, I thank the gentleman for his comments,

and I know that I look forward to discussing some of the directions we do not go.

We know that raising taxes is not a solution. We know that depending on a trust fund that does not exist is not a solution; but I do see that our friend, the gentleman from Georgia (Mr. GINGREY), has joined us. I welcome him, and I will yield to him for a few minutes.

Mr. GINGREY. Mr. Speaker, I thank the gentlewoman from Kentucky, and as well my good friend from Indiana; and it is a pleasure to be with my colleagues tonight to discuss something of such tremendous import to the country.

I have done about, Mr. Speaker, 10 listening sessions, town hall meetings on this subject; and it is very, very instructive. If you do them during the daytime, it is typically going to be senior-dominated; and many of those individuals, of course, are among the 43 million who are current Social Security beneficiaries.

One thing that we try to make sure that they understand is in any of the plans that are out there, and of course, every plan is a work in progress and nothing is set in stone, but that the concept, first of all, of holding harmless anyone 55 years or older, that their Social Security benefits will not change. Their checks will only change when they get their annual COLA, and they would not, in fact, have the opportunity to invest in an individual personal account, if that is part of the final solution.

I do not know, maybe my colleagues have heard this, too. Some of them, in particular at age 55, they are a little disappointed: Why did you cut me out? I do not get full retirement until I am 67 years old because of those changes that occurred under the Reagan administration in 1983, the last time we were in crisis. They are kind of disappointed, particularly if they are planning on working and deferring their benefits until age 70. They would have 15 years of an opportunity to get the miracle of compound interest.

But these seniors, and I am sure again that my colleagues are hearing the same thing, they are very concerned. Even when we tell them that they are secure and we promise them this is our pledge, they are concerned about their children and grandchildren; and they are there not so much for themselves, even if their Social Security was at risk, they are very concerned about their children and grandchildren. That kind of renews my sense of faith and spirit in our seniors and in the American way. It is really great to hear that from them.

Mrs. NORTHUP. Mr. Speaker, reclaiming my time, I am over 55 and many of my friends are over 55. I hear it more often from people that are 49, that say, now, wait a minute, if you are going to cut off the people who can benefit from these at 50, I only have a year to go; so how long is it going to take you to pass this bill so that I can get in the gate and be one of those that can also grow a personal account within Social Security to help pay some of the benefits that I will be entitled to when I retire.

So I have heard that and I agree with my colleague. It is very heartening to talk to the seniors. They obviously know that they depend on Social Security. They deserve to be reassured that their benefits are not going to change.

But many of them remember that the Democrat Congress in 1993 passed a tax on Social Security. They raised the taxes on Social Security significantly. They had thought that their Social Security would be untaxed. Now it is taxed, and they realize that if we can secure Social Security for the long run, that their current Social Security is even less likely to incur higher tax rates or a greater percentage of their Social Security tax. That is reassuring to them and also gives them a sense that they have helped steer or shepherd Social Security through sort of this transition so that it will be there for their children.

Mr. CHOCOLA. Mr. Speaker, if the gentlewoman would yield for just a second, I think it is important to step back for just a second and kind of review the course of the debate on this issue.

There were a whole bunch of headlines in the paper yesterday and today about a hearing that occurred over in the other body and which would lead people, I think, to believe that the discussion about Social Security has stalled or the President is not being effective in leading the discussion on meaningful reform on Social Security.

But it was not all that long ago, beginning this year in January, where I would hold town hall meetings and speak with people in the 2nd District of Indiana, and there was still a question of whether there was a problem or not. We would have a discussion: Do we have to act now or can we wait? Is this a crisis, or is this something that is being overblown?

But today when I talk to people back in the 2nd District of Indiana, there is no question whether there is a challenge, an undeniable challenge that we face in the need to move forward and act.

A very encouraging thing happened to me the other day. I think seniors do understand their benefits are safe and secure, and they are concerned about their children and their grandchildren and want to make sure there is a system in place that can give them the same benefits they have been able to enjoy.

I visited an eighth grade class in Culver, Indiana, on Liberty Day, where the local Lions hand out a copy of the Declaration of Independence and the Constitution, which is a great thing to do for our young people. I asked a question of the eighth grade class: How many of you are concerned about Social Security? To my great delight, every single one of them raised their hands. I said the discussions we are having in Washington and around the country about Social Security really is not about your grandparents because their bennies are safe and secure, but I know they are concerned about you, and our action or inaction on this issue is really all about you because you are going to pay for or you are going to enjoy the benefit of whatever we do.

So I was very encouraged to see that the eighth graders in Culver, Indiana, are paying attention to this and they understand the consequences to them and their families. I think that the debate is moving in the right direction. We have gone from do we have a problem to, sure, we have a problem to, now what do we do about it.

Again, I think it is the only responsible thing we can do for every Member of this body to participate in the discussion, to offer their ideas. Personal accounts have been controversial. I think personally that they need to be part of the discussion, but I know the President and I am sure that my colleagues here tonight would say if somebody has a better idea that results in permanent solvency for the Social Security system and gives future generations the opportunity to have all of the benefits that their parents and their grandparents have had, let us hear it, let us talk about it, let us debate it. If it is a good idea, I am sure we could act on it, and I am sure we would all benefit from that.

Mrs. NORTHUP. Mr. Speaker, I agree. We are all looking for the best possible solution.

I think when you ask the question, can we afford to wait, the follow-up question is, or what we often hear from the other side of the aisle, we do not have a crisis now because the trust fund will take care of us until 2017 or 2018.

Let us talk a little bit about why that is not the solution. I do not know whether the gentleman from Georgia (Mr. GINGREY) would like to maybe lead that off, why we cannot wait and why the trust fund is not going to take care of this.

Mr. GINGREY. Mr. Speaker, I thank the gentlewoman because it is such a good point.

The gentleman from Indiana said in his earlier remarks that we have a $10 trillion unfunded liability. That is a big number, but the cost of doing nothing is estimated at $600 billion a year for every year we do nothing and continue to try to avoid the problem, pretend that it does not exist, hope that some other Congress, the 110th, the 112th, whatever, will address that, and we will not have to put our political careers at risk.

I have heard others say, and I have said many times in my discussions across my district, that I am more concerned about the next generation than the next election. We do an interesting thing in our listening sessions. We have a video clip. Of course, it is a black and

white movie reel going back to 1935 showing a little clip of President Roosevelt signing that initial law, and he said very clearly this is not going to be enough to take care of the average senior's full retirement. I encourage them because of, and he used a term I hardly knew what it meant, I had to look it up in the dictionary, the vicissitudes of life. Things happen, good and bad; and people should prepare by buying an annuity to cover the vicissitudes of life, but unfortunately, people, fully a third of our seniors, cannot afford to invest in an IRA. Maybe they never had an opportunity to participate in one of these employer-sponsored 401(k) benefit plans for retirement, where the employer matches the employee, and they certainly did not have enough money in the paycheck they were earning to buy an annuity.

So where the problem is, and we all know it, nobody is disputing this, a third of our seniors get to age 62 or 65, they do not have a job, they do not have any other savings. They only have the Social Security check.

So this idea of an individual personal account is not a brand-new idea, and I know my colleagues agree with me on this point. It is not privatization. We are not turning the Social Security trust fund over to Merrill Lynch or Smith Barney and saying, here, go ahead and invest the money and you do this on behalf of the government and its retirees, and if you want to invest in Enron or Global Crossing or WorldCom or something not at all.

I think it is just so disingenuous, but we have to spend so much time undoing some of the negative publicity that has been sent out to our seniors to literally scare them, just like the same scare tactics that were used when we were passing the Medicare Modernization and Prescription Drug Act. Tear up your AARP card because they supported that; resign from that organization. Even if you are eligible to get $600 a year benefit on your prescription drugs, $1,200 over 2 years, do not accept that Medicare-approved drug discount card.

So we are spending an inordinate amount of time trying to overcome that negative publicity, those scare tactics in regard, yes, now with Social Security.

It is important and I really commend the gentlewoman from Kentucky for sponsoring this hour, for leading this hour so that we can make sure our colleagues understand that clearly it is time to do something about Social Security, and we cannot afford to put it off to the future.

Mrs. NORTHUP. Mr. Speaker, I thank the gentleman; and I want to yield to the gentleman from Indiana (Mr. CHOCOLA) to also discuss the trust find and why we cannot wait and depend on the trust fund.

□ 2145

Mr. CHOCOLA. Well, Mr. Speaker, that is a very good question, and there has been a lot of discussion about what is the trust fund. Does it have money in it? Does its have IOUs in it? Really, what does it have? And that question was presented to David Walker, who is Comptroller of the United States and responsible for the GAO.

In a committee hearing he was asked, how would you characterize the trust fund? And David Walker is one of the most honest, knowledgeable people I have ever heard talk about this issue. He is a Clinton appointee, but he does not talk about it in partisan ways at all. And paraphrasing his response, he said, well, the trust is less of a trust and more of an accounting device. It really is only pieces of paper in a filing cabinet. There is no marketable securities in there.

And I think his point was that we need to act now. Because in less than 3 years from now, in 2008, the baby boomers will start to retire. What we are faced with, in large part, is a demographic math problem. We have so many people retiring that we do not have enough people paying into the system to be able to provide the benefits for those collecting those benefits.

So that the trust fund itself, again characterizing the comments of David Walker, is that there are no assets there. There are only liabilities. They are IOUs that the government owes itself and that we must pay. We must find a way to live up to the promises we have made to current retirees and future retirees. But we are going to have to do it by thinking about alternative solutions. All the options need to be put on the table.

The fact is that one of the earliest lessons I learned in business was that balance sheets and income statements are fiction, cash flow is reality. The reality is that we have a cash flow problem. We do not have enough cash to pay the benefits, and we need to act now. As my colleague from Georgia said, if we fail to act, every year it costs us $600 billion more and the options on the table become fewer and more painful.

And so we need to act now. We need to find a bipartisan way and we need to invite our colleagues, especially on the other side of the aisle, to be part of the solution, not just part of the problem.

Mrs. NORTHUP. Mr. Speaker, I also would like to address the trust fund issue. I often use as an example an analogy that most people in every home can understand. I would say if you came home from work every week and you put some of your paycheck in a cookie jar for your child's college education, and then you borrowed it and you took a vacation, you bought some clothes, you did whatever with it, and you left an IOU in the cookie jar, at the end of 18 years you would have a cookie jar full of IOUs with no assets to back those up. In a sense, you would have nothing more than if you had never had the trust fund to start with. It is nothing but an accounting tool that shows us how much has gone in.

Now, this is how it was from the beginning. It is possible if we could bring back the Congresses of 1945 and 1948 and 1950 and 1960 and 1967, we could ask them if they would like to rethink that, and if they would have wanted to put it in a trust fund and put it someplace where it would grow and get interest and so forth. But in the meantime, those Congresses, believing that it was important to build an educational system and so forth, they spent the money.

In fact, in 1967, when Social Security was fixed at one point, increased revenues, it supported the war in Vietnam and at the same time the Great Society. Unfortunately, those programs that were started at that time still are the responsibility of the generations that followed behind. So our children are not only going to have the responsibility of Social Security, they also are going to bear the responsibility of continuing these programs that our educational system is dependent on, that our health system is dependent on, and that our rural communities have depended on. It is part of the American foundation.

So that is an enormous responsibility, filling the necessary programs and at the same time paying Social Security benefits that should have been part of a trust but that are not. So the trust fund is not something that is going to be there for our children to depend on or for those that are about to be retiring. In fact, already Social Security is reaching across to the education programs, the health programs, and pulling those dollars back across into Social Security to pay out the old-age benefits that have been promised, and that of course we are going to pay.

So already we are feeling the pressure on all of the other programs that got used to depending on the Social Security surplus dollars. Each year that is difficult for us, but starting in 2017 not only will every Social Security dollar be absorbed in benefits that will be paid out, but also dollars that have come in in general revenues, that had been used to sustain our defense, to keeping our rivers going and our airports flying and all the other responsibilities that government has, they will have to be foregoing those dollars to pay Social Security benefits. And as more of the baby boomers retire, that gets into a deficit that is so steep it challenges this country for all the rest of the years without a fix in Social Security.

Mr. Speaker, I do see that my friend and colleague, the gentleman from Wisconsin (Mr. RYAN), has come in. I know that he has put forth or introduced a plan that has all of us very interested in that plan and how it would work. Maybe I could ask the gentleman to spend a little while telling us about his program.

Mr. RYAN of Wisconsin. Mr. Speaker, I would be glad to do so, but let me first thank my colleagues from Georgia, Indiana and Kentucky for talking

about this issue tonight. This is one of the most important issues facing our country, and it faces all generations; our seniors' generation, our worker generation, our children's generation and our grandchildren's generation.

We have one problem that my colleagues have done such a good job of talking about, which is the insolvency problem, that when we go from 3.3 workers paying for one retiree to 2 workers paying for one retiree, or put another way, when we go from 40 million seniors to 80 million seniors within one generation, it is bringing the system to insolvency. But the real problem starts not just in 2017 but in 3 years, in 2008, when the oldest baby boomers begin retiring. That is when the revenues coming into Social Security start going down. And in 12 years, we no longer have enough money coming in to pay off all the benefits.

But there is one more problem that is coming to Social Security that we also want to fix, in addition to making the program solvent, and that is we want to make this program generationally fair, and it is not right now. Take me, for example. My mom is 70 years old and she gets about a 5 percent rate of return on her payroll taxes that she paid when she worked. It is a good deal for current seniors. They are getting a relatively good market rate of return on their payroll taxes, 5 percent for a 70-year-old; even higher for an 80-year-old.

But for current workers today, based upon the payroll taxes they are now paying, they are getting anywhere from 1 to 1.5 percent. The average worker today gets a 1.25 percent rate of return on their payroll taxes. Well, when you take a look at my children, our children's generation, I have three little toddlers, right now, under the current system, they are scheduled to get today a negative 1 percent rate of return on their payroll taxes.

Now, why is that important? I would say it is important because 80 percent of the American worker pays more in payroll taxes than they even pay in income taxes. It is the biggest tax most Americans pay. When Americans take 12.4 percent of their wages and put it into this program and it is a program that they are not even getting a fair share on, we have to ask ourselves can we not do better? Can people get a better retirement benefit from Social Security if they could only grow their money, this 12.4 percent coming out of their paychecks, at a better rate of return, like current seniors are getting?

That is why when we talk about saving Social Security, we want to do more than what Congress has traditionally done in the past. What have they traditionally done in the past? Raised taxes or reduced benefits. Specifically, Congress has raised payroll taxes 22 times since this program began. The payroll tax rate was 2 percent in 1937. Today, it is 12.4 percent. So we could save this program with solvency by just raising taxes again or reducing benefits. But if that is what we do, then that 1.25 percent that current workers are getting, and that negative 1 percent that our children will be getting, will just get much worse.

When you take a look at the pension plans around America, if you take a look at the Thrift Savings Plan that we here in Congress and other Federal employees have, which got us an average of 7.67 percent over the last 10 years; or if you take a look at most of the union pension plans, the Taft-Hartley plans, that got between 7 and 10 percent over the last 10 years; or if you look at the AARP's mutual funds, they have 35 bond and stock mutual funds that got on average about 7 percent over the last 10 years; and you look at the pension system, you say we can do better for workers today.

Why are today's workers only going to get a little over a 1 percent rate of return on their payroll tax dollars when every other pension fund, every other savings system out there does about 5 or 6 or 6 times that? So that is what we are taking a look at.

What I do in my bill is give people a choice. For those people under the age of 55, if they want to, they can dedicate a portion of their payroll taxes to their personal savings accounts. And we are not talking about privatizing Social Security. We are not even talking about partially privatizing Social Security. Because to privatize the program would be to let someone take a chunk of their payroll taxes and go outside the system, take it to their stock broker and do whatever they want with it. That is not what is being debated here. That is not what is on the table. That is not what is being discussed.

What we are talking about, whether you look at the Ryan-Sununu bill or any other bill in Congress, or the President's framework, what we are talking about is personal accounts that are inside of Social Security; that are run, overseen, managed, and regulated by Social Security, not Wall Street firms outside of the system. The vision that we have is to give people a choice of having a personal retirement account inside of Social Security, run by Social Security, just like the Thrift Savings Plan that we here in Congress have where we can get a better rate of return on our dollars. That is what we are planning on doing.

Now, the great thing that you can accomplish with personal retirement accounts is it can help bring solvency to the system and it can reduce the need to raise taxes or reduce future benefits. So what I would say is, the most humane way to save Social Security for future generations, to make it fair for our kids so they can get a similar retirement benefit like our seniors are getting today, and to bring the system into solvency and preserve the Social Security safety net, which we are all interested in continuing, personal retirement accounts are the most humane way to save the system. Because without them, then you have to resort to steep tax increases or benefit reductions.

If we want to fix this problem right now, tomorrow, and just do it on taxes, what the Social Security trustees, what the actuaries tell us, is the payroll tax rate would have to go up 50 percent tomorrow, to 18.6 percent. So when you are looking at the fact that 80 percent of us in this country, the biggest tax we pay is payroll taxes, and you want to raise that 50 percent to solve this problem, we say no to that.

When you take a look at the benefits, if you want to do this just on benefits, we would have to reduce future benefits by 40 percent just to solve this problem for the three generations we have. But with personal retirement accounts, you can prevent those kinds of painful options and give people a chance of making their money work harder for them so they can actually accumulate real wealth and get a better benefit when they retire.

The added benefit of a personal retirement account also is that it is your property. It is part of the individual's property. The government cannot take it away from you. It is the ultimate lockbox. Because unlike today, where the government spends all the Social Security surpluses, raids the trust fund, the government cannot take your personal account away from you.

When I talk to constituents, one thing that surprises them so much is that they think that they have a personal retirement account already. When they get their statement in the mail from Social Security, it says here is what you are entitled to, here is what you paid into it. People think there is an account with their name on it with money in it waiting for them. That is not the case. Court case after court case, from Fleming v. Nester in 1960, the Supreme Court has continuously told us no American has a legal or a contractual right to their Social Security benefit. The only guarantee any American has to their Social Security benefit is whatever the 535 politicians in Congress in any given year decide it is going to be.

But with a personal retirement account, that is your money. That is your property. It is surrounded by private property rights that the government cannot take from you. If you die, it goes to your family. It does not go back to the government.

I take a look at my personal situation from my own life, because our lives shape our values, which shape what we do here. My father died when I was 16 years old. He was 55. I was a recipient of the safety net. The survivor benefits that I got from Social Security helped me pay for college and finance my education. My mom at the time had a choice to make. She could either keep the payroll taxes that she paid when she worked, and my mom was a stay-at-home mom for a number of years, but also worked at a hospital. So she paid a lot of payroll taxes. But

she had a choice when my dad died: Keep what she paid in her payroll taxes or not, and/or keep what my dad had paid in his payroll taxes. Not both.

She got a $250 death benefit and then she had to give away all that money she paid in payroll taxes throughout her working career. She had to give that all back into the system and get the benefit based on my dad's payroll taxes. Under the personal retirement account system, especially for women who outlive their husbands, especially for any spouse who outlives the other spouse, not only would my mom be able to keep the payroll taxes she had always paid over those years for herself, she would also get my dad's personal retirement account on top of it.

So there are a lot of problems in the current system that I think a personal retirement account fixes, not least of which is inheritability. You actually own the fruits of your own labor and you own the account that you have in your name. The great thing that occurs in society by fixing Social Security this way, instead of going to the old-fashioned way of cutting benefits or raising taxes, is you broadly decentralize the concentration of wealth in America through personal retirement accounts.

□ 2200

Mr. Speaker, what do I mean when I say that. Under the Ryan-Sununu bill with accounts that we are proposing, where we have accounts and we keep the safety net of Social Security intact, we do not reduce benefits or raise taxes. According to the Social Security actuary, workers will have $7 trillion in their personal retirement accounts within 15 years. That is $7 trillion that every willing worker in America will have in their name as part of their property that they otherwise would not have. That is $7 trillion that would have otherwise gone to Washington will instead go into workers' savings.

Half of America today is the investor class. Half of the households own stocks and bonds. What that also means is the other half of America does not. The other half of America are not members of the investor class.

With personal retirement accounts which come from the existing retirement accounts that workers already pay, the biggest tax that they pay, every willing worker will be an owner in our society. They will own a piece of America's free enterprise system. They will have a stake in our society, they will be an owner of real assets and real wealth. That is a good thing.

I would like to think from the left or right, Republican or Democrat in Congress, we can agree on a couple of notions, that to decentralize the concentration of wealth in America and to narrow the gap between rich and poor would be a good thing to do. That is exactly what would happen when we have personal retirement accounts as part of the plan to save Social Security. That is essentially what our bill does.

If Members have any other questions on the specific mechanics, I will be happy to go into them. I thank the gentlewoman from Kentucky (Mrs. NORTHUP) for talking about this issue. If we delay like the gentleman from Indiana (Mr. CHOCOLA) said, every year we delay, according to the trustees, not the Republicans or the Democrats, but the trustees, it is another $600 billion of debt that we go into the hole. We owe it to our kids and grandkids not only to make this program solvent, but to give them a choice to have a system so they get an actual decent retirement benefit when they retire.

Mrs. NORTHUP. Mr. Speaker, I will give all of my colleagues a chance to respond to the presentation of the gentleman from Wisconsin (Mr. RYAN), and I thank the gentleman for his hard work. It is very difficult with all of the numbers and all of the actuarial work, and we are all very excited about this plan.

When the gentleman talks about the $7 trillion that would accumulate in workers' accounts, it reminds me of how important in an economy it is to have a thriving middle class. Economies with a few rich and many poor do not thrive because there is not a majority of people with purchasing power. In my district we make refrigerators and dishwashers and Ford has a Ford Explorer plant. We need a huge middle class that can create demand and gain the benefits of that production.

Years ago when there was only a fraction of Americans that owned stocks, all they got was what they made when they went to work. They got paid by the hour, week, or the month. As the economy grew, only that 20 percent that owned stocks shared in the wealth that came from the growth of the economy.

When you start to have every worker start to own stocks and bonds, they get to share in the economic growth of this country so you increase the purchasing power of the middle class. So you not only allow every single worker to increase the fruits of their labor; you also create an economy that is vibrant and exciting.

Also as we have more seniors that retire, it is important that they maintain their purchasing power. If our seniors wind up with the lowest amount of dollars that they can spend, they will not be able to participate in growing our economy. So the benefits of every single person growing a nest egg, a nest egg that they can count on and pass on to their children, that they can watch and understand what it means to the relationship between their job and their future when they retire is hugely important. We thank the gentleman.

Mr. Speaker, I yield to the gentleman from Georgia (Mr. GINGREY).

Mr. GINGREY. Mr. Speaker, I thank the gentleman from Wisconsin (Mr. RYAN). I think the Ryan-Sununu plan is one that excites me. There are several others out there, but one thing that the gentleman from Wisconsin (Mr. RYAN) said that we need to emphasize, he is explaining that if we totally, completely say that an individual personal account, not privatization but as he has explained it, an opportunity to invest a portion, just a portion of that payroll tax in something like a thrift savings plan, if we completely rule that out as our friends on the other side of the aisle have done in both Chambers, drawn a deep line in the sand and said no, not only no, but heck no.

But when we say show us your plan, what do they do, they hold up a blank sheet of paper because they do not want to admit what the gentleman from Wisconsin (Mr. RYAN) just pointed out, alternatives are to raise the payroll tax or to decrease benefits or raise the age at which a person can receive full benefits. Let us say because people are living longer and are healthier, let us say full retirement is 75 and early retirement is age 70, so it is important that people understand.

We are not ruling out anything on our side of the aisle. We do not have a plan set in stone, but clearly this option of an individual personal account enjoys, like no other fix, the miracle of compound interest. Einstein, when asked what the greatest power on Earth was, everyone expected him to say atomic energy, but he said the miracle of compound interest. I think the gentleman is on the right track.

Mr. RYAN of Wisconsin. Mr. Speaker, I thank the gentleman. Also, there are some fiscal issues that we need to talk about. There are some real misnomers out in the press. The trustees of Social Security have told us that the long-term debt, the unfunded debt we would owe to Social Security, that we would have to put aside today to keep it going into the future, is $11.1 trillion. Add to that the $1.7 trillion in unfunded IOUs we have in the Social Security trust fund, and it is not an asset, it is a debt, that is over $12 trillion we are short of money we would need to keep Social Security going at the current level where my kids get a negative 1 percent rate of return.

If we come up with a plan to save the system that has a personal retirement account as a part of it, and any borrowing or cost associated with transitioning from the current system over to a saved system, that cost is not new debt. Many people say that the Bush plan costs $2 trillion.

Well, that is not true; but, nevertheless, because there are not enough specifics to even analyze that plan, it is a framework, but let us take that at face value. The Bush plan costs $2 trillion to have personal retirement accounts that are voluntary. To bring the system into permanent solvency, $2 trillion wipes out that $12 trillion in debt. So if we are talking about debt that is incurred to save the system, that is not new debt; that is taking debt that is hanging out there on top of the American people, recognizing it and paying it off today, just like you refinance your mortgage but paying it off at a

smaller digestible level, and leaving the country debt-free with a better Social Security system that is guaranteed and gives people better benefits when they retire. It is a really important point that I think is missed a lot in the debate up here.

Mrs. NORTHUP. Mr. Speaker, that is true and certainly in an accounting system, no one would approve an accounting system where the assets that are coming in are going to have to meet future liabilities without also accounting for those future liabilities. If you can reduce a 10 or 11 or $12 trillion liability to a $2 trillion transition, that you incur as a transition, what you have done is overall reduced liability to our children and grandchildren. That is an excellent point.

Mr. Speaker, I yield to the gentleman from Indiana (Mr. CHOCOLA).

Mr. CHOCOLA. Mr. Speaker, I thank the gentleman from Wisconsin (Mr. RYAN) for his leadership on this issue. He has provided a lot of great ideas and leadership throughout this body.

Just to reinforce a couple of things, as the gentleman from Georgia said, Albert Einstein said the greatest force in the universe is compound interest. And I would argue the second greatest force in the universe is ownership. I saw that firsthand in my private life. Before I was a Member of Congress, I ran a publicly traded company. We had a 401(k) and a profit-sharing plan. People who lived paycheck to paycheck, that one might not consider to be financially sophisticated, they would come into my office and say, How much management fee would I pay on that? What was the last 5-year return? How should I think about my risk tolerance?

Mr. Speaker, when people are given ownership of their own money, they become real smart. It was commonplace for people to retire after a 30- or 40-year career, to retire as hourly workers with $300,000 or $400,000 in a retirement nest egg. So they were proof that one of the most powerful forces in the universe is compound interest.

Those that criticize the gentleman's plan who say we would put at risk guaranteed benefits, I think it is an important point that the current system has zero guaranteed benefits. None of the benefits are our property or have our names on them, and having millions of small lockboxes with our names on them is the only way we can guarantee benefits for future retirees.

Finally, the transition financing issue. Part of the gentleman's plan is to pay transition financing through savings in government, slower growth in government, which is a great idea. But even if we had to borrow the money, every public company uses what is called accrual accounting, that you have to identify and state on our financial statements liabilities as they are incurred. We use a cash basis in government, and we identify or recognize those liabilities when we write the check.

If we are going to have truth in accounting, we have to stand up and say this is an unfunded liability that is already an obligation. So paying off our mortgage early as the gentleman pointed out is the responsible thing to do and in fact results in a lower financial obligation long term. That is how we get solvency and act responsibly, and I thank you for your leadership.

Mrs. NORTHUP. Mr. Speaker, I see that the gentleman from Georgia (Mr. KINGSTON) has joined us, and I yield to the gentleman from Georgia (Mr. KINGSTON).

Mr. KINGSTON. Mr. Speaker, I want to make a couple of points. Number one on the compounded interest, at one of my 16 Social Security town meetings, a woman from Douglas, Georgia, came up to me and said, as I got a little older, in 1989 I started saving $200 a month. Compounded daily, that money is now worth $320,000. That is the miracle that Einstein was talking about.

I also wanted to bring out one point here. We focus so much on solvency, but there is also a generational fairness issue, and that is best shown if we think about somebody retiring in 1980, they got all of their money out of Social Security in 2.8 years. If you retire in 2003, it will take you 17 years to get your money back. If you retire in 2020, it is worse than that, it is more like 21 years. One of the things that we have is a solvency challenge, and we also have a generational fairness challenge.

Finally, I want to make the point that we are Republicans. We are the majority. It is going to be a little more difficult because we have to govern and come up with ideas. And it is easier if you are in the minority party to just sit back and criticize and live out there and tell people there is no problem with Social Security. The reality is we need and we want Democratic ideas. I think Social Security should be bipartisan and it should transcend the next election, and you should get the best ideas of the Democrats and of the Republicans, and move forward with the best.

I was disappointed to learn that the meeting which some of us are going to be participating in tomorrow, the bipartisan meeting, now the gentlewoman from California (Ms. PELOSI) has said to her Members that they cannot go to it.

□ 2215

And I think of the bipartisan meeting that we are going to have with the AARP, an equal number of Democrats, equal number of Republicans, that we now only have two Democrats who are going to go even though others said, yes, we will go, this time works for us.

So I am hoping that the gentlewoman from California (Ms. PELOSI) and the Democrats will back off their extreme obstructionist position and allow Members to sit down and negotiate with the other party and try to come up with ideas, because that kind of partisanship, that kind of silliness, that kind of bitterness is not going to help our seniors and our future generations.

So I am looking forward to this meeting. I know the gentlewoman from Kentucky (Mrs. NORTHUP) is going. I do not know if all of my colleagues here are going or not, but we would like to have everybody in attendance there.

Mrs. NORTHUP. Mr. Speaker, reclaiming my time, let me just reiterate what the gentleman said. How important it is and how thrilled we would be to have more of the Democrats there. First of all, I want to thank the Democrats who are still committed to come to it. I am eager to meet with them. I remember when I was in the Kentucky legislature in 1990, that we had education reform and I was in the minority and I was one of the Republicans that reached across the aisle and joined the majority party in passing educational reform. It just had a profound impact on education. It was one of the first systems that had an accountability system where we tested and held schools accountable.

It is thrilling when something happens, where people put party aside and step forward and pass something that will make generations of differences. And I am so excited that AARP is going to be part of a meeting, a bipartisan meeting. I am thrilled that two of our Democrat colleagues are eager to come. I know my colleagues here share my eagerness to hear what they have to say and start to look for common ground. I hope they will prevail upon some of their other members that this is bigger than a party thing. It is really something that is important for the future of our country, and I believe that it could still be quite a successful meeting.

Mr. CHOCOLA. Mr. Speaker, if the gentlewoman would yield, I just go back to the eighth graders I visited last week in Culver, Indiana. And I do not know if they remember that I was there a week later. But I guarantee in 20 years they will remember that I was there and they will look back and say, ''That darn Chris Chocola, he was part of a Congress that could not get above the political rhetoric, could not put partisan politics aside and solve this problem for me and my family''; or they will think back and say, ''Finally somebody did the responsible thing and I do not have to pay for the inaction of a Congress that was elected to make sure I did not have to pay the bill when I grew up and I was trying to grow my family and grow my career.''

So I think that we should always keep in mind when we have these discussions those eighth graders and what they are going to think about us in 20 years, because, after all, that is what this is about. It is about the future of our country. It is about giving future generations the opportunity to enjoy some of the same benefits and opportunities that we have all had, that our parents have had, and if we do not act responsibly, I am afraid that those

eighth graders will certainly recognize that and hold us responsible, as they should.

Mrs. NORTHUP. Mr. Speaker, reclaiming my time, I know our time is about up. So let me start by yielding to the gentleman from Wisconsin (Mr. RYAN) to see if he has any final thoughts or anything he wants to say in conclusion.

Mr. RYAN of Wisconsin. Mr. Speaker, only that I think it is very important that we come together, bring our ideas to the table, and fix this problem. We cannot keep kicking the can down the road. We owe too much to our kids, and just the numbers are so overwhelming. When we in one generation are going to double the number of retirees we have in this country, followed by fewer workers paying into the system, it is a system that cannot sustain itself. That is why we have got to fix this.

Social Security, I would argue, is the most successful and important program ever devised and created by the Federal Government. It has done wonders keeping people out of poverty. It is too important to let it fail and fall because of partisan politics. We have got to fix it for our kids and grandkids.

Mrs. NORTHUP. Mr. Speaker, reclaiming my time, let me close by thanking my colleagues who are here tonight. The gentleman from Elkhart, Indiana (Mr. CHOCOLA) has been a friend who has been on the floor. We have had opportunities to discuss this previously, and I know we will be back for future opportunities. And the gentleman from Georgia (Mr. GINGREY) has been a great leader on this issue. He is so thoughtful and so articulate on it, and I know that Americans around the country that heard him tonight were inspired. And, finally, the gentleman from Georgia (Mr. KINGSTON) is a leader in our caucus, and we depend on his advice and his leadership, and he has made a huge difference.

And we look forward to joining our fellow Americans around the country to continue these conversations in the future.

THE BUDGET

The SPEAKER pro tempore (Mr. GOHMERT). Under the Speaker's announced policy of January 4, 2005, the gentleman from South Carolina (Mr. SPRATT) is recognized for 60 minutes as the designee of the minority leader.

Mr. SPRATT. Mr. Speaker, more than a month ago, the House and Senate passed budget resolutions both on a fast track. Our hearings were minimal, ostensibly to finish up for the Easter break.

But this year's budget has become the classic case of hurry up and wait. Only yesterday, a month after finishing the budget resolution, did the House finally appoint conferees, and today we held the first and only meeting of the conference committee. We held that meeting amidst reports that agreement on the conference report was almost already a done deal. So the meeting was a formality, a gesture to lend some sort of collaboration to the budget process. But there has been no collaboration, and the budget resolution said to be emerging from conference does not reflect the resolution that we would pass if we were full partners in this process.

This year the Federal Government faces a deficit estimated at $427 billion, the third record deficit in a row. With deficits of this size, $427 billion, rising and never ending, the budget should be used to make the bottom line better, not worse. But the budget coming out of this conference does just the opposite. The President's budget, the House Republican budget, the Senate budget all make the deficit larger, not smaller.

The House budget makes the deficit $127 billion worse than current services. The Senate budget, Republican budget, makes the deficit $217 billion worse than current services.

I acknowledge, I will give the Republicans their due, both houses. They have searched the budget for programs to cut, and they have come up with some significant cuts. Medicaid, $20 billion; student loans; pension benefit guarantee premiums; probably the earned income tax credit, food stamps, maybe veterans benefits.

But these cuts do not go to the bottom line. That is the dirty little secret. They do not go to the bottom line and diminish the deficit. What they do, partially at least, is offset their tax cuts because even though the budget is $427 billion in deficit, Republicans are still pushing for more tax cuts, knowing full well that it can only make the bottom line worse, the deficit larger.

I think it is fair to ask can we fund the government if we have massive deficits and yet keep on cutting taxes? Obviously one way is to use the payroll taxes in the Social Security surplus to make up for the income taxes that are lost to tax reduction. And, in fact, that is just what the Republicans do. They use the payroll taxes that are accumulated in the Social Security surplus to make up for the income taxes lost to tax reduction.

As the next chart shows, the chart I have right here shows, they spend 100 percent of the Social Security Trust Fund surplus not on benefits but on everything in the Federal budget, 100 percent of it not just this year, 2005, 2006, but every year in their 5-year budget. I know that a government bond is placed in the trust fund for every dollar that is taken out of it, but I also know that President Bush went to West Virginia a couple of weeks ago and disparaged these bonds as mere IOUs, just scraps of paper.

Mr. Speaker, I do not believe that Social Security is in what one would call a crisis, but I do believe the actuaries at Social Security when they tell us that it may be faced with insolvency as early as 2041, and I believe we should do all that we can, as soon as we can, to remove that risk. But until we have a solution in place, a grand solution that returns the program to assured solvency for 75 years, surely we should do no further harm. Yet in raiding the Social Security Trust Fund of $160 billion this year and more in subsequent years, the Republicans' budget does just that, considerable harm. This is not a step towards making Social Security solvent. It is a long step backwards.

This budget is also a long step backwards for programs that Americans depend upon: education, veterans health care, environmental protection, medical and scientific research, and on and on down the list. On the discretionary side, the money we are appropriating, 13 bills every year, the House resolution cuts nondefense discretionary spending, domestic discretionary spending, by $12 billion in 2006 and by $150 billion over the next 5 years below inflation. The Senate's resolution is a bit lighter. It cuts spending next year by $6.3 billion and by $128 billion over the next 5 years.

On the mandatory spending side, which some call the entitlement side, the House budget resolution directs nine committees to come up with mandatory spending cuts and reconciliation procedures that will total $69 billion over 5 years. The Senate, more moderate, calls for $17 billion in reconciled cuts.

These reconciled cuts that our committee issues to different committees of jurisdiction in the House and Senate do not designate or specify how they shall be achieved, but the jurisdiction of each committee suggests exactly what is likely to be cut. The House resolution, since it is directed to the Committee on Energy and Commerce, for example, will likely fall on Medicaid; and since it is directed to the Committee on Agriculture, it will likely fall on food stamps; and since it is directed to the Committee on Education and the Workforce, it will likely fall on student loans or other income security; and since it is directed to the Committee on Veterans' Affairs, on veterans benefits. It is also directed to the Committee on Ways and Means. That means it is likely to fall on something we call the earned income tax credit, which is tax relief for the working poor, the people who need it the most. Or it could fall on welfare for the most disabled, those who have nowhere else to turn and rely upon a program called SSI, Supplemental Security Income.

These cuts are likely as a result of the reconciliation instructions in the budget resolution, even though the President did not call for them in his budget resolution and they are not included in the Senate budget resolution.

The Senate also, enough Senators got their backs up and said the Medicaid program is too important to people for whom it is health care of last resort and we simply cannot blindly whack $20 billion or even $10 billion out of the program. If we want to reform it and

restructure it and try to achieve some savings, fine, but let us not have an arbitrary budget savings number that drives reform and restructuring. So enough Republicans in the Senate voted that the Medicaid provision calling for cuts in Medicaid was deleted from their resolution.

And yesterday on the House floor we did exactly the same thing. A large majority of this institution, Democrats and Republicans, voted not to have the Medicaid cuts included in the bill. Mark my words, however, notwithstanding a majority in this House and a majority in the Senate, those cuts in Medicaid are likely to emerge in the budget resolution that is likely to come forth tomorrow.

These budget policies continue the course that was set when President Bush came to office. At that time the budget was in surplus by $5.6 trillion dollars over 10 years. Democrats warned then and there on the House floor and in committee that these were paper projections, they could disappear in the blink of an economist's eye, and we said let us seize this opportunity. Having years and years of deficits, now that we have a surplus or what appeared to be a huge surplus, we said let us pay down some of our long-term liabilities like Social Security and build up the Social Security program.

President Bush decided to take a different tact. It is true, terrorists, recession, and war have all taken a toll on the budget. But the Bush administration has adopted the attitude that we can have guns, butter, and tax cuts too, and never mind the deficits. As a result, the budget has moved from record surpluses to record deficits, as this next chart shows.

The President's 2006 budget, the budget for next year, like the House budget, like the Senate budget, claims to cut these deficits in half over 5 years. That is the claim we hear repeated frequently. They imply that in another 5 years, the budget would be brought back to balance. Give us 10 years, we will get the job done. But their budgets give us no figures at all, nothing after the first 5 years, and by running their numbers out only 5 years instead of 10, they avoid recognizing the impact that 90 percent of the President's remaining tax cut agenda is going to have on deficits. They will add $2 trillion if passed, if implemented, $2 trillion to the deficits in those outyears from 2011 to 2015 if we include a fix to the alternative minimum tax.

□ 2230

CBO, our Congressional Budget Office, our budget shop, which is neutral and nonpartisan, has given us a 10-year estimate, something the Republicans have not supplied us in the House nor Senate, a 10-year estimate, at least with the President's budget, and they estimate that there is no progress whatsoever on the deficit. In fact, CBO estimates deficits totaling $2.6 trillion over the next 10 years if we implement, if we follow the recommendations and the requests in the President's budget. $2.6 trillion in additional debt.

As bad as this may appear, the realistic numbers are even worse, because CBO is simply taking what the President has requested and extended it forward over 10 years. If we add what the President has omitted, the numbers are far, far worse.

The President has omitted the cost of Social Security privatization, even though he is pushing hard for it and acknowledges that the cost will be $754 billion between 200 and 2015. He omits the cost of fixing the Alternative Minimum Tax, which CBO says is $642 billion over 10 years, even though everybody knows it is a political inevitability. And he omits any costs for our deployments in Iraq and Afghanistan after 2005. Nothing for 2006. Everybody knows we will still have troops in substantial numbers there. CBO suggests that the cost over the next 10 years could easily amount up to $384 billion. Not a dime of that is in the President's budget.

When these costs are included, the budget outlook, as the next chart shows, is much, much bleaker. Annual deficits never fall below $362 billion. The heck with this talk of cutting them in half. They never fall below $362 billion, and they eventually rise at the end of this time period to $621 billion in 2015. That is a CBO number, which we have adjusted.

We do not have a 10-year projection of the House or Senate budget, but both are broadly similar to the President's budget, and that means that these estimates are roughly the same, basically in the same ballpark.

They say that the past is prologue, and we should not forget in that sense the impact of Bush budget in the first term between 2002 and 2005. To accommodate the Bush budgets between 2002 and 2005, we in the Congress, Republicans in Congress, on three different occasions have had to raise the debt ceiling, the legal ceiling to which we can borrow in the United States, first by $450 billion, then by $984 billion, then by $800 billion, by a total of 2.234 trillion in a period of 4 years.

In the House when we considered the budget, Democrats offered a better plan. We offered a better plan to reduce the deficit and eventually, believe it or not, to balance the budget again in the year 2012. The numbers added up. The Republican budget never achieved balance.

A real bipartisan conference, not like the one we had today, a real bipartisan conference, with everyone at the table and everything on the table, would give us a chance to consider a conference report like the budget resolution that we offered the floor which put the budget back in balance and actually achieved balance in the year 2012. Unfortunately, such a conference and such an outcome will not occur.

Unlike last year, there probably will be a Republican budget this year, but there be no plan, no prospect, for reducing the deficit.

I yield to the gentleman from Tennessee.

Mr. COOPER. Mr. Speaker, I appreciate the gentleman yielding. I would like to ask a question on this, because I think it is a very significant chart the gentleman is pointing out.

It is my understanding it took the first 204 years of American history to run up $1 trillion in debt, and that chart seems to demonstrate, what, that in just 2 or 3 years—

Mr. SPRATT. Every 18 months we are adding $1 trillion to the national debt, to the statutory debt to the United States. Nobody in his right mind thinks this is something that can be sustained.

Mr. COOPER. So to put the cookies on a low shelf, it took the first 204 years to do $1 trillion worth of damage to our Nation, and now the Republican majority is doing that every 18 months?

Mr. SPRATT. Roughly that. Even the CBO tells us that another substantial increase in the debt ceiling will be necessary by at least January or February of next year.

Mr. COOPER. If the gentleman will yield further, this is probably hard for the folks back home to understand, and I know it is hard for many Members here to understand, but this news simply has not gotten out to the American people. It is my understanding that, what, votes on raising the debt ceiling anymore do not happen?

Mr. SPRATT. This is past history. What I was giving you is a projection. You can look at the last three increases over the last 4 years, and the bottom line is $2.234 trillion. As Yogi Berra liked to say, you can look it up. It is a matter of record.

Mr. COOPER. Numbers do not lie. I appreciate the gentleman yielding. So the total national debt now is about $7.7 trillion.

Mr. SPRATT. That is correct.

Mr. COOPER. We pay the interest on that debt largely to foreign nations now, right? More and more foreign nations are lending us this money, so we are owing more and more money to foreign nations, is that correct?

Mr. SPRATT. Reclaiming my time, that is correct.

Mr. COOPER. Mr. Speaker, if the gentleman will continue to yield, Japan, China, Europe, nations like that, we will have to write checks to for many, many years in order to service the interest.

Mr. SPRATT. This chart shows the percentages of our debt that are held by foreigners. As you can see, they have steadily increased to the point where in 2004 the share of foreign-owned debt rose to 44 percent. One of the reasons that it is difficult to get this message across to the American people is that they are not really feeling the effects of it, since foreigners are buying for now a lot of our debt. But when and if they cease buying it in

huge quantities as they have been, we have got a problem.

Mr. COOPER. So almost half the mortgage on America is owned by foreigners, and they have been kind to lend us that money, but they could change their minds and stop lending us money at almost any time? Because we sell Treasury bonds, notes, other papers, every day in the market.

Mr. SPRATT. Reclaiming my time, in the meantime, they are accumulating claims against the United States that could some day be called.

Mr. COOPER. What happens if we cannot pay the debt?

Mr. SPRATT. Well, we have to probably inflate our currency. But let us not get into that. We are still not in that bad of shape, and I do not want to get into dire predictions. But we are forewarned. We all know there are limits to which anyone can go, governments, individuals, households, companies, corporations, there are limits to which you can go in borrowing money. It is a function of what your income is, and we are beginning to approach those limits.

Mr. COOPER. Mr. Speaker, the gentleman mentioned we certainly do not want to inflate the currency, but the dollar today is weaker than it has been in some time, the dollar vis-a-vis foreign currencies. If an American travels abroad and pays in dollars, you discover today it buys very little under Bush administration policies. A few years ago it used to buy a whole lot more. That is a sign of a weak dollar that we are already facing today because of our dependence on foreign borrowing.

Mr. Speaker, I appreciate the gentleman yielding. I did not mean to distract from your presentation.

Mr. SPRATT. Mr. Speaker, I yield to the gentlewoman from Nevada (Ms. BERKLEY). I traveled to Las Vegas to spend the day with the gentlewoman from Nevada (Ms. BERKLEY) a couple of weeks ago, and we went all over the City of Las Vegas, from three different editorial boards, to television, to a town meeting, and we found people there very much concerned about Social Security and about the shape of the budget.

Ms. BERKLEY. Mr. Speaker, I thank the gentleman from South Carolina for yielding. I so enjoyed the gentleman in Las Vegas and so did all of my constituents, because he was able to bring home to them and articulate to them exactly what the issues are when it comes to the budget and how it is going to affect them in a very adverse way.

I am here tonight to talk about why I am going to be voting against this Republican budget that is going to be on the floor probably tomorrow. But before I do, I have to comment on the last hour, because I had the opportunity since I was sitting here to hear some of the rhetoric from the other side when they were talking about Social Security and a bipartisan meeting with AARP that the Democrats were supposedly boycotting.

I think it is very important for people that are listening to know, at least from this Democratic Member of Congress, that until I heard that, I had never heard of such a meeting. I am married to a Republican. We practice bipartisanship in our home every single day. And I think if the Republicans were truly serious about working in a bipartisan fashion with the Democrats to craft solutions to the very serious problems that we have, we not only would sit down and talk about Social Security, not the privatization of Social Security, which we all know will do absolutely nothing to make this system solvent, but talk about the more immediate and pressing crises of Medicare and the health care system in this country. If you have tried to access the health care system in this country, you would know without me having to tell you that we do have a crisis.

So instead of creating a crisis and screaming about the partisan nature of the House of Representatives, maybe if they truly wanted to solve some of the solutions to make life easier for average American people, we would be sitting down at a table now, instead of the gentleman and I sitting here talking to each other. But we can talk about that some other time. I was just so taken aback by the attack that I felt I had to respond to it.

Mr. Speaker, I am going to be voting against this budget proposal that the Republicans have set forth, and it is very important that my constituents know why.

This is a very fiscally irresponsible budget. It is going to devastate numerous programs that many low and middle-income Americans depend on. I know they do in my congressional district.

Day after day we hear the President and congressional Republicans talking about fiscal responsibility and providing opportunities for lower and middle-income families in this country. But the priorities outlined in this budget tell an entirely different story. This is the perfect example of Republican rhetoric not matching the reality on the ground.

The Republican budget hides costs. We all know that. The gentleman spoke of some of the hidden costs. It threatens to put key programs like veterans health care, education funding and Medicaid on the chopping block.

The Republicans talk about keeping our promises to our veterans. I sit on the Committee on Veterans Affairs, and I have the fastest growing veterans population in the United States of America in Southern Nevada. The issues that affect our veterans are very important to me, and particularly health care, because my veterans do not get the health care that they deserve.

The Republican budget does not include enough money for veterans programs to keep pace with inflation over the next 5 years. To me this is an outrage. It is never acceptable to cut veterans benefits at any time, but it is especially not appropriate at a time when our country is depending more and more on the strength and morale of our Armed Forces in Iraq, Afghanistan, Kosovo and South Korea. We are stretched very thin.

These soldiers are going to be coming home to this country. They are going to be veterans and they are going to be expect the health care that this Nation has promised our soldiers when they become veterans, and I am afraid this budget is way short of providing the needs of our veterans, particularly not only health care needs, but mental health care, and that is going to be a major problem with our troops coming home from Iraq, a serious, serious problem.

I am not going to vote for any budget that threatens key programs, including health care benefits for the more than 160,000 veterans that live in my community. These men and women have served our country with dignity and valor, and I refuse to support a budget that shortchanges programs that are vitally important to them.

The Republican budget also fails students and their families in Nevada and across the country. It not only will not support current education programs and services over the next 5 years, but, again, since I have got the fastest growing student population in the United States, a budget that is even neutral and does not cut programs, although this one does, hurts my district disproportionately, because while our student population is growing, if education funding is going down, we take the biggest hit in the country.

Education should be one of the highest priorities in any budget. Our schools and our teachers and our students already feel the squeeze by budget cuts. To further cut funding is unfathomable to me.

The Republican budget cuts child nutrition programs. If you are a kid and you are not getting breakfast at home and you are going to school on an empty stomach, how are you going to learn? How are you going to concentrate on your studies when your tummy is growling? This cuts student nutrition programs.

It cuts student loans. I come from a family where my dad was a waiter when I was growing up. I depended on those student loans to get an education. That is how I went through college and how I went through law school. It took me many years to pay back those students loans, but without them I guarantee you I would not be standing here on the floor of the House tonight.

Vocational grants, so important for those students that do not go to college, who would rather go get a vocational education, which is also important for our economy in this country, those programs are getting decimated.

Also disability and pension programs. What type of Nation that prides itself on caring for its fellow citizens is going to cut pension and disability programs? But this Republican budget does exactly that.

Student loans. Let me get back to that, because I know firsthand how important they are.

□ 2245

They are vitally important to families in southern Nevada and across this country. Low and middle-income families in my district are not going to be able to send their kids to college without student loans. People think of Las Vegas and they see the fancy hotels and the wild night life, and we do have the glitz and the glamour in Las Vegas, but Las Vegas is populated by middle income people that are working in those hotels and trying to put a roof over their family's heads, food on their tables, clothes on their backs, and their children through college. They are entitled to have these student loans so that they can make sure that their children enjoy the American dream.

I am astounded that that is an area that this administration and this Republican budget is cutting.

Straining student loan programs will reverse the progress this country has achieved by sending millions of students just like me to college who otherwise could not afford it. This is unacceptable, must be stopped, and the American public should be rising up and complaining to the Republican Members of this House, telling them that this is unacceptable to them, because it hurts, and it is very painful.

The Senate restored funding for medicaid in its budget and, last night, the House the Representatives voted to instruct budget conferees to protect medicaid funding from the drastic cuts outlined in the President's budget. I hope that the House and Senate conferees do the right thing and leave the medicaid funding alone.

Medicaid provides crucial health services to approximately 159,000 people in my home State of Nevada. Any cuts to medicaid funding will make it much harder for low-income pregnant women, seniors, children, disabled, and families in Nevada and throughout the United States to get the health care they need.

I cannot stress enough how important medicaid is to the State of Nevada. Nevada's hospitals, nursing homes, community health centers depend on this funding. Medicaid pays for 65 percent of Nevada's certified nursing home residents. What are these seniors going to do if we lose this funding? It is going to be devastating for them. Are they going to be thrown out on the streets where they are going to die in the gutter? This medicaid funding must be restored, and it must be restored to the appropriate levels to take care of the people of this country.

I am going to vote against this conference report, because it fails to prioritize veterans, students, low-income and middle-income families. I want to remind my colleagues and the chairman that not too long ago, the Democrats offered a budget alternative that every Republican in the House voted against. And in light of the attacks that I just heard before we got up to speak about the partisan nature of the Democratic Party, I mean I find it a little shocking that not one Republican would cross the aisle and support the democratic budget proposal, because in that proposal, the Democrats not only talked the talk, but we walked the walk. Democrats provided an alternative that was fiscally responsible, would balance the budget by 2012, would reduce the deficit, and provide opportunities to all Americans that the Republicans only talk about. But if their budget is any indication of what they care about and what they are going to act upon, well, I am afraid it is a little light on helping their fellow man and taking care of the fiscal health of this country.

So I thank the gentleman very much for his leadership on this. There is nobody that presents our side of the argument better than the gentleman from South Carolina (Mr. SPRATT), and I thank the gentleman for letting me be a part of this discussion tonight.

Mr. SPRATT. Mr. Speaker, I thank the gentlewoman for a very effective presentation.

I yield to the gentleman from Portland, Maine (Mr. ALLEN), a former mayor who understands what Federal grants and aids and other projects mean to cities and small towns all over this country.

Mr. ALLEN. Mr. Speaker, I thank the gentleman for yielding. It is true at the local level you learn in a very short time the importance of a partnership between the Federal Government and the States and local governments. Clearly, it has been forgotten here.

I do want to thank the gentleman for the knowledge that he brings to this particular debate, the information he brings. I mean, the gentleman knows more, in my opinion, about this budget than anyone else in the Congress.

At some level, it seems to me, this should not be that hard, because the Federal budget should, number one, be designed to create a stronger and more competitive economy. I mean, after all, what we want for people in this country is to have opportunity, we want them to be able to get a good education, to get a job and be successful in competing, because we are all competing in one way or another in a global economy. We know that the Chinese economy is growing very rapidly, that India has very strong schools these days, particularly in engineering, and so we need the best educated, best trained work force we can have.

Now, if we look at this budget, we are not going to get the best educated, best trained work force out of what the Republicans are trying to do to this country. As the gentlewoman from Nevada was saying, there are so many programs, adult education, job training programs, technical education that are being reduced, being reduced, simply to pay for tax cuts for the richest people in the country. So how do we build a stronger, more competitive economy when we are reducing the ability of people to get the education and training they need; when we are turning around and passing a resolution, as we did today, a resolution that said, we are for a small business Bill of Rights, and then reducing funds to the Small Business Administration to make it harder for entrepreneurs in this country to get the financing they need, the technical assistance they need to get a business off the ground. It takes your breath away.

Mr. SPRATT. Mr. Speaker, that is the point I was trying to make at the opening. While these cuts may seem to be necessary to deal with the deficit, in truth, the deficits and their budget resolution are bigger than they would be under current surpluses. What they really do, to some extent, is use these entitlement cuts and discretionary spending cuts to offset the tax cuts so they will not grossly enlarge the bottom line. But they still have a huge deficit that is bigger than would otherwise be the case, because they are, notwithstanding these deficits, are making more and more tax cuts.

Mr. ALLEN. Mr. Speaker, just quickly, the thing that strikes me, that is astonishing to me is the median household income in this country is something like $48,000, $49,000. Half of the households, or less than half of the households earn more. We have a deficit of roughly $427 billion projected for this year. That is more than $1 billion a day that we are borrowing, a lot of it from Chinese and Japanese banks. Yet, $89 billion will be enjoyed by households earning over $350,000 this year, next year, the year after that, the year after that; $89 billion that they did not have in the prosperous 1990s because of the tax cuts that the Republicans passed for the wealthiest people in the country, and they are going to do anything to protect those tax cuts.

So what they are doing is they are cutting aid for small businesses, they are cutting vocational education, they reduce funding for adult education, they reduce funding for the Small Business Administration to protect tax cuts for the wealthiest people in the country. It is hard to see how that will provide a stronger and more competitive economy, and it certainly will not provide broader prosperity because that, in my view, is the second goal we ought to have here. We ought to be trying to make sure that opportunity in this country; the chance, if you work hard and play by the rules, to have a reasonable opportunity for a reasonable level of prosperity. That is missing in this budget.

The middle class in this budget takes it on the chin. This is no budget for middle class Americans.

Mr. SPRATT. Mr. Speaker, I yield to the gentleman from North Carolina (Mr. PRICE).

Mr. PRICE of North Carolina. Mr. Speaker, I thank the gentleman for yielding. I have been listening, listening over in my office initially and now here on the Floor to the discussion, and it strikes me that what the Republicans have given us is a worst-of-both-worlds budget.

The Ranking Member on the Committee on the Budget has described to us very convincingly how this budget takes us over the cliff fiscally. There is no question. We are looking at $400 billion, $500 billion deficits as far as the eye can see; just unprecedented deficits and debt piling up on this country.

One would like to think that if we are incurring that kind of deficit, we are at least getting some bang for the buck, right? We would like to think that we are getting adequate funding for domestic needs, for example. We would like to think that the economy is getting some juice, some stimulus. Yet, we are not getting that, either. We are getting the worst of both worlds. We are going over the cliff fiscally, yet we are not addressing these priorities.

Mr. Speaker, the political premise seems to be, and the gentleman from Maine was getting at this; the political premise seems to be that we are going broke in this country because we are doing too much for education, or because we are building too many highways, or because we are doing too much cancer research, or because too many loans are available to small businesses. I think that is irresponsible, and ''irresponsible'' is a kind word for that kind of political pitch, that we are getting from our Republican friends these days.

The fact is that these domestic expenditures account for very little in the way of our budget difficulties, yet they are being required to bear the brunt of the administration's budget policies. If it is not domestic discretionary expenditures, what is it? I would like to ask the gentleman.

Mr. SPRATT. Mr. Speaker, we have a chart to prove that point. I need to get it up here. We have a chart that shows how over the last 4 fiscal years, the increases in discretionary spending and, once again, that is the money we appropriate in 13 different bills each year. We call it discretionary because each year we decide how to spend it, it is defense, it is national parks; if we look at those accounts in discretionary spending, we will find that 90 to 95 percent of the increases in discretionary spending over and above current services, just running in place, are attributable to 3 different factors.

Here we go. Here is the chart. Defense, Homeland Security, and the response to 9/11. Those three factors account for 90 to 95 percent of the growth in discretionary spending. Now, the President says we are spending out of control but, in truth, the House is controlled by Republicans, the Senate is controlled by Republicans, the White House is controlled by Republicans. It is a self indictment, if anything.

But here is the actual truth: discretionary spending is going up, but it is going up in accounts and for reasons the President has requested and sought money for, and we have given it to him. Having put an Army in the field in Iraq, we are going to support them and see them through, we hope to a successful conclusion. But this is policy that he has originated and we have supported in one way or another and now support, and this accounts for the main increase in spending.

So number one, it is spending he has initiated; number two, it is not likely to fall off substantially to abate by any significant amount in the near future. That is a fact we have to live up to, a fiscal fact we have to live up to. But the administration is in a state of fiscal denial. They will not acknowledge that this is a fact, and that the remaining wedge out of the budget for discretionary spending, domestic, nondefense discretionary spending constitutes maybe $380, $390 billion. You cannot squeeze enough out of that sector to begin to wipe out a $427 billion deficit.

Mr. PRICE of North Carolina. Mr. Speaker, if the gentleman will yield, we are stuck here in the Congress not able to pass a transportation bill. Our communities are crying out for highway maintenance, for modernizing our highway system, for bringing transit on line. The administration has stood in the way of a congressional accommodation on a transportation bill that would invest in our future. Is highway spending part of that equation?

Mr. SPRATT. Ironically, there is about $20 billion there for roads, bridges, oil wells and other infrastructure in Iraq.

Mr. PRICE of North Carolina. Yes, in Iraq, but not in this country. We are not going broke because we are building too many highways in this country or doing too much in the way of infrastructure development. In fact, it is very, very foolish to cut back on those things in the name of fiscal balance when the problem in truth lies elsewhere.

Well, if the gentleman will go further, what is the tax side of this equation?

Mr. SPRATT. Well, as I acknowledged, terrorists and war and recession have all taken a toll on the budget. But the President has basically taken the attitude that we can have guns, butter, and tax cuts too, and never mind the deficits. The tax cuts keep coming every year. The President has an unfinished tax agenda of at least 1 trillion 400 billion, and that does not include everything, because he does not put on his agenda anything, anything to fix the alternative minimum tax. I paid it this year, I paid it last year, more and more Americans are going to be paying the AMT until it rises, Treasury tells us, to 30 million tax filers in the year 2010, not far away.

The political truth of the matter is, we will have to do something about that. That means that the President's tax agenda, tax cut agenda calls for another $2 trillion beginning in 2011. They conveniently stop their budget projections in 2010, so we miss the outyears, but here is what happens in the outyears when you add AMT to the President's other requests, principally to make permanent the tax cuts adopted in 01, 02 and 03. This is what happens to the baseline projections of the deficit; it gets worse and worse and worse. There is no end in sight, and it is aggravated by this fact, the tax cut agenda.

□ 2300

Mr. PRICE of North Carolina. Does the gentleman yield?

I spoke to the Raleigh Kiwanis Club just as tax filing deadline approached a couple of weeks ago and said something about the alternative minimum tax, that if the Members in this room have not figured that alternative minimum tax, you had better do it because I, for one, and sounds like the gentleman from South Carolina (Mr. SPRATT) had the same experience, I found just exactly how this is biting, and there were many heads nodding in that room. This alternative minimum tax is reaching deep into the middle class. And as the gentleman says, the President's budget takes no account of the need to fix that.

Mr. ALLEN. If the gentleman would yield, you know, I find a couple of things astonishing here. One is the Office of Management and Budget used to do 10-year projections of the budget. But they do not anymore. They just do 5 years under the Bush administration because from year 6 to year 10 is such a horrifying picture, they do not want the American people to know how bad it is. And you do not have to take it from us, from Democrats.

Before the 2003 tax cuts were passed, Paul O'Neill, George Bush's Secretary of the Treasury, said if you pass these 2003 tax cuts, if you do that, you will not be able to do anything else that you want to do. And he was right. He was absolutely right. Because this year, as a percentage of total economic activity, tax revenues to the United States of America are at the lowest level since 1959, before Medicaid, before Medicare. We are trying to run a 21st-century government on revenues that are, you know, really, as a percentage of the economy, 1950s revenues. And it is all because Republicans have, at least they say, they think if you cut taxes, revenues to the government increase. That is what the gentleman from Texas (Mr. DELAY) has stood up and said. The CBO disagrees and the real world does not work that way because every time they do a big tax cut, revenues decrease. We have got an administration that is the most fiscally irresponsible administration in the last hundred years at least, maybe forever, because they have turned the deficit,

turned a surplus generated during the Clinton administration into huge deficits that go on and on.

And I just think in terms of what happens to our children, because part of this deficit, part of this budget ought to be to prepare a better future for our children. That is what all Americans want. And we are simply piling debt on the backs of our children and grandchildren. We are spoiling their chances for a good life. And frankly, the people who are doing it have to know it.

Mr. SCOTT of Virginia. Will the gentleman yield?

Mr. SPRATT. I yield to the gentleman from Virginia (Mr. SCOTT).

Mr. SCOTT of Virginia. I just want to follow up on this briefly because we talked about fiscal responsibility and irresponsibility. And we have seen this chart. In 1993 we passed budgets that were very controversial. But they had the effect of eliminating the deficit and sending it up into surplus. And these were controversial, and those votes were used against the Democrats.

Right after these votes were cast, when we eliminated the trend line going down into further and further deficit and started going up, we had PAYGO in effect, where if you had a tax cut, you had to pay for the tax cut. If you had a spending increase, you had to pay for it with either more taxes or less spending somewhere else. You just could not spend without paying for it. You could not cut taxes without paying for it. And we ended up in a surplus at the end of 2000. We let PAYGO expire so you could pass massive tax cuts and increase spending all you wanted without paying for it. And that kind of fiscal irresponsibility puts us down here to $427 billion in the hole.

Now, it is going to get worse before it gets better. The President suggests in the rhetoric that he is going to cut the deficit in half in 5 years, which is actually somewhat modest. That means he is only going to clean up half the mess he caused. He is not even going to clean up just half. He is going to promise to clean up half.

But this green line down here shows if you actually include what we know must be included, there is no way you are going to even come close. It is just going to get worse and worse.

This blue line is an interesting line because this is the budget projection. All the surpluses of 300 billion-plus was the projection made in 2002, which is an interesting year, because it is after 2001. After 9/11 we still thought we could have surpluses, but we continued to cut taxes, we continued to increase spending without any limit.

Now, we have heard about the priorities that we are going to be missing. We have heard about education. We have heard about health care. We have heard about all of the things we cannot do. One of the things we cannot do, I live in Newport News, Virginia. We build aircraft carriers. Because of the budget crunch, they are talking about reducing the number of aircraft carriers.

We have a NASA research facility near my district, aeronautics research. We are scrambling to try to find a couple $100 million so that NASA Langley can have a few million dollars to continue the research that we are doing. We are having trouble finding that money. We hope we can find it.

But just last week, we passed another tax cut. When fully phased in, it would be another $70 billion a year. Without paying for it. Just passed it.

One priority we have, all of us here, Social Security. If you look at all of the tax cuts, you know, where are we going to find the money for Social Security to keep the plan we have got now, all of the tax cuts under this administration passed, and if we make them permanent, $14 trillion. Social Security only has a 3.7 to $4 trillion shortfall. If you add on Medicare, you could have solved both of those, or you can have tax cuts. And to add insult to injury, make the tax cuts permanent. That is over $11 trillion in present value cost. Social Security, 3.7. Make the tax cuts permanent for the top 1 percent, those making more than $350,000 a year. That is almost enough in itself to solve the Social Security problem that we have.

Matter of priorities. Are we going to give tax cuts to the top 1 percent, or are we going to save Social Security for everybody? Well, we are going to be voting on that. We have already passed estate tax repeal. We have got others. I believe that we ought to save Social Security first. If you are going to have an $11 trillion tax cut plan on the table, well, let us just take the first 4 trillion and solve Social Security. Then maybe we can only cut taxes $7 trillion. But we would have saved Social Security. Let us save Social Security first. We have got a good plan. All of the benefits being promised we cannot pay right now. We are 4 trillion short. It is actually better than the President's plan because his plan goes broke quicker and cuts benefits in the process. So that ought to be a nonstarter.

But we have priorities and because of our fiscal irresponsibility, we cannot meet those priorities. If we go back to the fiscal responsibility we had from 1993 to 2000, you had to pay for your new initiatives. You could not just pass a tax cut, and where a President would veto bills that were fiscally irresponsible, even if he had to shut down the government. In 1995 we shut down the government rather than President Clinton signing those bills that would have put us back in the ditch where we were. Now, that is the kind of leadership we need now. We do not have it.

And if the gentleman looks at the chart right beside him, where you pass these tax cuts that look a little modest for the next couple of years, but when you reveal the full 10-year and the next 10-year cost, you know they are fiscally irresponsible. We cannot afford them, and that is why Social Security is in jeopardy today.

Mr. SPRATT. I yield to the gentleman from Tennessee (Mr. COOPER), who I believe has a question he wants to put forth.

Mr. COOPER. I think it is important to return to the fact that we are going to be voting tomorrow on the budget for the United States of America, and it is a budget that no one has seen yet. They only appointed the conferees yesterday.

Mr. SPRATT. $2.6 trillion budget, which no one has seen.

Mr. COOPER. $2.6 trillion, covering all of the priorities of this great Nation, the fact that we are at war, Social Security and Medicare, all domestic spending, cancer research, CDBG grants, everything is rolled up into it and no one has seen it.

Now, last year we did not have a budget at all, so maybe the prospect of voting on a budget this year is a good one. But from all that we do know of the budget, and we will probably vote on it apparently about 2:00 tomorrow afternoon, it will be crammed down our throats with no one having seen the text of it. And the New York Times and responsible publications like that are saying it is really the worst of both worlds. It is going to help the people who need it the least and hurt the people who need it the most. It is going to hurt poor people. It is going to hurt middle-class people. It is going to hurt small businesses. It is going to hurt our schools, and that is irresponsible budgeting.

Mr. SCOTT of Virginia. Will the gentleman yield?

Mr. COOPER. I would be delighted to yield to the gentleman.

Mr. SCOTT of Virginia. When the budget left the House, what did it do to things likes Medicaid?

Mr. COOPER. I believe they recommended a $60 billion cut in Medicaid.

Mr. SCOTT of Virginia. Did they direct the Education and Workforce Committee to cut mandatory spending?

Mr. COOPER. Well, unbelievable cuts are in this and unbelievable aid to countries like Iraq. It is really a crazy set of priorities and unbelievable tax cuts.

Mr. SCOTT of Virginia. And if you cut mandatory spending and the education budget, the only thing you have for school lunches and student loans, that is the only thing you can cut under that program.

□ 2310

Mr. COOPER. One thing we know will go up is interest expense on the national debt because the deficits are the largest in American history. It is getting harder and harder to blame 9/11 for that because they have produced the largest deficits in American history year after year after year, as this chart shows right here. As the gentleman illustrated earlier, the sea of red ink is continuing; deficits, the largest in

American history, as far as anyone can see.

Mr. SCOTT of Virginia. The gentleman mentioned 9/11. It seems to me that it is fair to have been surprised in September of 2001 or maybe later that you suffered 9/11. Does the gentleman find it surprising that people still appear to be surprised that 9/11 happened here, 4 years later, that we are budgeting as if it did not happen? And surprise, after you pass the budget, oh, we forgot about 9/11?

Mr. COOPER. All the experts, including Chairman Greenspan of the Federal Reserve, say right now under these Republican budgets we are clearly on an unsustainable path, a literal road to ruin for our Nation. And the head of the GAO, the Government Accountability Office, David Walker, has said the same thing. In fact, he pointed out that 2004 was the worst year in American fiscal history, the worst year in our entire Nation's fiscal history because we are piling up deficits in such an irresponsible fashion. It is time for that to stop, but the situation will not be helped tomorrow when they cram down a budget on us that literally no one has seen. But if it resembles the House Republican budget or the Senate Republican budget, it is likely to be bad news for the American people.

Mr. SCOTT of Virginia. Let me ask one more question. The gentlemen mentions interest on the national debt. I remember in 2001 when this administration came in, when Chairman Greenspan was testifying, the questions he had to answer were along the lines of should we pay off the whole national debt or should we pay off just the short-term debt or the long-term debt? What will happen to the interest rates when you pay off the national debt?

Were the projections not at the beginning of 2001 when this administration came in that we could pay all the debt held by the public, we could pay it off by 2008, and by 2013, 2015, we could have put all the money back into the trust funds that we borrowed from like Social Security?

Mr. COOPER. The gentleman makes a great point because we have gone from the prospect of being a debt-free Nation to being one of the most indebted nations in the world.

In fact, there is a tragic tipping point that will occur in the last year of the Bush administration, because in that year, and this is according to the House Republican budget, we will actually be spending more on interest payments to our creditors than we spend on all regular domestic government in America. So in a sense it will be a better deal to be a bond holder of this country, even a foreign bond holder, than to be a citizen of this country. And that is the classic result of budget mismanagement which we are seeing year in and year out under this administration.

Mr. SPRATT. The gentleman mentioned what they told us about repayment of the debt. If the gentleman recalls, they said if you pass our budget, including these tax cuts, $1.5 trillion, $1.6 trillion in tax cuts, with interest even more, we will not be back until 2008, if you implement our budget, to ask you for an increase in the debt ceiling. We will not need to come back because we will have ample room beneath that ceiling.

In the Clinton administration the last 3 years we paid off over $300 billion of national debt. That is the first time that has happened for a long time. So they said that trend is going to extend and we will not need to come back and ask for an increase in the debt ceiling in 2008. History shows in 2002 they were back, hat in hand, saying we need $450 billion. The next year, 2003, they needed 984.

As the gentleman from Tennessee (Mr. COOPER) pointed out, that was equal to the entire debt of the United States in 1980. And then only 16 months later, they were back asking for another $800 billion which was provided in November of last year; and as a consequence, the total increase in the debt ceiling of the United States to accommodate the Bush budget from 2001 through 2005 is $2 trillion 234 billion. That is simple arithmetic, back-of-the-envelope analysis, but it is truly astounding to me, given the fact that they told us we would not need to raise the debt ceiling until 2008.

Mr. COOPER. The gentleman mentioned earlier that in early 2006 they will be asking for another increase in the debt ceiling, perhaps even 2005.

Mr. SPRATT. That is correct. This time next year they will need another increase, probably in the range of $800 billion.

Mr. SCOTT of Virginia. Would the gentleman remind us what the 10-year surplus was projected to be at the beginning of this administration?

Mr. SPRATT. $5.6 trillion.

Mr. SCOTT of Virginia. For those same 10 years, what is the projected surplus to be now?

Mr. SPRATT. It is more like $3.3 trillion deficit. We have had a swing in the wrong direction of nearly $9 trillion.

Mr. SCOTT of Virginia. Mr. Speaker, I would ask if the entire take of the individual income tax, is that not about $800 billion?

Mr. SPRATT. That is correct.

Mr. SCOTT of Virginia. And we have an average of $900 billion overspending from what was projected every year for the 10-year period?

Mr. SPRATT. Yes. It is a serious problem. It is a result of policies. It did not just fall off out of the sky. It is not terrorism necessarily. It is not war, even. It is the fiscal policies of this administration.

Now, one thing we did, as the gentleman will recall, in 2001 we did not do it, I did not vote for that budget; but in the Senate in particular, they said these tax cuts will have to sunset at the end of 2010 because, one reason, there may not be the surplus that we think there will be. This is a blue-sky estimate. It may not obtain it. If it does not, we do not want to be committed to these tax cuts only to find out that the surplus that they are predicated upon does not actually happen. And so they were all made to expire or terminate by December 31, 2010.

Now, we know that the surplus projection was wrong, grossly off, vastly overstated. And we have huge deficits in the place of huge surpluses now. But the administration is still pushing the same fiscal policy, asking, insisting, scheduling these tax cuts to be extended, all of them, almost all of them, after the year 2010, even though they can only do one thing at that point in time and that is go directly to the bottom line and vastly, hugely, expand the deficit of the United States.

Mr. SCOTT of Virginia. Does the gentleman have a chart that shows what the surpluses were supposed to be and what the annual deficits look like?

Mr. SPRATT. Here is one good chart that does just that. The gentleman can see it better than I can from his vantage point. We can see what they projected.

In the year 2002 they projected a surplus of $313 billion. That was with the implementation of their policies. It turned out to be a deficit of $158 billion. In the year 2003 they projected $359 billion. At least that was the January 2001 projection. I beg your pardon. That was without policy. That was the projection before Bush policy. A $359 billion surplus turned into a $377 billion deficit with Bush policies.

Mr. SCOTT of Virginia. Now, Mr. Speaker, could the gentleman show me where Social Security and Medicare present surpluses are on that chart?

Mr. SPRATT. Most of the numbers that we have quoted, as the gentleman well knows, are net of the Social Security surpluses.

Mr. SCOTT of Virginia. So that means we spend the Social Security plus, and then spend even more than that after we have spent the surplus?

Mr. SPRATT. That is correct. We had a deficit last year of $412 billion. But that was after deducting $150, $160 billion surplus in Social Security. If that Social Security surplus had not been offset, there was a deficit in the general account of the Federal budget equal to nearly 600.

Mr. SCOTT of Virginia. In the final years of the Clinton administration we had the Social Security and Medicare surplus and we were talking about a lockbox where that would be put to save Social Security and Medicare without spending it; is that right?

Mr. SPRATT. That is correct.

Mr. ALLEN. If I could just jump in here, I wanted to come to a conclusion about what this means, these huge deficits, these unprecedented deficits, the highest deficits in American history. They mean higher interest rates in the long run, higher interest rates than we would have otherwise.

Mr. COOPER. On car loans.

Mr. ALLEN. On car loans and home mortgages and on business loans. That is number one. And because it means higher interest rates in the long run, it means slower economic growth, slower economic growth than we would have with more responsible policies. What does slower economic growth yield? Fewer jobs. Fewer jobs for the American people.

□ 2320

So we have higher interest rates, slower economic growth, fewer jobs.

It is hard to believe the people who care about America would do what the Republican majority is doing to the American people through these budgets. They have fed the wealthiest people with tax cuts, the largest tax cuts in American history, and they are taking from the middle class opportunities for education and job training and advancement that ought to be part of what this country means.

I think it is embarrassing, it is a shameful activity, and it clearly is the worst fiscal irresponsibility that I can remember in the last 100 years.

Mr. SPRATT. Mr. Speaker, the gentleman has just examined one of the reasons that this deficit, these deficits which are structural deficits built into the budget, not cyclical and resulting from the economy, but structural, will not go away of their own accord, will not self-resolve but will be with us on and on and on until we take significant action.

The sad part about it is the budget resolution that comes to the floor tomorrow will not take significant action. We will have a budget that appears, but we will not have a plan to reduce the deficit, and we will not have any prospect of reducing the deficit, not under this budget. We will just kick the can down the road and leave it to the next Congress.

I thank all of the gentleman here for participating tonight.

SPECIAL ORDERS GRANTED

By unanimous consent, permission to address the House, following the legislative program and any special orders heretofore entered, was granted to:

(The following Members (at the request of Ms. WOOLSEY) to revise and extend their remarks and include extraneous material:)

Mrs. MCCARTHY, for 5 minutes, today.

Mr. GUTIERREZ, for 5 minutes, today.

Mr. BROWN of Ohio, for 5 minutes, today.

Ms. WOOLSEY, for 5 minutes, today.

Mr. GEORGE MILLER of California, for 5 minutes, today.

Mr. PALLONE, for 5 minutes, today.

Mr. CUMMINGS, for 5 minutes, today.

Mr. EMANUEL, for 5 minutes, today.

Mr. ISRAEL, for 5 minutes, today.

Ms. MILLENDER-MCDONALD, for 5 minutes, today.

Mr. MCDERMOTT, for 5 minutes, today.

(The following Members (at the request of Mr. JONES of North Carolina) to revise and extend their remarks and include extraneous material:)

Mr. FLAKE, for 5 minutes, today.

Mr. SMITH of New Jersey, for 5 minutes, May 4.

Mr. CONAWAY, for 5 minutes, today.

Mr. DENT, for 5 minutes, today.

Mr. MCHENRY, for 5 minutes, April 28 and May 3 and 4.

Mr. BRADLEY of New Hampshire, for 5 minutes, today.

Mr. GUTKNECHT, for 5 minutes, May 4.

Mr. PETERSON of Pennsylvania, for 5 minutes, today.

Mr. DAVIS of Tennessee, for 5 minutes, today.

EXTENSIONS OF REMARKS

By unanimous consent, permission to revise and extend remarks was granted to:

Mr. FILNER and to include extraneous material, notwithstanding the fact that it exceeds two pages of the RECORD and is estimated by the Public Printer to cost $1,807.00.

ADJOURNMENT

Mr. SCOTT of Virginia. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 11 o'clock and 22 minutes p.m.), the House adjourned until tomorrow, Thursday, April 28, 2005, at 10:00 a.m.

EXECUTIVE COMMUNICATIONS, ETC.

Under clause 8 of rule XII, executive communications were taken from the Speaker's table and referred as follows:

1734. A letter from the Principal Deputy Associate Administrator, Environmental Protection Agency, transmitting the Agency's final rule—Approval and Promulgation of Air Quality Implementation Plans; Texas; Revisions to Control Volatile Organic Compound Emissions [R06–OAR–2005–TX–0008; FRL–7890–4] received April 21, 2005, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

1735. A letter from the Principal Deputy Associate Administrator, Environmental Protection Agency, transmitting the Agency's final rule—Approval and Promulgation of Implementation Plans; Texas; Post 1996 Rate-of-Progress Plan, Adjustments to the 1990 Base Year Emissions Inventory, and Motor Vehicle Emissions Budgets for the Dallas/Fort Worth Ozone Nonattainment Area [TX–107–1–7496; FRL–7890–1] received April 21, 2005, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

1736. A letter from the Principal Deputy Associate Administrator, Environmental Protection Agency, transmitting the Agency's final rule—South Carolina: Final Authorization of State Hazardous Waste Management Program Revision [FRL–7889–8] received April 21, 2005, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

1737. A letter from the Principal Deputy Associate Administrator, Environmental Protection Agency, transmitting the Agency's final rule—Revision of December 2000 Regulatory Finding on the Emissions of Hazardous Air Pollutants from Electric Utility Steam Generating Units and the Removal of Coal- and Oil-fired Electric Utility Steam Generating Units from the Section 112(c) List [OAR–2002–0056; FRL–7887–7] (RIN: 2060–AM96) received April 21, 2005, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

1738. A letter from the Principal Deputy Associate Administrator, Environmental Protection Agency, transmitting the Agency's final rule—Standards of Performance for New and Existing Stationary Sources: Electronic Utility Steam Generating Units [OAR–2002–0056; FRL–7888–1] (RIN: 2060-AJ65) received April 21, 2005, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

1739. A letter from the General Counsel, Federal Energy Regulatory Commission, transmitting the Commission's final rule—Reporting Requirement for Changes in Status For Public Utilities With Market-Based Rate Authority [Docket No. RM04–14–000; Order No. 652] received March 11, 2005, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XIII, reports of committees were delivered to the Clerk for printing and reference to the proper calendar, as follows:

Mr. NEY: Committee on House Administration. House Resolution 239. Resolution dismissing the election contest relating to the office of Representative from the Sixth Congressional District of Tennessee (Rept. 109–57). Referred to the House Calendar.

Mr. THOMAS: Committee on Ways and Means. House Resolution 170. Resolution of inquiry requesting the President to transmit certain information to the House of Representatives respecting a claim made by the President on February 16, 2005, at a meeting Portsmouth, New Hampshire, that there is not a Social Security Trust; adversely (Rept. 109–58) Referred to the House Calendar.

Mr. DREIER: Committee on Rules. House Resolution 241. Resolution providing for the adoption of the resolution (H. Res. 240) amending the rules of the House of Representatives to reinstate certain provisions of the rules relating to procedures of the Committee on Standards of Official Conduct to the form in which those provisions existed at the close of the 108th Congress. (Rept. 109–59) Referred to the House Calendar.

Mr. PUTNAM: Committee on Rules. House Resolution 242. Resolution waiving a requirement of clause 6(a) rule XIII with respect to consideration of certain resolutions reported from the Committee on Rules. (Rept. 109–60) Referred to the House Calendar.

REPORTED BILL SEQUENTIALLY REFERRED

Under clause 2 of rule XII, bills and reports were delivered to the Clerk for printing, and bills referred as follows:

Mr. BOEHNER: Committee on Education and the Workforce. H.R. 742. A bill to amend the Occupational Safety and Health Act of 1970 to provide for the award of attorneys' fees and costs to small employers when such employers prevail in litigation prompted by the issuance of a citation by the Occupational Safety and Health Administration; referred to the Committee on Judiciary for a period ending not later than May 6, 2005, for consideration of such provisions of the bill as fall within the jurisdiction of that committee pursuant to clause 1(1), rule X (Rept. 109–61, Pt. 1). Ordered to be printed.

PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XII, public bills and resolutions were introduced and severally referred, as follows:

By Ms. VELÁZQUEZ (for herself, Ms. BEAN, Mr. GRIJALVA, Mr. CASE, Mrs. CHRISTENSEN, and Mr. COOPER):

H.R. 1868. A bill to amend the Small Business Act to provide for increased access to capital for small businesses under the section 7(a) loan program, and for other purposes; to the Committee on Small Business.

By Mr. THORNBERRY:

H.R. 1869. A bill to improve the conduct of strategic communication by the Federal Government; to the Committee on International Relations.

By Mr. FOLEY (for himself, Mr. MILLER of Florida, Mr. PUTNAM, Mr. MACK, Ms. HARRIS, Mr. FEENEY, Mr. FITZPATRICK of Pennsylvania, Mr. BISHOP of Georgia, Mr. PAUL, Mr. JINDAL, and Mrs. KELLY):

H.R. 1870. A bill to expedite payments of certain Federal emergency assistance authorized pursuant to the Robert T. Stafford Disaster Relief and Emergency Assistance Act, and to direct the Secretary of Homeland Security to exercise certain authority provided under such Act; to the Committee on Transportation and Infrastructure.

By Mrs. DRAKE (for herself, Mr. FORBES, Mr. CUNNINGHAM, Mr. GRAVES, Mr. KIRK, Ms. HART, Mr. ALEXANDER, Mr. TANNER, Mr. STEARNS, Mr. SESSIONS, Miss MCMORRIS, Mr. MURPHY, Mr. PRICE of Georgia, Mr. EHLERS, Mr. GOODLATTE, Mr. GOODE, Mr. BURTON of Indiana, Mr. SAM JOHNSON of Texas, Mr. BURGESS, Mr. KUHL of New York, and Mr. TAYLOR of Mississippi):

H.R. 1871. A bill to provide liability protection to nonprofit volunteer pilot organizations flying for public benefit and to the pilots and staff of such organizations; to the Committee on the Judiciary.

By Mr. SAM JOHNSON of Texas (for himself, Mr. CANTOR, Mr. RYAN of Wisconsin, Mr. HAYWORTH, Mr. JINDAL, Mr. MANZULLO, Mr. AKIN, Mr. GREEN of Wisconsin, Mr. HERGER, Mr. NEUGEBAUER, Mr. CAMP, Mrs. DRAKE, Mr. PENCE, Mr. KING of Iowa, Mr. BEAUPREZ, Mr. NUSSLE, Mr. BRADY of Texas, and Mr. CHOCOLA):

H.R. 1872. A bill to amend the Internal Revenue Code of 1986 to provide tax incentives for the purchase of qualified health insurance, and for other purposes; to the Committee on Ways and Means.

By Mr. BASS (for himself, Mr. DAVIS of Florida, Mr. COOPER, and Mr. BRADLEY of New Hampshire):

H.R. 1873. A bill to amend the Clean Air Act to establish a national uniform multiple air pollutant regulatory program for the electric generating sector; to the Committee on Energy and Commerce.

By Mr. ANDREWS:

H.R. 1874. A bill to improve national pier inspections and safety standards; to the Committee on Transportation and Infrastructure.

By Mr. BERRY:

H.R. 1875. A bill to authorize the Secretary of the Interior to study the suitability and feasibility of designating the Wolf House, located in Norfolk, Arkansas, as a unit of the National Park System, and for other purposes; to the Committee on Resources.

By Mr. BLUMENAUER (for himself, Ms. HOOLEY, Mr. WALDEN of Oregon, and Mr. CHABOT):

H.R. 1876. A bill to establish a national demonstration project to improve intervention programs for the most disadvantaged children and youth, and for other purposes; to the Committee on Education and the Workforce.

By Mr. CAMP:

H.R. 1877. A bill to suspend temporarily the duty on hydraulic control units; to the Committee on Ways and Means.

By Mr. CAMP:

H.R. 1878. A bill to suspend temporarily the duty on shield asy-steering gear; to the Committee on Ways and Means.

By Mr. CAMP:

H.R. 1879. A bill to amend the Internal Revenue Code of 1986 to modify the unrelated business taxable income rules; to the Committee on Ways and Means.

By Mr. CLEAVER:

H.R. 1880. A bill to suspend temporarily the duty on 2,4-Dichloroaniline; to the Committee on Ways and Means.

By Mr. CLEAVER:

H.R. 1881. A bill to suspend temporarily the duty on 2-Acetylbutyrolactone; to the Committee on Ways and Means.

By Mr. CLEAVER:

H.R. 1882. A bill to suspend temporarily the duty on Alkylketone; to the Committee on Ways and Means.

By Mr. CLEAVER:

H.R. 1883. A bill to reduce temporarily the duty on Cyfluthrin (Baythroid); to the Committee on Ways and Means.

By Mr. CLEAVER:

H.R. 1884. A bill to suspend temporarily the duty on Beta-cyfluthrin; to the Committee on Ways and Means.

By Mr. CLEAVER:

H.R. 1885. A bill to suspend temporarily the duty on Deltamethrin; to the Committee on Ways and Means.

By Mr. CLEAVER:

H.R. 1886. A bill to suspend temporarily the duty on cyclopropane-1,1-dicarboxylic acid, dimethyl ester; to the Committee on Ways and Means.

By Mr. CLEAVER:

H.R. 1887. A bill to suspend temporarily the duty on Spiroxamine; to the Committee on Ways and Means.

By Mr. CLEAVER:

H.R. 1888. A bill to suspend temporarily the duty on Spiromesifen; to the Committee on Ways and Means.

By Mr. CLEAVER:

H.R. 1889. A bill to extend the temporary suspension of duty on Ethoprop; to the Committee on Ways and Means.

By Mr. CLEAVER:

H.R. 1890. A bill to suspend temporarily the duty on Propiconazole; to the Committee on Ways and Means.

By Mr. CLEAVER:

H.R. 1891. A bill to suspend temporarily the duty on 4-Chlorobenzaldehyde; to the Committee on Ways and Means.

By Mr. CLEAVER:

H.R. 1892. A bill to suspend temporarily the duty on Oxadiazon; to the Committee on Ways and Means.

By Mr. CLEAVER:

H.R. 1893. A bill to extend the temporary suspension of duty on 2-Chlorobenzyl chloride; to the Committee on Ways and Means.

By Mr. CLEAVER:

H.R. 1894. A bill to suspend temporarily the duty on NaHP; to the Committee on Ways and Means.

By Mr. CLEAVER:

H.R. 1895. A bill to extend the temporary suspension of duty on Iprodione; to the Committee on Ways and Means.

By Mr. CLEAVER:

H.R. 1896. A bill to extend the temporary suspension of duty on Fosetyl-Al; to the Committee on Ways and Means.

By Mr. CLEAVER:

H.R. 1897. A bill to extend the temporary suspension of duty on Flufenacet (FOE Hydroxy); to the Committee on Ways and Means.

By Mr. GARY G. MILLER of California (for himself, Mr. FOSSELLA, Mr. SHIMKUS, Mr. PAUL, Mr. WILSON of South Carolina, Mr. BOEHNER, Mr. GILCHREST, Mr. CHABOT, Mr. DUNCAN, Mrs. BONO, Mr. SAM JOHNSON of Texas, Mr. GOODE, Mr. BURTON of Indiana, Mr. MEEKS of New York, Mr. MILLER of Florida, Mr. SENSENBRENNER, Mr. MANZULLO, Mr. CAMP, Mr. CANNON, Mr. DEAL of Georgia, Mr. MACK, Mr. GREEN of Wisconsin, Mr. KUHL of New York, Mr. TERRY, Mrs. MUSGRAVE, Mr. CULBERSON, Ms. HART, Mr. MICHAUD, Mr. GARRETT of New Jersey, Mr. COSTELLO, Mr. HASTINGS of Washington, Mr. ROHRABACHER, Mr. SOUDER, Mr. FERGUSON, Mr. COX, Mr. ROGERS of Michigan, Mr. GOODLATTE, Mr. RADANOVICH, Mr. KENNEDY of Minnesota, and Mr. ADERHOLT):

H.R. 1898. A bill to amend the Internal Revenue Code of 1986 to repeal the excise tax on telephone and other communications services; to the Committee on Ways and Means.

By Mr. CLEAVER:

H.R. 1899. A bill to suspend temporarily the duty on Phosphorus Thiochloride; to the Committee on Ways and Means.

By Mr. CLEAVER:

H.R. 1900. A bill to extend the temporary suspension of duty on Methanol, sodium salt; to the Committee on Ways and Means.

By Mr. CLEAVER:

H.R. 1901. A bill to reduce temporarily the duty on Trifloxystrobin; to the Committee on Ways and Means.

By Ms. DELAURO (for herself, Mr. RANGEL, Mr. GEORGE MILLER of California, Mr. OWENS, Ms. MCCOLLUM of Minnesota, Mr. BERMAN, Mr. PALLONE, Ms. JACKSON-LEE of Texas, Mr. NADLER, Mr. GENE GREEN of Texas, Mr. GUTIERREZ, Ms. SCHAKOWSKY, Ms. WASSERMAN SCHULTZ, Mr. FRANK of Massachusetts, Mr. WAXMAN, Ms. LEE, Mr. ENGEL, Mr. HINCHEY, Mr. KILDEE, Mr. LANTOS, Mrs. MALONEY, Mr. MCGOVERN, Ms. NORTON, Mr. MEEHAN, Mr. JEFFERSON, Mr. OBERSTAR, Mrs. MCCARTHY, Ms. MILLENDER-MCDONALD, Mr. JACKSON of Illinois, Mr. SERRANO, Mr. BRADY of Pennsylvania, Mr. LEWIS of Georgia, Mr. MCNULTY, Mr. TOWNS, Mr. GRIJALVA, Mr. ANDREWS, Mr. BLUMENAUER, Mr. CLAY, Mr. OLVER, Ms. WOOLSEY, Mr. DAVIS of Illinois, Ms. KILPATRICK of Michigan, Ms. ROYBAL-ALLARD, Mr. EVANS, and Mr. HOLT):

H.R. 1902. A bill to provide for paid sick leave to ensure that Americans can address their own health needs and the health needs of their families; to the Committee on Education and the Workforce, and in addition to the Committees on Government Reform, and House Administration, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. DELAY:

H.R. 1903. A bill to suspend temporarily the duty on phosphoric acid, lanthanum salt, cerium terbium-doped; to the Committee on Ways and Means.

By Mr. DELAY:

H.R. 1904. A bill to suspend temporarily the duty on lutetium oxide; to the Committee on Ways and Means.

By Mr. DOOLITTLE:

H.R. 1905. A bill to amend the Small Tracts Act to facilitate the exchange of small tracts of land, and for other purposes; to the Committee on Resources, and in addition to the

Committee on Agriculture, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. ETHERIDGE:

H.R. 1906. A bill to reduce temporarily the duty on ACM; to the Committee on Ways and Means.

By Mr. ETHERIDGE:

H.R. 1907. A bill to suspend temporarily the duty on Permethrin; to the Committee on Ways and Means.

By Mr. ETHERIDGE:

H.R. 1908. A bill to suspend temporarily the duty on Thidiazuron; to the Committee on Ways and Means.

By Mr. ETHERIDGE:

H.R. 1909. A bill to suspend temporarily the duty on Flutolanil; to the Committee on Ways and Means.

By Mr. ETHERIDGE:

H.R. 1910. A bill to suspend temporarily the duty on Resmethrin; to the Committee on Ways and Means.

By Mr. ETHERIDGE:

H.R. 1911. A bill to reduce temporarily the duty on Clothianidin; to the Committee on Ways and Means.

By Mr. GRAVES:

H.R. 1912. A bill to suspend certain nonessential visas, in order to provide temporary workload relief critical to the successful reorganization of the immigration and naturalization functions of the Department of Homeland Security, to ensure that the screening and monitoring of arriving immigrants and nonimmigrants, and the deterrence of entry and settlement by illegal or unauthorized aliens, is sufficient to maintain the integrity of the sovereign borders of the United States, and for other purposes; to the Committee on the Judiciary.

By Mr. HOBSON:

H.R. 1913. A bill to suspend temporarily the duty on ACRYPET UT100; to the Committee on Ways and Means.

By Mr. HONDA:

H.R. 1914. A bill to amend the Harmonized Tariff Schedule of the United States to provide that the calculation of the duty imposed on imported cherries that are provisionally preserved does not include the weight of the preservative materials of the cherries; to the Committee on Ways and Means.

By Mr. HULSHOF:

H.R. 1915. A bill to reduce temporarily the duty on diethyl ketone; to the Committee on Ways and Means.

By Mr. HULSHOF:

H.R. 1916. A bill to suspend temporarily the duty on 5-Amino-1-[2,6-dichloro-4- (trifluoromethyl)phenyl]-4-[(1R,S)-(trifluoromethyl)-sulfiny] -1H-pyrazole-3-carbonitrile; to the Committee on Ways and Means.

By Mr. HULSHOF:

H.R. 1917. A bill to suspend temporarily the duty on 2,3-Pyridinedicarboxylic acid; to the Committee on Ways and Means.

By Mr. HULSHOF:

H.R. 1918. A bill to suspend temporarily the duty on 80% 2,3-Dimethylbutylnitrile and 20% toluene; to the Committee on Ways and Means.

By Mr. HULSHOF:

H.R. 1919. A bill to suspend temporarily the duty on 2,3-Quinolinedicarboxylic acid; to the Committee on Ways and Means.

By Mr. HULSHOF:

H.R. 1920. A bill to suspend temporarily the duty on p-Chlorophenylglycine; to the Committee on Ways and Means.

By Mr. HULSHOF:

H.R. 1921. A bill to suspend temporarily the duty on 3,5-Difluoroaniline; to the Committee on Ways and Means.

By Mr. HULSHOF:

H.R. 1922. A bill to suspend temporarily the duty on 1,3-Dibromo-5-dimethyl-hydantoin; to the Committee on Ways and Means.

By Mr. HULSHOF:

H.R. 1923. A bill to suspend temporarily the duty on booster and master cyl asy-brake; to the Committee on Ways and Means.

By Mr. HULSHOF:

H.R. 1924. A bill to reduce temporarily the duty on certain transaxles; to the Committee on Ways and Means.

By Mr. HULSHOF:

H.R. 1925. A bill to suspend temporarily the duty on converter asy; to the Committee on Ways and Means.

By Mr. HULSHOF:

H.R. 1926. A bill to suspend temporarily the duty on module and bracket asy-power steering; to the Committee on Ways and Means.

By Mr. HULSHOF:

H.R. 1927. A bill to reduce temporarily the duty on unit asy-battery hi volt; to the Committee on Ways and Means.

By Mr. LATOURETTE:

H.R. 1928. A bill to allow the entry of certain United States-origin defense articles into bonded warehouses and foreign-trade zones; to the Committee on International Relations.

By Mr. LEWIS of Kentucky (for himself, Mr. BISHOP of Georgia, and Mr. ROGERS of Kentucky):

H.R. 1929. A bill to amend the Internal Revenue Code of 1986 to update the optional methods for computing net earnings from self-employment; to the Committee on Ways and Means.

By Mr. LUCAS (for himself, Mr. OSBORNE, Mr. CASE, Mr. HINOJOSA, Mr. PETERSON of Minnesota, and Mr. MORAN of Kansas):

H.R. 1930. A bill to amend the Agricultural Credit Act of 1987 to reauthorize State mediation programs; to the Committee on Agriculture.

By Mrs. MCCARTHY:

H.R. 1931. A bill to amend chapter 44 of title 18, United States Code, to extend the firearm and ammunition prohibitions applicable to convicted felons to those convicted in a foreign court; to the Committee on the Judiciary.

By Mrs. MILLER of Michigan:

H.R. 1932. A bill to amend title 10, United States Code, to standardize the grade specified by law for the senior dental officer of the Air Force with that of the senior dental officer of the Army; to the Committee on Armed Services.

By Mr. PALLONE (for himself, Mr. TOWNS, Mr. RANGEL, and Ms. LEE):

H.R. 1933. A bill to authorize the Secretary of Education to make grants to eligible schools to assist such schools to discontinue use of a derogatory or discriminatory name or depiction as a team name, mascot, or nickname, and for other purposes; to the Committee on Education and the Workforce.

By Mr. PITTS (for himself, Mr. SMITH of New Jersey, and Mr. LOBIONDO):

H.R. 1934. A bill to suspend temporarily the duty on certain vinyl chloride-vinyl acetate copolymers; to the Committee on Ways and Means.

By Mr. REYNOLDS:

H.R. 1935. A bill to suspend temporarily the duty on Clomazone; to the Committee on Ways and Means.

By Mr. REYNOLDS:

H.R. 1936. A bill to suspend temporarily the duty on Flonicamid; to the Committee on Ways and Means.

By Mr. REYNOLDS:

H.R. 1937. A bill to suspend temporarily the duty on Bifenthrin; to the Committee on Ways and Means.

By Mr. REYNOLDS:

H.R. 1938. A bill to suspend temporarily the duty on Chloropivaloyl Chloride; to the Committee on Ways and Means.

By Mr. ROHRABACHER:

H.R. 1939. A bill to prohibit funds appropriated for the Export-Import Bank of the United States, any international financial institution, or the North American Development Bank from being used for loans to any country until the country has honored all United States requests to extradite criminals who have committed a crime punishable by life imprisonment or death; to the Committee on Financial Services.

By Mr. RUSH (for himself, Mrs. CAPPS, Mrs. CHRISTENSEN, Mr. CONYERS, Mr. CUMMINGS, Mr. DAVIS of Illinois, Mrs. DAVIS of California, Mr. DINGELL, Mr. GUTIERREZ, Mr. HINCHEY, Mr. HOLDEN, Mr. ISRAEL, Mr. JACKSON of Illinois, Ms. JACKSON-LEE of Texas, Mr. KENNEDY of Rhode Island, Mr. KILDEE, Mr. LANTOS, Ms. LEE, Ms. ZOE LOFGREN of California, Mrs. MALONEY, Mr. MCDERMOTT, Mr. MCNULTY, Ms. MILLENDER-MCDONALD, Mr. MILLER of North Carolina, Mr. MORAN of Virginia, Mr. NADLER, Mrs. NAPOLITANO, Ms. NORTON, Mr. OLVER, Mr. OWENS, Mr. PAYNE, Mr. RANGEL, Mr. SANDERS, Ms. SCHAKOWSKY, Ms. SLAUGHTER, Mr. STARK, Mr. TIERNEY, Mr. TOWNS, Mr. WATT, Mr. WAXMAN, Mr. WEXLER, Ms. WOOLSEY, Mr. WYNN, Mr. HOLT, Ms. ESHOO, Mr. LEWIS of Georgia, Mr. MCINTYRE, Mr. PALLONE, Mr. STRICKLAND, Mrs. TAUSCHER, and Ms. WATERS):

H.R. 1940. A bill to provide for research on, and services for individuals with, postpartum depression and psychosis; to the Committee on Energy and Commerce.

By Mr. SESSIONS:

H.R. 1941. A bill to reduce temporarily the duty on triethylene glycol bis[3-(3-tert-butyl-4-hydroxy-5-methylphenyl)propionate]; to the Committee on Ways and Means.

By Mr. SHAW (for himself, Mr. FOLEY, Mr. SAM JOHNSON of Texas, and Mr. ENGLISH of Pennsylvania):

H.R. 1942. A bill to amend the Internal Revenue Code of 1986 to impose penalties for the failure of 527 organizations to comply with disclosure requirements; to the Committee on Ways and Means.

By Mr. SHERMAN:

H.R. 1943. A bill to amend chapter 1 of title 3, United States Code, relating to Presidential succession; to the Committee on the Judiciary.

By Mr. SIMMONS (for himself, Mr. SHAW, Mr. PAUL, Mr. FOLEY, Mr. MARSHALL, Mr. THOMPSON of California, Mrs. MUSGRAVE, Mr. MICHAUD, Mr. KENNEDY of Minnesota, Mr. HAYES, Mr. KLINE, Mr. GOODLATTE, Mr. BOEHLERT, Mr. BOSWELL, Mr. MCCOTTER, Mr. OTTER, Mr. JENKINS, and Mr. MCHUGH):

H.R. 1944. A bill to reduce temporarily the duty on certain articles of natural cork; to the Committee on Ways and Means.

By Mr. SIMMONS (for himself and Mr. ETHERIDGE):

H.R. 1945. A bill to provide temporary duty reductions for certain cotton fabrics, and for other purposes; to the Committee on Ways and Means, and in addition to the Committees on Agriculture, and Financial Services, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. STARK:

H.R. 1946. A bill to amend title XVIII of the Social Security Act to expand and improve coverage of mental health services under the Medicare Program; to the Committee on Ways and Means, and in addition to the Committee on Energy and Commerce, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. LARSEN of Washington (for himself and Mr. MCDERMOTT):

H.J. Res. 45. A joint resolution authorizing special awards to World War I and World War II veterans of the United States Navy Armed Guard; to the Committee on Armed Services.

By Mrs. MCCARTHY (for herself and Mr. GEORGE MILLER of California):

H. Con. Res. 139. Concurrent resolution supporting the goals and ideas of a National Child Care Worthy Wage Day; to the Committee on Education and the Workforce.

By Mr. ROGERS of Michigan (for himself, Mr. EHLERS, Mr. MCCOTTER, Mr. HOEKSTRA, Mr. CAMP, Mr. UPTON, Mr. KNOLLENBERG, Mrs. MILLER of Michigan, and Mr. SCHWARZ of Michigan):

H. Con. Res. 140. Concurrent resolution recognizing and affirming the efforts of the Great Lakes Governors and Premiers in developing a common standard for decisions relating to withdrawal of water from the Great Lakes and urging that management authority over the Great Lakes should remain vested with the Governors and Premiers; to the Committee on International Relations.

By Mr. NEY:

H. Res. 239. A resolution dismissing the election contest relating to the office of Representative from the Sixth Congressional District of Tennessee; considered and agreed to.

By Mr. HASTINGS of Washington:

H. Res. 240. A resolution amending the Rules of the House of Representatives to reinstate certain provisions of the rules relating to procedures of the Committee on Standards of Official Conduct to the form in which those provisions existed at the close of the 108th Congress.

By Mr. COOPER (for himself, Mr. TAYLOR of Mississippi, and Mr. SHAW):

H. Res. 243. A resolution recognizing the Coast Guard, the Coast Guard Auxiliary, and the National Safe Boating Council for their efforts to promote National Safe Boating Week; to the Committee on Transportation and Infrastructure.

By Mr. FILNER (for himself and Mrs. BONO):

H. Res. 244. A resolution commemorating the 100th anniversary of the creation of the Salton Sea; to the Committee on Resources.

By Ms. EDDIE BERNICE JOHNSON of Texas (for herself, Mrs. CAPPS, Mrs. MCCARTHY, Mr. VAN HOLLEN, Mr. PALLONE, Ms. ROYBAL-ALLARD, Mr. CARDOZA, Mr. KILDEE, Mr. CONYERS, Mr. TERRY, Mr. HALL, Mr. OWENS, Mr. MCNULTY, Mr. WATT, Mr. MOORE of Kansas, Mr. TANNER, and Mr. MCCOTTER):

H. Res. 245. A resolution supporting the goals and ideals of National Nurses Week; to the Committee on Energy and Commerce.

By Mr. KENNEDY of Rhode Island (for himself and Mr. RAMSTAD):

H. Res. 246. A resolution expressing the sense of the House of Representatives that there should be established a National Drug Court Month, and for other purposes; to the Committee on Government Reform.

By Ms. MILLENDER-MCDONALD (for herself and Mr. GARY G. MILLER of California):

H. Res. 247. A resolution commending the Southern California Association of Governments for Forty Years of Planning and Advocacy in Transportation, Air Quality, and Growth Management; to the Committee on Government Reform.

PRIVATE BILLS AND RESOLUTIONS

Under clause 3 of rule XII, private bills and resolutions of the following titles were introduced and severally referred, as follows:

By Mr. MCCOTTER:

H.R. 1947. A bill to provide for the reliquidation of certain entries; to the Committee on Ways and Means.

By Mr. MCCOTTER:

H.R. 1948. A bill to provide for the reliquidation of certain entries; to the Committee on Ways and Means.

By Mr. MCCOTTER:

H.R. 1949. A bill to provide for the reliquidation of certain entries; to the Committee on Ways and Means.

ADDITIONAL SPONSORS

Under clause 7 of rule XII, sponsors were added to public bills and resolutions as follows:

H.R. 16: Mr. KLINE.

H.R. 22: Ms. KAPTUR and Mr. PASTOR.

H.R. 66: Mr. WALSH.

H.R. 97: Mr. UDALL of New Mexico.

H.R. 98: Mr. HAYWORTH, Mr. ALEXANDER, and Mr. MILLER of Florida.

H.R. 111: Mr. COSTA and Mrs. WILSON of New Mexico.

H.R. 176: Mr. MCGOVERN, Ms. LEE, and Ms. MATSUI.

H.R. 227: Mr. NADLER.

H.R. 292: Mr. WALDEN of Oregon.

H.R. 305: Mr. BOEHLERT, Mr. INGLIS of South Carolina, and Mr. HAYES.

H.R. 314: Mr. GREEN of Wisconsin.

H.R. 331: Mr. PASTOR and Mr. BECERRA.

H.R. 341: Mr. COSTELLO.

H.R. 400: Mr. RENZI.

H.R. 416: Mr. ROGERS of Alabama.

H.R. 425: Mr. CUMMINGS.

H.R. 438: Mrs. TAUSCHER and Ms. ROYBAL-ALLARD.

H.R. 478: Mr. CUMMINGS.

H.R. 500: Mr. LATHAM, Mr. BURTON of Indiana, Ms. GINNY BROWN-WAITE of Florida, Mr. JINDAL, and Mr. BOUSTANY.

H.R. 503: Mr. INSLEE, Mr. LANGEVIN, Mr. FRANK of Massachusetts, Mr. BERMAN, Mr. ABERCROMBIE, and Mr. LINDER.

H.R. 513: Ms. LEE.

H.R. 519: Mr. CONAWAY.

H.R. 521: Ms. HOOLEY and Mr. PRICE of North Carolina.

H.R. 554: Mr. CHABOT, Mr. WESTMORELAND, and Mr. BOUSTANY.

H.R. 583: Mrs. JO ANN DAVIS of Virginia.

H.R. 596: Mr. KIND, Mr. NEUGEBAUER, Mr. INGLIS of South Carolina, and Mrs. MCCARTHY.

H.R. 652: Mr. BOOZMAN and Mr. MORAN of Kansas.

H.R. 669: Mr. WU.

H.R. 687: Mr. SKELTON.

H.R. 747: Mr. RANGEL and Mr. COSTA.

H.R. 759: Ms. ROYBAL-ALLARD.

H.R. 761: Mr. NEAL of Massachusetts, Mr. MEEKS of New York, Mr. COSTA, Ms. HERSETH, Ms. BERKLEY, Ms. KAPTUR, Ms. HOOLEY, Mr. STRICKLAND, Mr. SABO, Mr. BISHOP of Georgia, Mr. SNYDER, Mr. WEINER, Mr. HONDA, Mr. LYNCH, Mr. FORD, Mr. SCOTT of Virginia, Mr. INSLEE, Ms. JACKSON-LEE of Texas, Ms. WASSERMAN SCHULTZ, and Ms. MATSUI.

H.R. 762: Mr. RADANOVICH.

H.R. 783: Mr. DEFAZIO, Mr. ISRAEL, and Mr. NORWOOD.

H.R. 791: Ms. EDDIE BERNICE JOHNSON of Texas.

H.R. 870: Mr. KILDEE, Mr. MCDERMOTT, and Mr. OWENS.

H.R. 874: Mr. BONILLA, Mr. WELDON of Florida, Mr. CUNNINGHAM, and Mr. WESTMORELAND.

H.R. 884: Mr. RYAN of Wisconsin and Mr. GEORGE MILLER of California.

H.R. 920: Mr. BONILLA, Mr. HALL, Mr. MCINTYRE, and Mr. TOWNS.

H.R. 923: Mr. CARTER and Mr. WALDEN of Oregon.

H.R. 939: Mrs. MALONEY and Ms. WASSERMAN SCHULTZ.

H.R. 946: Mr. JACKSON of Illinois, Mr. PAYNE, and Mr. SERRANO.

H.R. 968: Mr. LAHOOD, Mr. BLUMENAUER, Mr. WELDON of Florida, Mr. BEAUPREZ, Mr. HALL, Mr. GOODE, Mr. BOOZMAN, and Mr. FRANKS of Arizona.

H.R. 997: Mr. HOEKSTRA.

H.R. 998: Mr. SULLIVAN.

H.R. 1010: Mr. RYAN of Wisconsin, Mr. BLUMENAUER, Mr. FORD, and Mr. CASE.

H.R. 1029: Mr. OTTER.

H.R. 1048: Mr. TIERNEY.

H.R. 1078: Mr. TIERNEY.

H.R. 1079: Mr. HOEKSTRA.

H.R. 1080: Mr. TIERNEY and Ms. WASSERMAN SCHULTZ.

H.R. 1081: Mr. LEWIS of Georgia.

H.R. 1116: Mr. OWENS and Mr. PASCRELL.

H.R. 1136: Mr. SHERMAN and Ms. DELAURO.

H.R. 1139: Ms. SCHAKOWSKY and Mr. ANDREWS.

H.R. 1153: Mr. SCHIFF, Ms. MATSUI, Mrs. MALONEY, and Mr. GRIJALVA.

H.R. 1155: Mr. PRICE of North Carolina.

H.R. 1215: Mr. HOLT.

H.R. 1227: Mr. EMANUEL, Mr. KIRK, Mr. BLUMENAUER, and Mr. CUMMINGS.

H.R. 1262: Mr. RUPPERSBERGER, Ms. HART, Mr. FOLEY, and Mr. LARSON of Connecticut.

H.R. 1298: Mr. OWENS, Mr. KILDEE, Ms. JACKSON-LEE of Texas, Mr. DOGGETT, Mr. GORDON, Mr. PAUL, Ms. BALDWIN, Mr. BAIRD, and Mrs. CHRISTENSEN.

H.R. 1309: Ms. SCHAKOWSKY.

H.R. 1313: Mr. HAYES.

H.R. 1314: Mr. CHANDLER.

H.R. 1339: Mr. PASTOR.

H.R. 1352: Mr. CARNAHAN, Mr. WEXLER, Mr. WALSH, Mr. UDALL of Colorado, Mr. SKELTON, Mr. FITZPATRICK of Pennsylvania, Mr. LANTOS, Mr. FILNER, Mr. BERMAN, Mr. BAIRD, Mr. BLUMENAUER, Mr. WEINER, and Mr. WU.

H.R. 1355: Mr. MARCHANT.

H.R. 1358: Mr. GRIJALVA, Mrs. DRAKE, Mr. SIMMONS, and Mr. PASTOR.

H.R. 1361: Mrs. DRAKE.

H.R. 1364: Mr. SKELTON.

H.R. 1373: Mr. LYNCH, Mr. SANDERS, and Mr. SIMMONS.

H.R. 1384: Mr. LINDER.

H.R. 1405: Mr. PAYNE.

H.R. 1406: Mr. CARTER.

H.R. 1409: Mr. BOOZMAN, Mr. PENCE, and Mr. TANCREDO.

H.R. 1422: Mr. LINDER.

H.R. 1451: Mr. GUTIERREZ, Mr. BECERRA, Mr. SHERMAN, and Ms. BALDWIN.

H.R. 1469: Mr. YOUNG of Alaska.

H.R. 1471: Ms. SOLIS.

H.R. 1480: Mr. GENE GREEN of Texas and Mr. HIGGINS.

H.R. 1499: Mr. RADANOVICH, Mr. BRADY of Texas, Mr. CANTOR, Mr. FEENEY, Mr. BARTLETT of Maryland, Mr. PRICE of Georgia, Mr. WILSON of South Carolina, Mr. HOSTETTLER, Mr. BURTON of Indiana, Mr. GOHMERT, Mr. MARCHANT, Mr. HUNTER, Mr. SAM JOHNSON of Texas, Mr. MCCAUL of Texas, Mr. CARTER, Mr. KUHL of New York, and Mr. JINDAL.

H.R. 1500: Mr. GOODLATTE.

H.R. 1505: Mr. ROGERS of Alabama, Mrs. BLACKBURN, Mrs. JO ANN DAVIS of Virginia, Mr. TERRY, Mr. FERGUSON, Mr. COLE of Oklahoma, Mr. FOLEY, Mr. WAMP, Mr. DENT, and Mr. CRENSHAW.

H.R. 1508: Mr. TIERNEY.

H.R. 1510: Mr. SAM JOHNSON of Texas, Mr. LINDER, Mr. DAVIS of Alabama, Mr. MANZULLO, and Mr. RADANOVICH.

H.R. 1511: Mrs. MCCARTHY, Mr. WELDON of Florida, and Miss MCMORRIS.

H.R. 1518: Mr. RANGEL.

H.R. 1522: Mr. BOUCHER.
H.R. 1545: Mr. WALSH.
H.R. 1548: Mr. SESSIONS, Mr. PUTNAM, Mr. ROSS, Mr. WELLER, Mr. WILSON of South Carolina, Mr. REYES, Mr. SHUSTER, Mrs. CHRISTENSEN, Mr. PENCE, Ms. GRANGER, Mr. SIMPSON, Mr. TOWNS, Mr. REGULA, Mr. GERLACH, Mr. SKELTON, Ms. HART, Mr. WICKER, Mr. LATHAM, Mr. CARDOZA, Mr. PICKERING, Mr. MICA, Mr. LAHOOD, and Mr. DENT.
H.R. 1558: Mr. PETERSON of Minnesota.
H.R. 1575: Mr. KILDEE and Mr. GOODLATTE.
H.R. 1578: Mr. LANGEVIN, Ms. PELOSI, Mr. CROWLEY, and Mr. BURTON of Indiana.
H.R. 1588: Ms. WOOLSEY, Mr. GENE GREEN of Texas, and Mr. STUPAK.
H.R. 1591: Mr. DINGELL, Mr. MCHUGH, and Mrs. BIGGERT.
H.R. 1592: Mr. DINGELL, Mrs. BIGGERT, Mr. MCHUGH, and Mr. MCCOTTER.
H.R. 1597: Mr. KUHL of New York, Mr. MCGOVERN, Mr. MCHUGH, Ms. WASSERMAN SCHULTZ, and Mr. RANGEL.
H.R. 1598: Mr. MICHAUD and Mr. TERRY.
H.R. 1618: Mr. SHADEGG.
H.R. 1633: Mr. HOBSON.
H.R. 1635: Mr. WALDEN of Oregon.
H.R. 1639: Ms. SCHWARTZ of Pennsylvania, Ms. EDDIE BERNICE JOHNSON of Texas, Mrs. CHRISTENSEN, Mr. GENE GREEN of Texas, Mr. MOORE of Kansas, and Mr. STUPAK.
H.R. 1642: Mrs. MUSGRAVE and Mr. FRANKS of Arizona.
H.R. 1650: Mr. FOLEY.
H.R. 1652: Ms. DELAURO.
H.R. 1671: Mr. GOODE and Mr. KILDEE.
H.R. 1686: Mr. MENENDEZ.
H.R. 1688: Mr. KUCINICH and Mr. FRANK of Massachusetts.
H.R. 1696: Mr. BARROW, Mr. EMANUEL, and Mr. POMEROY.
H.R. 1749: Mr. JINDAL.
H.R. 1759: Mr. GORDON.
H.R. 1764: Mr. SCOTT of Virginia.
H.R. 1791: Mr. JEFFERSON.
H.R. 1859: Mr. CHANDLER.
H.R. 1861: Mr. OLVER.
H.J. Res. 23: Ms. BERKLEY and Ms. WOOLSEY.
H. Con. Res. 71: Ms. VELÁZQUEZ.
H. Con. Res. 108: Mr. MEEKS of New York, Ms. BERKLEY, Mr. SABO, and Mr. COSTELLO.
H. Con. Res. 127: Mr. MORAN of Virginia, Mr. CUMMINGS, Mr. CAPUANO, and Ms. MILLENDER-MCDONALD.
H. Con. Res. 128: Mr. HAYWORTH.
H. Res. 186: Mr. AL GREEN of Texas.
H. Res. 195: Mr. BOOZMAN and Mr. POE.
H. Res. 214: Mr. NEUGEBAUER.
H. Res. 221: Mr. JEFFERSON.
H. Res. 223: Mr. CROWLEY.

DELETIONS OF SPONSORS FROM PUBLIC BILLS AND RESOLUTIONS

Under clause 7 of rule XII, sponsors were deleted from public bills and resolutions as follows:

H.R. 1636: Mr. GEORGE MILLER of California.