

Bertelli was one of the great football players in the history of college football in America, and he played at Cathedral High School in Springfield. He was the son of Italian immigrants, and people like Nick Buoniconti and Joe Scibelli followed in that tradition at Cathedral High School as well. At Cathedral, he not only was a star in football, but he won all-State honors in baseball and hockey as well and served as senior class president.

He entered Notre Dame, became college football's first T-formation quarterback under Frank Leahy.

The T-formation became an immediate success and the legendary sports writer Grantland Rice called him the T-formation magician.

He was voted to all-American teams in 1942 and 1943; and in the year 1943, he won the Heisman Trophy.

He became a captain in the Marine Corps. He fought in Iwo Jima and Guam. He earned a bronze star and the purple heart. After World War II, he became a successful businessman in New Jersey; and he was elected to the College Football Hall of Fame in 1972.

Mr. Speaker, it was my honor to have known Angelo Bertelli and to have known him as a perfect gentleman, a great father, a terrific brother and a wonderful husband, and an extraordinary citizen and a patriot.

Last year, he gave me the opportunity to watch him as he addressed the football banquet at Cathedral High School for a team that had won the State championship. Angelo Bertelli never lost the special qualities that endeared him to America, and we regret his passing.

PRICE CONTROLS DO NOT WORK

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

Mr. WELDON of Florida. Mr. Speaker, I would like to respond to my Democratic colleagues who are demonizing yet another entire industry; this time the pharmaceutical industry, the companies who produce life-saving drugs and truly miraculous drugs which allow us to live longer and healthier lives. Sometimes one just has to wonder if liberals have worked a single day in the real world, the world of commerce, the world where jobs are created and results are the only thing that count.

For many drug companies, we can break down how much money goes into the manufacture of a pill: 2 percent for ingredients; 5 percent for labor; 3 percent for distribution; 5 percent for profits and the remaining 85 percent research, development, taxes, regulation and litigation.

Price controls have been tried many times. They never work, never work. Every time they are tried, they are a

miserable failure. They lead to shortages, inferior products, black market and goods which never make it to the market. I despair at the thought that this lesson has never been learned. Let us not try price controls.

IT IS TIME TO ADDRESS THE ISSUE OF OUR REFUGEE SYSTEM AND IMMIGRATION POLICY

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

Mr. BILBRAY. Mr. Speaker, I apologize but I just had to come up and make a statement about something that one of my colleagues was addressing, the issue of the Cuban immigrants who were basically forced to be accepted within the United States shores. It was one of the interesting situations where we had a group of people in a boat that were directed to stop by the Coast Guard and a few of them jump overboard and violate the direction and swim ashore and get to stay on U.S. soil permanently under a refugee status, while those who played by the rules, at least took direction, technically were not supposed to stay here. The absurdity of the situation is that then somebody has a demonstration protesting the fact that those who abide by the rules have to go back to Cuba, and they reverse the policy and say all of them can stay.

Mr. Speaker, it is time that we address the issue that our refugee system and our immigration policy do not follow common sense. I know this is not politically correct to talk about, but frankly I think that common sense is always politically correct; that we have people that want to come to this country legally, play by the rules, want to enter legally and they are told they cannot, while we reward those who are breaking the rules and coming into our country illegally.

Mr. Speaker, I ask us to correct this issue and address it here on the House floor.

THE B-E-S-T AGENDA

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

Mr. KINGSTON. Mr. Speaker, this year the Republican Party has introduced and been pushing for the BEST agenda. B is for best, strongest military; E is for excellence in education, with local control, not Washington control; S is for saving Social Security; and T is for reducing taxes through spending reductions.

Now, part of our planning under Social Security protection is the lockbox concept. What the lockbox says is that Congress will no longer mix Social Security money with general operating

money. Just as businesses cannot mix pension plans with operating expenses, the U.S. Government needs to do the same thing. Put Social Security funds in a lockbox so that it will be there for retirement.

That bill passed the House on an overwhelmingly bipartisan vote, Republicans and Democrats. Now it is in the other body. Hopefully they will bring it to the floor. It has been 70 days that they have drug this thing out. Now the President is in support of it. I ask the other body to please pass the lockbox and protect Social Security for the future.

CHILD CUSTODY PROTECTION ACT

Mrs. MYRICK. Mr. Speaker, by direction of the Committee on Rules, I call up House Resolution 233 and ask for its immediate consideration.

The Clerk read the resolution, as follows:

H. RES. 233

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 bill (H.R. 1218) to amend title 18, United States Code, to prohibit taking minors across State lines in circumvention of laws requiring the involvement of parents in abortion decisions. The bill shall be considered as read for amendment. The previous question shall be considered as ordered on the bill to final passage without intervening motion except: (1) two hours of debate equally divided and controlled by the chairman and ranking minority member of the Committee on the Judiciary; and (2) one motion to recommit.

The SPEAKER pro tempore (Mr. WALSH). The gentlewoman from North Carolina (Mrs. MYRICK) is recognized for 1 hour.

Mrs. MYRICK. Mr. Speaker, for purposes 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, yesterday, the Committee on Rules met and granted a closed rule for H.R. 1218, the Child Custody Protection Act. The rule waives all points of order against consideration of the bill. It provides for consideration of H.R. 1218 in the House with 2 hours of debate equally divided and controlled between the chairman and ranking minority member of the Committee on the Judiciary. Finally, the rule provides for one motion to recommit with or without instructions.

Mr. Speaker, the Child Custody Protection Act is important to any parent who has a teenage daughter. As we all know, the people of several States have recently decided that a parent should know before their child has an abortion. We all hope that our teenage daughters have the wisdom to avoid pregnancy but if they make a mistake,

a parent is best able to provide advice, counseling and love. Also, more than anyone else, a parent knows their child's medical history.

For these reasons, my home State of North Carolina requires a parent to know before their child checks into an abortion clinic.

Last month, the House Subcommittee on the Constitution heard chilling testimony about how law-breaking citizens risk children's lives by taking them from their parents for out-of-State abortions. The testimony was chillingly similar to a hearing last year before the Senate Committee on the Judiciary, at which Joyce Farley, a mother from Pennsylvania, told the tragic story of her 13-year-old daughter.

Four years ago this summer, a stranger took Ms. Farley's child out of school, provided her with alcohol, transported her out of State to have an abortion, falsified medical records at the abortion clinic and abandoned her in a town 30 miles away, frightened and bleeding.

Why? Because this stranger's adult son had raped Joyce Farley's teenage daughter, and she was desperate to cover up her son's tracks. Even worse, this all may have been legal. It is perfectly legal to avoid parental abortion consent and notification laws by driving children to another State. This is wrong and it has to be stopped.

According to the Reproductive Law and Policy Center, a pro-abortion group in New York, thousands of adults across the country carry children over State lines to get abortions in States without parental notification laws. So-called men in their 20s and 30s coerce teenage girls to have abortions out of State and without their parents' knowledge. The Child Custody Protection Act will put a stop to this child abuse. If passed, the law would make it a crime to transport a minor across State lines to avoid laws that require parental consent or notification before an abortion.

Right now a parent in Charlotte, North Carolina, must grant permission before the school nurse gives their child an aspirin, but a parent cannot prevent a stranger from taking their child out of school and up to New York City for an abortion.

Give me a break. This is nonsense and it has to be stopped. Let us do something to help thousands of children in this country. Let us pass the Child Custody Protection Act and put an end to the absurd notion that there is some sort of constitutional right for an adult stranger to secretly take someone's teenage child into a different State for an abortion.

I urge my colleagues to support this rule and support the underlying legislation.

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

Ms. SLAUGHTER. Mr. Speaker, I thank my friend from North Carolina (Mrs. MYRICK), for yielding me the time, and I yield myself such time as I may consume.

Mr. Speaker, I oppose this closed rule for H.R. 1218 offered by my friends in the majority. Efforts on our side of the aisle to obtain an open rule to provide consideration of several thoughtful and important amendments were rebuffed.

The objectionable nature of this process is compounded by the substance of the underlying bill, the so-called Child Custody Protection Act.

Mr. Speaker, this legislation creates more danger than it would ever prevent and is an affront to the notion not only of individual liberty but to the issue of States' rights which so many of my friends who support this bill will champion on every other occasion.

The decision made by a young woman whether to terminate a pregnancy is one we all hope would be made in close consultation with family members who love her and care for her, but this is not a perfect world. We cannot ignore the fact that there are homes which lack stability, where decisions of such gravity are not made by a loving and caring environment and, in fact, are often tainted by dread and fear. Often, a young woman who is forced to make this most difficult decision has no parent with whom to consult and has no viable option other than to depend on a trusted figure who is not her mother or father.

Indeed, we are jeopardizing grandmothers, grandfathers, sisters, brothers, spiritual advisors, and anyone from giving this young woman comfort.

For this Congress to attempt to criminalize the actions of the one and perhaps the only individual in that young person's life on whom she can depend is more than unfortunate and should be soundly rejected.

Mr. Speaker, there is no stronger advocate than I for measures to reduce unwanted pregnancies and to give women every assistance that she and the child which she decides to bring into the world will need to be nurtured and cared for. Nor, Mr. Speaker, will one find any stronger advocate for the protection of the health care, safety and confidentiality, nor for the fundamental right of choice which the courts have recognized and upheld.

Mr. Speaker, I urge this Congress not to criminalize the acts of other family members in an attempt to help someone that they dearly love and who needs them desperately.

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

Mrs. MYRICK. Mr. Speaker, I yield 5 minutes to the gentlewoman from Florida (Ms. ROS-LEHTINEN).

Ms. ROS-LEHTINEN. Mr. Speaker, I thank the gentlewoman from North Carolina (Mrs. MYRICK) for yielding me this time.

Mr. Speaker, this legislation, as we know, will make it a Federal misdemeanor for a non-parental adult to transport someone else's daughter, underage daughter, across State lines for the purposes of obtaining an abortion.

□ 1045

Presently 24 States in our Union have passed parental consent or notification laws in order to protect minor girls from irreparable harm that can be caused to them. Yet, with complete and total disregard for the law, many adults choose to willingly circumvent those State laws, placing young, vulnerable girls in serious danger as they undergo potentially fatal abortions.

Without the Child Custody Protection Act, rapists, sexual abusers, and other violators can continue to exploit our Nation's underage daughters, help them disobey State laws, and then continue to rape and abuse them.

No one knows the medical history of their child better than a parent. No one can best detect how a child will react to distress but a parent. No one knows how to best provide counsel and comfort but a parent. The Child Custody Protection Act will protect a parent's right to parent, and it will protect and enforce existing State laws that are being violated.

Mr. Speaker, this morning we will hear from the minority in Congress about the ways in which they think this bill violates a constitutional right. But what they do not tell us is that by not passing this law, we will continue to defend and accept violators of local State laws.

Opponents of this bill will also let us know how it was misnamed. They believe that this should be the Teen Endangerment Act because of the supposed risk it places upon young girls, but they will surely not tell us about the serious risks that young girls are placed in when obtaining secret abortions. They will not tell us of the many, many girls who suffer severe complications from abortions or reactions from medications they are receiving, and about the girls who, in rare instances, actually die.

They will argue that a 13-year-old minor girl who finds herself with an unplanned and unwanted pregnancy is perfectly capable and mature enough to make the same decision that her more mature and older counterparts are making. This, of course, is absurd. This bill is commonsense legislation. The Child Custody Protection Act will protect the inherent right of every parent. It will put an end to strangers taking someone else's daughter across State boundaries.

No one is able to temporarily kidnap your daughter to have her tonsils removed or for any other simple surgery, not even to have her ears pierced. Then why then should a potentially fatal abortion be the exception? I urge my

colleagues to consider the many girls who, while in a confused and vulnerable state, will be exploited by opponents of this bill and by the abortion industry today.

On their behalf and on behalf of their parents, I ask my colleagues to seriously consider voting yes to this important pro-family commonsense legislation.

It is true that 85 percent of American families support the Child Custody Protection Act. Whether pro-life or pro-choice, Americans believe that a parent should be involved in major decisions that can have long-lasting consequences on the lives of their daughters. The Child Custody Protection Act will provide grounds for stronger family ties and for family involvement.

By enforcing parental consent or notification laws in the 24 States where they exist, it will stand to demonstrate that we will not tolerate violators of local laws, that we care about the welfare of our children, and that we look to foster parental involvement in all aspects of the lives of our children.

The truth is that more than half of the underage girls who will be affected by this legislation are typically escorted by boyfriends or men who have impregnated the minor.

I would like to call attention to the posters that I have where out-of-State abortion clinics are advertising no parental consent required, no waiting period, no age restriction, and these are advertisements that have appeared in Pennsylvania phone books for an abortion clinic in another State, in Delaware.

There is another abortion clinic that advertises for an abortion clinic in Maryland. They put in big capital letters, "No parental consent."

We remember the Joyce Farley case in Pennsylvania, where her 13-year-old daughter was raped. The mother of the rapist, a complete stranger, took Joyce Farley's daughter out of school one day without permission, drove her to New York City, where she obtained an abortion, and a botched abortion, at that. As a result, the Farley daughter of this 1995 case suffered serious complications, endured many hospital visits, and was subjected to incredibly high medical bills.

The Farley case, Mr. Speaker, is one of many which indicates the legislation is needed for cases like this and many others.

Mr. Speaker, I look forward to getting support from my colleagues for this important bill.

Ms. SLAUGHTER. Mr. Speaker, I yield 2 minutes to the gentlewoman from Texas (Ms. JACKSON-LEE).

Ms. JACKSON-LEE of Texas. Mr. Speaker, I thank the gentlewoman from New York for yielding time to me.

Mr. Speaker, I am disappointed this morning because it has always been my

understanding that the more we can educate both our colleagues and, as well, the American public on the principles of our opposition, and, as well, the more we can help to enhance legislation to make it a responsible legislative initiative in keeping with constitutional provisions, the more we should attempt to do so.

I rise in opposition to the rule because it is a closed rule, and for no other reason I can imagine other than a political reason, amendments of value were kept out of this legislation.

This legislation is called the Child Custody Protection Act, which gives us the impression that it is to protect children or young people or young women. Young women have the same right to choose constitutionally as others. The amendments that would have been offered to this legislation would have protected children, if that is the name of this legislation, but the amendment offered by the gentleman from North Carolina (Mr. WATT) would have emphasized the exception to this bill that refuses to allow young women to seek an abortion outside of the State in the situation where the life or the serious health of the minor is at stake, similar to that that is constitutionally protected.

It would also have included protection, if we had had an open rule, to exempt ministers and rabbis, grandmothers, aunts or uncles, or an elder sibling to give that young woman someone else in case she is being abused in the home.

It would have then, of course, provided an opportunity, in the Conyers amendment offered as a substitute, it would make it a Federal offense to use force or threat to transport a minor across State lines for an abortion. The penalty would be a fine and imprisonment of 5 years.

None of these amendments were allowed in for an open and full debate, and I am disappointed. This is a serious step that this House might make today. It would be denying or undermining the constitutional privileges of a minor who is in trouble. It would eliminate their opportunity to seek counseling from a variety of people.

I think, Mr. Speaker, if we are going to do a legislatively positive job, we need to be inclusive. We should have had an open rule. I stand in opposition to the rule.

Mr. Speaker, I stand in opposition to this closed rule for H.R. 1218, the Child Custody Protection Act of 1999. In its present form, I am strongly opposed to this bill because it would criminalize any attempt by a caring adult to assist a young woman in obtaining abortion services across state lines. By adopting a closed rule, the Committee has allowed a potentially dangerous bill to come to the floor for a vote.

It is still the law of the land that minors may obtain abortion services. This Child Custody Protection Act is simply another effort to un-

determine the right of choice for a young woman by imposing dangerous and unnecessary restriction to abortion services.

The people who would help a young woman by offering her transport across state lines are those who are there to lend physical support during a time of crisis, confusion and emotional pain. Relatives, close friends, and even clergy members who offer assistance should not be subject to criminal fines and sanctions.

More than 75% of minors under 16 years old already involve one or both parents in their decision to have an abortion. However, there is the population of young women (30%) who cannot go to their parents for fear of violence or for fear of being turned away.

I offered several amendments that would have exempted certain people from the prohibitions of this Act. These people included religious leaders, aunts, uncles, first cousins and godparents. I joined my colleague Representative NADLER for an amendment that would have exempted grandparents and older siblings from the criminal penalties as well.

Unfortunately, these amendments were not adopted and now, we will jail these caring adults like grandparents for helping young women or we will see an increase in the number of illegal or unsafe abortions. If this bill passes, we will force young women who seek to get an abortion out of state to go alone.

I offered another amendment that would have called for a General Accounting Office Study to keep track of the impact of this bill on the number of illegal abortions and the casualties that result. This amendment was also not made in order.

This closed rule does not protect any children—this bill should be called the "Teen Endangerment Act." This bill isolates minors from family members, friends and other responsible adults. I urge my Colleagues to vote against this rule.

Mrs. MYRICK. Mr. Speaker, I yield 1 minute to the gentleman from Maryland (Mr. BARTLETT).

Mr. BARTLETT of Maryland. Mr. Speaker, we all know parents would do anything to protect their children from harm. Congress should honor that commitment and help parents by passing the rule for H.R. 1218, the Child Custody Protection Act. This is a good bill and a fair rule. Both should be passed.

H.R. 1218 would make it a Federal offense for an individual to knowingly transport a minor girl across State lines for the purpose of obtaining an abortion without her parents' consent, and to circumvent the 20 States which currently have parental notification consent laws.

Evidence shows that a majority of school-aged girls who become pregnant were impregnated by adult males. This by itself is a form of sexual child abuse recognized by statutory rape laws. This child abuse is compounded if unrelated adults seek to avoid rape charges or accountability by manipulating these girls into having an abortion in another State without their parents' knowledge and in violation of State laws.

This is not a vote about whether we agree with parental consent notification laws. This is a vote about whether

we respect existing State law and want to eliminate a loophole which encourages child sexual abuse. It is a good rule. Vote yes on the rule.

Ms. SLAUGHTER. Mr. Speaker, I have no further requests for time, and I yield back the balance of my time.

Mrs. MYRICK. Mr. Speaker, I have no further requests for time, I yield back the balance of my time, and I move the previous question on the resolution.

The previous question was ordered.

The resolution was agreed to.

A motion to reconsider was laid on the table.

Mr. CANADY of Florida. Mr. Speaker, pursuant to House Resolution 233, I call up the bill (H.R. 1218) to amend title 18, United States Code, to prohibit taking minors across State lines in circumvention of laws requiring the involvement of parents in abortion decisions.

The Clerk read the title of the bill.

The text of H.R. 1218 is as follows:

H.R. 1218

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE.

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

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

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

"CHAPTER 117A—TRANSPORTATION OF MINORS 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 an individual who has not attained the age of 18 years across a State line, with the intent that such individual obtain an abortion, and thereby in fact abridges the right of a parent under a law requiring parental involvement in a minor's abortion decision, in force in the State where the individual resides, shall be fined under this title or imprisoned not more than one year, or both.

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

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

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

"(c) AFFIRMATIVE DEFENSE.—It is an affirmative defense to a prosecution for an offense, or to a civil action, based on a violation of this section that the defendant reasonably believed, based on information the defendant obtained directly from a parent of the individual or other compelling facts, that before the individual obtained the abortion, the parental consent or notification, or judicial authorization took place that would have been required by the law requiring parental involvement in a minor's abortion decision, had the abortion been performed in the State where the individual resides.

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

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

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

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

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

"(ii) proceedings in a State court; and

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

"(2) the term 'parent' means—

"(A) a parent or guardian;

"(B) a legal custodian; or

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

who is designated by the law requiring parental involvement in the minor's abortion decision as a person to whom notification, or from whom consent, is required;

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

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

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

"117A. Transportation of minors in circumvention of certain laws relating to abortion 2431".

The SPEAKER pro tempore. Pursuant to House Resolution 233, the gentleman from Florida (Mr. CANADY) and the gentlewoman from Texas (Ms. JACKSON-LEE) each will control 1 hour.

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

GENERAL LEAVE

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

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

There was no objection.

Mr. CANADY of Florida. Mr. Speaker, I yield such time as she may consume to the gentlewoman from Florida (Ms. ROS-LEHTINEN), the prime sponsor of this legislation.

Ms. ROS-LEHTINEN. Mr. Speaker, I thank my colleague, the gentleman from Florida, for yielding me the time. He has done an extraordinary job in helping to pass this legislation and promoting it, especially in the Committee on the Judiciary last year and again this year. I thank him for his leadership on this bill.

Mr. Speaker, as all of us know, abortion is perhaps one of the most life-altering and life-threatening, obviously, of procedures. It leaves lasting medical, emotional, and psychological consequences, and, as noted by the Supreme Court, particularly when the patient is immature.

Although *Roe v. Wade* legalized abortion in 1973, it did not legalize the right of persons other than a parent or a guardian to decide what is best for a child, nor did it legalize the right for strangers to take the lives of our children and place them in danger, potentially fatal danger.

Many may be familiar with the Child Custody Protection Act, a bill which makes it a Federal misdemeanor to transport an underage girl across State lines, because we had this discussion last year, and we know that it is commonsense legislation because these people want to circumvent State or local parental notification laws for the purposes of obtaining an abortion for a minor girl.

Last year I introduced this legislation. It passed the House with almost a two-thirds majority. Unfortunately, the Senate failed to consider the bill for a vote. This year the bill is up before us again as H.R. 1218. With the support of 130 congressional cosponsors who have spoken in favor of the bill, we are very hopeful that once again we will be able to pass this bill.

In our society, Mr. Speaker, there are many rules and regulations aimed at ensuring the safety of our Nation's youths through parental consent and notification and through parental guidance.

At my alma mater, Southwest Miami High School, for example, as in many of our schools throughout our Nation, a child cannot be given an aspirin to relieve a simple headache or cramp unless the school has been given consent, signed consent, by at least one parent or guardian. In some States a minor cannot operate a vehicle until the age of 18.

Most schools require parental consent in order to take minors on field trips, and in many schools parents have the ability also to decide whether or not their children should be enrolled in sex education class. Both the field trip and these classes require parental notification and consent.

Every one of these principles emphasizes that parents should be the ones involved in those decisions because they can seriously affect their children. The decision of whether or not to obtain an abortion, a life-altering, potentially fatal, and at all times serious medical procedure, should be no exception to these rules.

I find it ironic how anti-tobacco groups and Members of Congress are outraged over a cigarette ad that entices a young person to smoke, yet remain silent on this issue of whether a minor should be taken across State lines to have an abortion performed. They call for hearings and conferences and they spend millions of dollars on ads and lobbying efforts in order to consumer legislation to keep minors from being harmed by tobacco. Yet, these very same individuals remain absolutely silent when ads such as the ones that I am going to explain in a second are placed in our public yellow pages.

□ 1100

These ads lure young girls to directly disobey the law. They promote civil disobedience and entice vulnerable children with dangerous slogans such as the ones that we see here, "No parental consent needed." This is a Yellow Page advertisement that appeared in the Harrisburg, Pennsylvania, Yellow Pages for an abortion clinic, not in Pennsylvania, but in Maryland. So they placed this ad in another State because, in that State, there is a parental consent or notification law; and they say, do not worry, no parental consent is needed for another State.

This other advertisement, Mr. Speaker, comes from the Lancaster, Pennsylvania, Yellow Pages. Although the ad appears in Pennsylvania, the abortion clinic is in Delaware. In big capital letters, in bold, they say proudly, "No age restriction. No parental or spousal consent. No waiting period." So the first thing they put there is "No age restriction."

Well, my legislation, the bill before us, the Child Custody Protection Act, would end this exploitation of our Nation's minor girls from violators who recklessly disregard the law.

By making a circumvention of State parental or notification laws a Federal misdemeanor, this bill will not only help uphold the laws of our country, but it will give back the parents the right to parent. It will strengthen family bonds; and, most importantly, it will ensure that America's youth have a safer, healthier, and brighter future.

By ensuring passage of this legislation, we will really prove to the American people that Congress does indeed work hard to protect both parents and children and protect our families.

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

Mr. Speaker, I stand in opposition to H.R. 1218, the Child Custody Protection Act of 1999. This bill criminalizes any good-faith attempt by a caring adult to assist a young woman in obtaining abortion services across State lines.

Mr. Speaker, I think it is important to again acknowledge the passion which the proponent of this legislation has come to the floor of the House. I think it is important to enunciate the fact that many of us who are pro-choice consider ourselves as well pro-life, to encourage the life of the living and to ensure that there is a recognition that, constitutionally, women have a right to make personal decisions on these very sacred and important issues.

What this legislation does, by calling it the Child Custody Protection Act, is simply another effort to undermine the right of choice for a young woman by imposing dangerous and unnecessary restrictions to abortion services.

This bill would make it more difficult for minors living in States with parental notification or consent laws to obtain an abortion by making it a Federal crime to transport minors across State lines. More than 75 percent of minors under 16 years old already involve one or both parents in this enormous decision, one which they wish they did not have to make, to have an abortion.

In those cases where a young woman cannot involve her parents in the decision, there are others who would help by offering physical and emotional support during a time of crisis, confusion, and emotional pain. A minor should be able to turn to a relative, close friend, and even clergy members for assistance.

Supporters of this bill claim that judicial bypass, a procedure which permits teenagers to appear before a judge to request a waiver of the parental involvement requirement, is a preferred alternative. However, many teens do not make use of it because they do not know how to navigate the legal system.

Let me for a moment, Mr. Speaker, place one in the position of a young female teenager going into an enormously challenging and frightening circumstance of a courtroom. Mr. Speaker, we have already noted several instances where judges have looked on this young woman and said that they are too immature to ask for a judicial waiver, a bypass. In fact, we have cases where judges repeatedly have denied instances where teenagers have had enough courage to come into the courtroom. This is not the kind of atmosphere where one is going to get the most open decision. Many teens are embarrassed and afraid that an unsympathetic or hostile judge might refuse to grant the waiver.

Also, the confidentiality of the teen is compromised if the bypass hearing

requires use of the parents' names. In small towns, confidentiality may be further compromised if the judge knows the teen or her family. This happens frequently.

There are various reasons why a young woman could not go to her parent for guidance. Some family situations are not conducive to open communication, and some situations are violent. For a young woman who needs to turn to someone other than a parent, this law creates severe hardships. In fact, this law may do more damage than it may do helping the young person.

The need to travel across State lines may be necessary in States where abortion services are not readily available. This may be because of various State restrictions or distance. Some young women may seek services outside of their home State because the closest abortion provider may be across State lines.

I have offered or did offer several amendments that would have exempted religious leaders, aunts, uncles, first cousins, and godparents. I joined the gentleman from New York (Mr. NADLER) for an amendment that would have exempted grandparents and older siblings from the criminal penalties as well, some responsible adult that could counsel that young person and provide comfort for them, to give them the opportunity to make a reasoned and balanced decision, not to be cowering in back alleys using coat hangers of yesteryear and destroying their lives.

For a reason that I hope all of us could understand, these young people are frightened. Something has happened to them that may be they did not want to happen. For all we know, they could have been abused by a parent. This is not unknown that someone in the family has abused them, and, therefore, they could not go to a parent.

Or as in the young woman by the name of Becky, they could have had a loving parental situation where they loved the parent very much, and the parent loved them. They were too ashamed to go and tell their parent that they were pregnant. Because of their shame, they went to a back alley abortionist, became infected and died.

The autopsy report indicated that Becky had died from a botched abortion. Becky was about 17 years old. Her parents testified before the Committee on the Judiciary begging us not to pass this legislation. They would have wanted Becky to have been able to go across State lines and to secure a safe abortion because they would have had Becky with them today.

I also offered an amendment that would have called for a General Accounting Office study to keep track of the impact of this bill on the number of illegal abortions and the casualties that result. What is going to be the impact of this bill? Are we going to see an

enormous increase in aborted or illegal abortions that would bring about the loss of life?

These amendments were not made in order. It is unfortunate because family members such as grandparents and siblings should not be jailed for assisting a scared grandchild or younger sister in time of need. Young women should be encouraged to involve an adult in any decision to terminate a pregnancy. This is just a federalized chilling effect to inhibit and to deny young women the counseling and comfort of someone whom they have confidence in.

This is not going to diminish abortions, Mr. Speaker. This is only going to take away the rights of young people, young women who could, in fact, start their lives all over again. I hope that my colleagues will defeat this bill. This bill would isolate young women from trusted adults by placing criminal sanctions for providing basic comfort and advice.

I ask my colleagues to not support this legislation. I would ask them to stand on behalf of the young people who are so much involved in this crisis all the time and realize that their lives were in jeopardy by legislation that is well-intentioned but serves no purpose because it takes away from them the very rights that are provided to them by the laws of this land.

I stand in strong opposition to this bill, H.R. 1218, the Child Custody Protection Act of 1999. This bill criminalizes any good faith attempt by a caring adult to assist a young woman in obtaining abortion services across state lines. This Child Custody Protection Act is simply another effort to undermine the right of choice for a young woman by imposing dangerous and unnecessary restrictions to abortion services.

This bill would make it more difficult for minors living in states with parental notification or consent laws to obtain an abortion by making it a federal crime to transport minors across state lines. More than 75 percent of minors under 16 years old already involve one or both parents in their decision to have an abortion.

In those cases where a young woman cannot involve her parents in the decision, there are others who would help by offering physical and emotional support during a time of crisis, confusion and emotional pain. A minor should be able to turn to a relative, close friend, and even clergy members for assistance.

Supporters of this bill claim that judicial bypass, a procedure which permits teenagers to appear before a judge to request a waiver of the parental involvement requirement, is a preferred alternative. However, many teens do not make use of it because they do not know how to navigate the legal system.

Many teens are embarrassed and are afraid that an unsympathetic or hostile judge might refuse to grant the waiver. Also, the confidentiality of the teen is compromised if the bypass hearing requires use of their parents' names. In small towns, confidentiality may be further compromised if the judge knows the teen or her family.

There are various reasons why a young woman could not go to her parents for guidance. Some family situations are not conducive to open communication and some situations are violent. For young women who need to turn to someone other than a parent, this law creates severe hardships.

The need to travel across state lines may be necessary in states where abortion services are not readily available. This may be because of various state restrictions or distance. Some young women must seek services outside of their home state because the closest abortion provider may be across state lines.

I offered several amendments that would have exempted religious leaders, aunts, uncles, first cousins and godparents. I joined Rep. Nadler for an amendment that would have exempted grandparents and older siblings from the criminal penalties as well. I also offered an amendment that would have called for a General Accounting Office Study to keep track of the impact of this bill on the number of illegal abortions and the casualties that result. These amendments were not made in order.

It is unfortunate because family members such as grandparents and siblings should not be jailed for assisting a scared grandchild or younger sister in a time of need. Young women should be encouraged to involve an adult in any decision to terminate a pregnancy.

I hope that my colleagues will defeat this bill. This bill would isolate young women from trusted adults by placing criminal sanctions on providing basic comfort and advice. Please vote against this dangerous bill.

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

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

Mr. Speaker, I want to begin by thanking the gentlewoman from Florida (Ms. ROS-LEHTINEN) for her leadership on this legislation and for her thoughtful explanation of the purpose of the bill that is now before the House.

It is important that all the Members of the House understand just how this bill will operate and what it will accomplish. Unfortunately, a great deal of misinformation has been put forth in opposition to this legislation by those who object in principle to any State law providing for parental consent or notification when a minor girl seeks to obtain an abortion. It is important that we cut through all this misinformation and focus on what the bill actually does.

H.R. 1218 amends Title I of the United States Code by criminalizing the knowing transportation across the State line of a girl under 18 years of age with the intent that she obtain an abortion, in abridgement of a parent's right of involvement under the law of the State where the child resides.

Under the bill, a violation of the parental right occurs when an abortion is performed on the minor in a State other than the minor's residence and

without the parental consent or notification or the judicial authorization that would have been required had the abortion been performed in the minor's State of residence.

The Child Custody Protection Act gives the parents of the minor girl a civil cause of action if they suffer legal harm from a violation of the bill.

The bill ensures that neither the minor herself nor her parents may be prosecuted or sued for a violation of this bill. It also provides an exception for the life of the mother. In addition, the bill provides an affirmative defense to any prosecution or civil action where the defendant reasonably believed, based on information obtained directly from the girl's parent or other compelling facts, that the requirements of the parental involvement laws of the girl's State of residence had been satisfied.

Thus, H.R. 1218 only addresses those who covertly take young girls out of their home State for abortions in disregard of protective State laws and parental rights. This bill is a reasonable and carefully drafted solution to a serious nationwide problem that has been carefully documented.

Now, the House will hear arguments today that this bill will endanger the lives of young girls. That is simply false. Indeed, the opposite is true. It is when young girls are secretly taken for abortions without their parents' knowledge that they face serious risk to their health and well-being.

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

During the subcommittee's hearing on this bill, we heard from one mother whose daughter was secretly taken away from an abortion and suffered serious complications from the botched procedure. Her daughter required additional surgery after the abortion which could only be performed with her mother's consent. What an irony. What an irony. The law allowed the minor to be taken out of State for an abortion without any parental involvement, but scrupulously required parental consent for the medical treatment that was necessitated by the botched procedure.

As Dr. Bruce Lucero, a prominent abortionist and abortion rights advocate, wrote in a New York Times op-ed piece during the last consideration of this bill by the Congress in the last Congress, teenage girls who have abortions without consulting their patients face greater risk to their health than those who consult with their parents.

It is the parents who have fullest access to relevant information concerning the girl's health, and it is the parent who is in the best position to see that any complications are promptly and effectively treated.

The House will also hear arguments that the bill needs a health exception. Once again, that is simply wrong. The bill specifically provides that it would not apply if the abortion was necessary to save the life of the minor.

Now, if the concern is about health risk of a non-life-threatening nature, then the best course of action is involvement of the parents for the reasons I have just expressed. If there is some compelling reason why the girl cannot tell her parents, then she always has the ability to seek an expeditious judicial review which all valid State parental involvement laws are required to permit.

Finally, Mr. Speaker, today the House will hear arguments that the parents are not really the people who should have the right to consent to their minor child's abortion but that such consent ought to be given by the parents, someone standing in stead of the parents, the grandparents, the aunts and uncles, the cousins, siblings, ministers, rabbis, or godparents or anybody else. It is these folks who should have the right to take someone else's child out of the State for the purpose of obtaining an abortion.

Now, these types of arguments against the bill are really objections to the underlying State parental notice and consent laws and the Supreme Court decisions that have upheld those laws. Those who disagree with parental notice and consent laws and the Supreme Court decisions who have validated them ought to take the matter up with the States and the Supreme Court.

Now, the opponents of this bill seek to analyze it as though it were a prohibition on the right of adults to travel to engage in activities that are legal in the State to which they travel but not legal in their State of residence. This analysis widely misses the mark. This is not a bill which is aimed at the right of adults to travel. This is a bill which is aimed at the protection of minors.

It is axiomatic, and the Supreme Court has repeated it time and time again, that the power of the State to control the conduct of children reaches beyond the scope of its authority over adults. The court has also time and again stated that it is, and I quote once more, it "is cardinal with us," that is the courts, "that the custody, care and nurture of the child reside first with the parents, whose primary function and freedom includes preparation for obligations the States can neither supply nor hinder."

□ 1115

Thus, as the court has said, constitutional interpretation has consistently

recognized that the parents' claim to authority in their own household to direct the rearing of their child is basic to the structure of our society.

Now, this bill squarely fits within this constitutional tradition regarding the rights of parents. It simply seeks to assure effective enforcement of State laws designed to protect the right of parents and the welfare of children. And the opponents of this bill have a problem with those underlying laws. I think it is safe to say that all of those who oppose this bill fall among those who do not like any sort of parental involvement, parental notice or parental consent law.

As the gentlewoman from Florida (Ms. ROS-LEHTINEN) has noted, across the country a child cannot even be given aspirin at school without her parent's permission, yet strangers can take children across State lines for abortions in circumvention of parental protection statutes. While the abortion industry believes anyone should have the right to take minor girls across State lines for secret abortions, the American public disagrees by a margin of roughly 9 to 1. According to a recent national poll, 85 percent of voters questioned said that a person should not be able to take a minor girl across State lines for an abortion without her parents' knowledge.

This bill, thus, reflects the strong opinion of the American people, and I would suggest that the Members of this House should listen to the voice of the American people on this subject, should reject the arguments that come forth from those who want to deprive the parents of any right to involvement in such a critical decision, and we should move forward to pass this important legislation and send it to the Senate. I urge the Members to vote in favor of H.R. 1218.

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

Ms. JACKSON-LEE of Texas. Mr. Speaker, I yield 3 minutes to the gentleman from New York (Mr. HINCHEY).

Mr. HINCHEY. Mr. Speaker, I thank the gentlewoman for yielding me this time. I just want to say a few words in opposition to this bill, and I do so because it is lacking in some very important qualities that we all would hope to see in legislation that deals with this subject.

First of all, the bill does nothing to prevent young women from having abortions. It simply puts them at risk, higher risk, for physical harm.

Secondly, the bill does nothing at all to educate young women about teenage pregnancy and about the need for responsible family planning.

Furthermore, it does nothing to reduce the overall number of abortions, a shared goal of everyone in this House and on both sides of this debate.

While we in Congress would like to be able to legislate good parent-child rela-

tionships in every family, we ought to know that that is simply beyond our reach. We cannot do it. The truth is most minors do, in fact, involve a parent in the difficult decision to end an unplanned pregnancy, and they should always be encouraged to involve them. Many young women, however, live in households where a parent is absent or, in some cases, even abusive. What we are saying to these young women in this difficult time and under these difficult circumstances is that they are on their own; they are prohibited from enlisting the support or counsel of a trusted friend, another adult or relative.

This legislation sends a terrible message to young women that not only is the Congress willing to trample on their constitutional right to medical privacy, it wants to make abortion more dangerous for them. Since the bill contains no prohibition whatsoever against women traveling across State lines to avoid a State's consent requirement, it will lead to more women traveling alone to obtain abortions or to seek unsafe abortions locally wherever they may live.

Mr. Speaker, this is simply a bad piece of legislation. The bill's intention may be to increase parental involvement in the difficult decision to seek an abortion, but in reality it will not do so. It will only isolate young women who cannot go to their parents during such a difficult time.

Instead of attempting to legislate good family relationships, we here in the House and the Congress should spend more of our time and resources on reducing the necessity of abortions through teenage pregnancy prevention programs and improving access to information and family planning. This is a piece of legislation that is well-intentioned, I am sure, but the effects of it would be counterproductive, dangerous and disastrous to many, many women across our country.

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

Mr. TERRY. Mr. Speaker, today there are over 20 States that require consent or notification of at least one parent before a minor girl can obtain an abortion, and my home State of Nebraska is one of those, albeit the law is under continuous attack in the courts and our State legislature. The American people overwhelmingly support parental involvement and condemn the practice of taking young girls out of State to get an abortion without informing their parents. This bill is designed to help those States enforce their own laws.

Perhaps it is because of my 8 years as a city councilman on the Omaha City Council that I strongly believe in the rights of local governments and the States to formulate their own policies and support Federal policies that protect State and local rights.

It is important that we understand what this legislation does not do. This bill does not create a new Federal law regulating abortion. This is not a Federal consent law. States have the right to require parental notification, and we can help them protect young minor girls at a time when they most desperately need the help and involvement of their parents. These children need attention prior, during, and after this serious procedure. Parental notification can help and it should be given a chance to work. This bill allows States to protect children, promote strong family values and help young girls make wise decisions.

Yes, I believe in States' rights and the rights of my home State of Nebraska to protect young girls in our State, but I am also, as a father, protective of parental rights and the sanctity of parents' involvement in their children's lives and vice versa. So I urge a "yes" on H.R. 1218.

Ms. JACKSON-LEE of Texas. Mr. Speaker, I yield such time as she may consume to the gentlewoman from New York (Mrs. LOWEY), a passionate defender of the rights of women.

Mrs. LOWEY. Mr. Speaker, I thank the gentlewoman for yielding me this time, and I rise in strong opposition to the bill.

The legislation we are considering today would prohibit anyone, anyone, including a step-parent, grandparent, or religious counselor from accompanying a young woman across State lines for an abortion. In my judgment, my colleagues, this is a dangerous, misguided bill that isolates our daughters and puts them at grave risk. That is why the President has threatened to veto it.

Under this legislation, young women who feel they cannot turn to their parents when facing an unintended pregnancy will be forced to fend for themselves without help from any responsible adult. Some will seek dangerous back-alley abortions close to home; others will travel to unfamiliar places seeking abortions by themselves.

Thankfully, my colleagues, most young women, more than 75 percent of minors under age 16, already involve their parents in this very difficult decision to seek an abortion. That is the good news. And as a mother, as a grandmother of four and about 7/8ths, one is arriving in August, I hope, as we all hope, that every child can go to her parents for advice and support. But, unfortunately, not every child is so lucky. Not every child has loving parents. Some have parents who are abusive or simply absent.

Now, I believe that those young women who cannot go to their parents should be encouraged. We want to encourage them to go to another responsible adult, a grandmother, an aunt, a Rabbi, a minister in what can be a very, very difficult decision. Already

more than half of all young women who do not involve the parent in the decision to terminate a pregnancy choose to involve another adult, including 15 percent who involve another adult relative. That is a good thing. We should encourage the involvement of responsible adults in this decision, be it a step-parent, an aunt or an uncle, religious minister or a counselor, not criminalize that involvement.

Unfortunately, what this bill does is impose criminal penalties on adults, like grandmothers, who come to the aid of their granddaughters. We tried to address this problem at the Committee on Rules by exempting close familiar relatives from criminal liability under the bill. But, unfortunately, that amendment, much to my amazement, it was hard for me to believe, was denied. As a result, this bill will throw grandmothers in jail for assisting their granddaughters.

What will the police do? Are they going to set up granny checkpoints to catch grandmothers helping their granddaughters? Will we have dogs and search lights at State borders to lock up aunts and uncles? I suppose so.

Mr. Speaker, I am a grandmother of four, and I believe grandparents should be able to help their grandchildren without getting thrown in jail. As much as we might wish otherwise, family communication, open and honest parent-child relationships cannot be legislated. When a young woman cannot turn to her parents, she should certainly be able to turn to her grandmother or a favorite aunt for help. Unfortunately, this legislation criminalizes that involvement.

And so this bill tells young women who cannot tell their parents, just do not tell anyone else. Do not tell a grandparent, do not tell an aunt. No one can help them; they are on their own. As a result, young women will be forced to travel out of State by themselves or remain in-State and obtain an illegal abortion.

Parental consent laws do not force young women to involve their parents in an hour of need. We know that it can do just the opposite. Indiana's parental consent law drove Becky Bell away from the arms of her parents and straight into the back alley. Parental consent laws do not protect our daughters, but they can kill them. They do not bring families together, but they can tear them apart. And so I ask, why can we not do more in this body to bring families together, to keep our young people safe?

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

That is why, Mr. Speaker, I urge my colleagues to join with the gentleman from Delaware (Mr. CASTLE) and myself on the Teen Pregnancy Prevention Task Force. Let us work with our young people. Let us help them gain self-esteem. Let us see what works out there and try to prevent unwanted pregnancies and prevent teen pregnancies. Let us reduce the need for abortion. Let us work together on this. We can work together, pro-choice, pro-life, Democrat and Republican, to reduce the need for abortion. But my colleagues, let us not put our young people at risk.

□ 1130

I want to say again, I would hope that every mother, every mother, could have a relationship with her child so, number one, there is no need to have an abortion. But if that child should be put in this position, I would hope that child would come to me, would come to a mother, I would hope my granddaughter would come to me, again, let us hope, before it is necessary.

But if it is, I want to be there to help, not to feel that we grandmothers are going to be thrown in jail if we try to help and leave these children so isolated that they may make an unwise move and get this procedure where it may not be qualified.

So I urge my colleagues to vote "no" on this legislation.

Ms. JACKSON-LEE of Texas. Mr. Speaker, I reserve the balance of my time.

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

Mrs. EMERSON. Mr. Speaker, I rise in strong support today of the Child Custody Protection Act. I want to thank my colleague the gentlewoman from Florida (Ms. ROS-LEHTINEN) for reintroducing it again this year.

This is an important bill, and it is an important bill that all Members should support regardless of whether they are prochoice or whether they are prolife, as I am.

I will tell my colleagues from a personal experience about my daughter, Katharine, who just finished her junior year in high school. Quite frankly, I cannot even begin to tell my colleagues how many parental consent forms I had to sign even just this year. The most recent was for a physics field trip. Then there was the soccer form. Probably my worst experience was trying to get permission for my daughter, Katharine, and my older daughter, Tori, to use their inhalers for their exercised-induced asthma, which comes about simply through playing sports. And it was a nightmare. But I will tell my colleagues, it was a nightmare that I accepted, and that was very important.

Nobody can doubt that this constant flood of consent forms is bureaucracy

at its best. But I do not mind because it is just one more way for me to stay involved with my children and involved in their lives, which is to me the most important responsibility that I have in life.

So if we, as parents, are involved in those types of decisions regarding our children at school, how can anyone even question the need for us to be involved in such a potentially life-threatening decision like having an abortion?

The need for this type of legislation is particularly clear, particularly in my home State of Missouri, which already has a parental consent law.

A recent article in the St. Louis Post Dispatch focused on the problem of teens crossing from Missouri into Illinois to obtain abortions without parental consent. I bring the attention of my colleagues to this blown-up ad that was recently in the Yellow Pages in a phone book in St. Louis. But the article in the Post Dispatch points out that one of the larger abortion clinics in Illinois actually does advertise on Missouri radio stations and it says "No parental consent required."

I even went into the home page last night and pulled out a copy of their home page, which does say right here "Parental consent is not required for a minor to have an abortion at the Hope Clinic."

This is a predatory market, my colleagues, and it targets vulnerable young girls, and it really emboldens those who would impress these young girls into doing something they might live to regret all of their lives.

I am fortunate that my children talk to me, and I realize the need to have support for our young girls. But there is too much pressure from boyfriends and the like to just simply go have an abortion.

It is critical, Mr. Speaker, that we have the Child Custody Protection Act. It is common-sense legislation, and it protects parental rights. But, more importantly, it safeguards the well-being of America's young girls.

I strongly urge my colleagues to support this passage.

Ms. JACKSON-LEE of Texas. Mr. Speaker, I yield myself 2 minutes.

Mr. Speaker, I appreciate the example used by my good friend and colleague on the idea of clinics' advertisements. But that evidences the weaknesses of the legislation.

I would be happy to target unscrupulous abortion clinics if that is the case to narrow their advertising standards and their advertising approaches. I frankly believe, as well, that we do not target teenagers or entice them to do things they would otherwise not do. But the emphasis of this bill is to lock up loving and caring adults who want to be loving and caring to a teenager who finds herself in trouble under legitimate laws of this land of the right to choose, locking up grandmothers,

locking up ministers and rabbis, locking up cousins and aunts.

Frankly, this is a cruel scheme to do a back-door curbing of abortion. The bill's backers, as the New York Times says, "can show no compelling justification for giving different treatment to State residents and non-residents seeking medical services."

We are not promoting unscrupulous abortion clinics. What we are trying to do is simply say a young woman who may have been abused by a relative in her family, a stepfather, a father, deserves to have a private way of counseling with someone or a private way of seeking an abortion that does not include going into a cold courtroom and being denied on a judicial waiver.

I will say, Mr. Speaker, that we can do many things, but this solution is not the best solution.

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

Mr. ALLEN. Mr. Speaker, I thank the gentlewoman for yielding me the time.

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

Parental involvement in a minor's decision about her pregnancy is, of course, the ideal. For most teens it is the reality. But some teenagers, for various reasons, simply cannot or will not confide in a parent. This bill will make criminals of some grandmothers, aunts, or other relatives that help pregnant teenagers exercise their legal rights. This bill would endanger the health and lives of young women who, for a variety of reasons, including fear of abuse, are unable to involve a parent in their decision-making. This bill is about politics, not sound legislation.

We should be talking today about what we can agree on, how to involve adults in the decision-making process. We should look at policies that work, like the Adult Involvement Law that exists in my home State of Maine.

The Maine Adult Involvement Law recognizes that parental involvement and guidance is the ideal for young women facing decisions regarding a pregnancy. However, when parental involvement is not possible, teens should not be alone. Maine's Adult Involvement Law allows young women to turn to a trusted adult for advice and counsel. A young woman considering an abortion may turn to a parent or another family member, such as an aunt or grandmother or a judge or a counselor. And a counselor would cover a number of different types of people: A physician, a psychiatrist, a psychologist, a social worker, a member of the clergy, physicians' assistants, nurse

practitioners, a guidance counselor, registered nurse, or a licensed practical nurse.

The counselor must discuss with the young woman all of her options, including adoption, parenting, and abortion. In Maine, all minors seeking an abortion must receive counseling even if that young woman has the consent of another adult. This provides the maximum guidance and support for the young woman.

The Child Custody Protection Act is designed to restrict the young woman's access to abortion, not to ensure the involvement of an adult in her decision-making process. I urge my colleagues to join me in opposing the so-called Child Custody Protection Act.

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

Mr. Speaker, I would like to respond briefly to the point that has been made about the assistance that young women might receive from people other than their parents.

Any grandmother, any friend, any cousin, any godparent who wishes to help a young woman in a situation such as has been described where it is impossible to talk with the parents, for whatever reason, can help that young lady go through the constitutionally required judicial bypass process.

That is something the Supreme Court has established. The Supreme Court has required that all parental involvement laws contain a judicial bypass mechanism that must be made available. That is the way they can render assistance within the framework of the law that provides for the respect for parents and the family unit. That bypass is there; and that is the route that they should follow, rather than taking a girl, without her parents' knowledge, across State lines for an abortion in a State other than her State of residence.

There is a solution to the problem that opponents of this bill keep raising. They want to deny the reality of that solution. But that does not make it go away.

Mr. Speaker, I yield 3 minutes to the gentleman from Pennsylvania (Mr. PITTS).

Mr. PITTS. Mr. Speaker, I rise today to speak in strong support of the Child Custody Protection Act and commend the gentlewoman from Florida (Ms. ROS-LEHTINEN) for her leadership and the other 130 Members who have cosponsored this legislation. It is time that we speak up for the safety of our young daughters, as well as the rights of their parents.

I served in the Pennsylvania Legislature when we passed the Parental Consent Law. There are about 20 States that have parental involvement laws. Some parental notice, some parental consent. In Pennsylvania, we require consent of one of the two parents. And

in case there is a breakdown between the parents and the child, we have a judicial bypass where the child can go before, in a confidential setting, a judge to get a decision.

This law was designed because of a case that happened in Pennsylvania in 1995 where a 12-year-old young girl was impregnated by an 18-year-old male and then the mother of that male took that 12-year-old girl to a neighboring State, New York, without her parents' knowledge or consent, for a secret abortion.

Now, my colleagues, this is outrageous where, in America, a stranger can take a minor child whose parents who know the medical history, know the psychological make-up of their child, without their knowledge or consent.

There was a study in California of 46,500 teenage school-age moms. Guess what they found? Two-thirds of them were impregnated by adult males. The median age was 22 years old. In many cases, it is these males who are taking the young girls across State lines for abortions, not grandmothers. It is adult males who are exploiting young women so that people will not know what happened.

In Pennsylvania, I went to the capital phone books and pulled out a couple of Yellow Pages. Here is one entitled "abortion." Here is a clinic in Maryland advertising, "no parental consent," to get around our State law. Here is one from my district in Lancaster. "Age restriction, parental or spousal consent, none." That is in Delaware, this abortion clinic.

I say to the people who are outraged about these ads to teens about smoking, where is their outrage about these ads for teens for abortion? This is a medical procedure that could be life-threatening. We cannot even have a child get their ears pierced or an aspirin from a nurse or a field trip without parental consent. Where is the logic?

Mr. Speaker, as the Attorney General of Pennsylvania said, "by supporting and protecting the rights of parents across the Nation, those of us in law enforcement will be able to protect vulnerable children." Let us protect them with this bill.

Ms. JACKSON LEE of Texas. Mr. Speaker, I yield myself 1 minute.

Mr. Speaker, let me again emphasize that I am willing to join my colleagues in legislating initiatives against unscrupulous abortion clinics advertising and, as well, any enticement to young people to do something that they would not want to do. This is not this kind of legislation. This is a legislation that undermines a young woman's right to choose and the ability to counsel with someone other than her family for this terribly, terribly important and tragic decision that she may have to make.

Mr. Speaker, I include for the RECORD a letter from the American

Academy of Pediatrics that includes the Society for Adolescent Medicine, dated June 14, 1999, that opposes this legislation. I think these two entities certainly have great involvement with our children.

AMERICAN ACADEMY OF PEDIATRICS,

June 14, 1999,

Hon. HENRY J. HYDE,

U.S. House of Representatives, Rayburn House Office Building, Washington, DC.

DEAR CONGRESSMAN HYDE: On behalf of the American Academy of Pediatrics (AAP), representing 55,000 pediatricians nationally, and the Society for Adolescent Medicine (SAM), representing 1,400 adolescent health professionals, we are writing in opposition of H.R. 1218, the Child Custody Protection Act. Assuring adolescent access to health care, including reproductive health care, has been a long-standing objective of the Academy. The problematic nature of this bill is in its potential to restrict a patient's access to care by making it a federal offense to transport a minor across state lines if this circumvents the state's parental involvement laws.

The AAP and SAM firmly believe that parents should be involved in and responsible for assuring medical care for their children. While parental involvement is desirable and should be encouraged, it may not always be feasible, and the Academy and SAM believe it should not be legislated. Adolescents who cannot rely on a parent to help them through the trauma of a pregnancy and who may need to go to an adjoining state for termination are precluded from receiving supportive care during a traumatic time in their lives. It is in these situations that adolescents would be limited in their options for receiving care.

Our ultimate goal is to provide access to health care that is in the best interest of the adolescent. Pediatricians hope and strongly encourage adolescents to communicate with and involve their parents or other trusted adults in important health care decisions affecting their lives, including those regarding pregnancy or pregnancy termination. Studies show that a majority of adolescents voluntarily do so. However, studies also indicate that legislation mandating parental involvement does not achieve the intended benefit of promoting family communication. It may increase the risk of harm to the adolescent by delaying access to appropriate medical care.

The American Academy of Pediatrics and the Society for Adolescent Medicine urge you to oppose the Child Custody Protection Act.

Sincerely,

JOEL J. ALPERT, MD, FAAP,

President, American Academy of Pediatrics,

LAWRENCE S. NEISTEIN, MD,

President, Society for Adolescent Medicine.

□ 1145

Mr. Speaker, I yield 5 minutes to the distinguished gentlewoman from Wisconsin (Ms. BALDWIN), a member of the Committee on the Judiciary.

Ms. BALDWIN. Mr. Speaker, this bill would make the tragic situation of teen pregnancy even worse.

I believe that adolescents should be encouraged to seek their parent's advice when facing difficult circumstances. And when young people do go to their parents in trying times, most often their parents offer love, support, direction and compassion.

Most young women do turn to their parents even when faced with something as emotional and private as pregnancy. Even with States without parental consent laws, the majority of all pregnant teenagers do tell their parents.

Unfortunately, though, there are times when a pregnant teenager cannot go to her parents. This is precisely the time when they most need the involvement of a trusted adult. But under this bill, if an adult tries to assist a young woman by traveling with her across State lines, that adult becomes a criminal. It does not matter if the adult is her sister, brother, grandmother, minister, rabbi, they would still be criminals in the eyes of Federal prosecutors. In my home State of Wisconsin, we take into account the fact that young people sometimes cannot turn to a parent and must turn to another trusted adult in trying times. In Wisconsin, young women may obtain consent from grandparents, adult siblings or another trusted adult.

Crossing State lines to obtain an abortion is not uncommon. Women usually seek the medical facility that is closest to their home, but due to a lack of facilities in many areas, the closest facility may be across a nearby State border. Eighty-six percent of all counties in the United States do not have any health care facility at all that provides abortion services. Congress has not made it illegal to cross State lines to buy guns, to gamble or to participate in any other legal activity. Why should we make an exception here?

What if the teenager has been subject to physical or sexual abuse by one of her parents? What if the pregnancy is the result of incest? There is no exception in this bill for minors who have experienced physical or sexual abuse in their own homes, nor is there an exception for a young woman who might be subject to grave physical abuse if she were to confide in her parent or parents.

Mr. Speaker, we want all children to confide in their parents, we want a society with strong families, but let us not forget those children in our society who are victims of incest or child physical abuse. Let us encourage those children, too, to reach out to an adult rather than deal with a crisis pregnancy without anyone to talk to.

Mr. CANADY of Florida. Mr. Speaker, I yield 3 minutes to the gentleman from Texas (Mr. ARMEY).

Mr. ARMEY. Mr. Speaker, many, many States—I am particularly proud of my own State of Texas—have laws that protect the children, as they should have. And they have laws that honor the parents' rights with respect to the children.

When mom and dad come home from the hospital and they have got that precious baby in their hands, they

bring the baby home, they accept the lifetime commitment, they care for the baby, they hold the baby, they kiss and hug, treat the baby's little wounds, counsel the baby, advise the baby, instruct the baby, pray over the baby and sometimes discipline the baby. And if grandma and auntie, uncle, sister and brother want to visit, honor, enjoy, play with the baby, it is a wonderful experience in a family. But if grandma colludes with the baby to tell mom and dad a lie when the baby has broken mom and dad's rules, grandma is out of line. Grandma should honor the mother and the father as they accept their responsibilities for the baby. If grandma finds the baby in a serious state of distress at the age of 15 because of some foolishness with that pretty boy down the block, grandma has got a responsibility to the baby and to the mom and dad to honor the mom and dad's devotion to that child and to help that child be in the company, honestly confessing their hurt and their wrong to the people who love and care most. Grandma has no right to take that child across the State line, circumvent the State laws and dishonor her own children. No, grandma does not get a dispensation here. Grandma should have the decency to love that baby and honor her own children as that baby's parents. It is wrong. It is wrong to believe that I have the right to intercede against mom and dad's love and devotion because I want to get the child off the hook.

We have taught our children, "You will do wrong, you will make mistakes, you will put yourself in harm's way, you will bring harm to yourself. Bring your hurts to me. I will care for you."

In my own case when my little baby Kathy was born, my dad looked on me and said, "Dick, when you start that parenting, you'll do it all your life." I do that. Most of us do. Some parents unhappily are not kind to their children. Incest does occur. There are laws about that and grandma would have the decency to take the child and the errant parent to the proper authorities within the State and get it corrected and protected. Do you think grandma taking her across State lines to abort that wrong is going to protect that child in the future?

It is not right to love yourself or love somebody more or love some abstract devotion to abortion rights more than the safety and security of that child and the honor of the parents. This is a good bill. It is a good bill that keeps the only commandment with a promise, that commandment that says honor your father and your mother so your lives may be good on this earth.

Let us vote this bill up and let us honor the parents and let us protect the babies.

Ms. JACKSON-LEE of Texas. Mr. Speaker, I yield myself 30 seconds just to emphasize that this country has

many familial situations and many of our young people live with their grandparents.

Mr. Speaker, I yield 4 minutes to the distinguished gentlewoman from California (Ms. MILLENDER-MCDONALD).

Ms. MILLENDER-MCDONALD. Mr. Speaker, I would like to commend my colleague for her leadership on this critical issue. Mr. Speaker, I rise in strong opposition to the Child Custody Protection Act. Last year we addressed this bill. And although it passed this House, it died in the Senate. Further, the President has made his position very clear. He will veto this legislation if it crosses his desk.

There are so many other issues that we could be working on to truly help children and strengthen America's families. I urge my colleagues to work together to make a real difference in the lives of our youth instead of focusing on this bill which is not needed and would only serve to weaken the child-parent relationship.

This bill as we know it, the Child Custody Protection Act, would make it a Federal crime for anyone other than the parent to transport a minor across State lines with the intent to obtain an abortion. It also punishes the so-called violators of this bill with a fine of up to \$100,000 and 1 year in prison. With almost 50 States already requiring parental notification or adult notification through the legal system, if a minor seeks an abortion, there is no need for H.R. 1218.

Regardless of whether the parent-child relationship is abusive or not, most States have already required that a child tell a parent if she wants to obtain an abortion. H.R. 1218 does not improve the parent-child communication. It only serves to create a greater divide between the parent and children and that child on an incredibly personal and difficult decision that remains legal in this country.

H.R. 1218 also ignores the blended and nontraditional families that have become the norm in America today. More than half of all marriages today are remarriages. Children with different parents are often a part of that mix. We are seeing more and more minority children being raised by grandparents. In fact, when I hold district events for parents, the room is filled with grandparents.

This legislation offers no language recognizing the important parental role that grandparents are playing in the absence of parents. It would punish grandparents and members of the clergy who often serve as an invaluable counselor for young adults faced with such important decisions.

H.R. 1218 would isolate these young women during a period when the advice and kind understanding of an adult is most needed. As a mother and grandmother who cares deeply about strengthening families through good

communication and loving support of children regardless of the mistakes that they make in their effort to grow into mature and independent adults, I ask my colleagues to vote against this piece of legislation. It will not help women, it will not help families, and most certainly it will not help anyone to prevent unwanted pregnancies.

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

Mr. DEMINT. Mr. Speaker, today I rise in favor of the Child Custody Protection Act. This bill would make it unlawful to transport a minor across State lines to circumvent a State law requiring parental involvement in a minor's abortion decision.

South Carolina is one of several States that have laws requiring one parent to approve an abortion of a minor. Let me make it clear that this law does include any legal guardian. It is not excluding grandparents who are legal guardians. The Child Custody Protection Act would not impose a similar parental consent law on States neighboring my State but, rather, would simply ensure that the laws of my State would be respected.

Laws requiring parental involvement in a minor's abortion decision confirm the essential role of parents in key decisions for our children. For the sake of children, these laws should not be circumvented. The Supreme Court has observed, "The medical, emotional and psychological consequences of an abortion are serious and can be lasting. This is particularly true when the patient is immature."

All across this country our children cannot take an aspirin at school without parental notification or authorization. They have to have a signed permission slip to go on a simple field trip. Yet in many places in our Nation, a young girl does not have to tell a family member before she has an abortion. Some States have rightfully acted to give parents the responsibility for decision-making for their minor children. The parental consent notification laws of States like South Carolina should not be bypassed. This bill would simply enforce our laws and reassert the importance of children.

Mr. Speaker, I have two daughters. It is very hard for me to believe that some in this room think that they should have the right to secretly take one of my daughters across the State line to get an abortion without telling me. We cannot tolerate that in this country. I urge all of my colleagues to vote for the Child Custody Protection Act.

Ms. JACKSON-LEE of Texas. Mr. Speaker, yielding myself 30 seconds, I listened to the previous proponent on the floor. I just raise the question that we have often been chastised for federalizing laws in this country. He has already argued that States have laws.

That is why I find the folly in this legislation. It is not helping; it is hurting.

Mr. Speaker, I am delighted to yield 3 minutes to the gentleman from New York (Mr. GILMAN), the distinguished chairman of the Committee on International Relations.

Mr. GILMAN. Mr. Speaker, I thank the gentlewoman for yielding me this time.

Mr. Speaker, I rise today in opposition to the Child Custody Protection Act, making it a Federal offense for anyone other than a minor's parents to transport that minor to another State so that that minor may obtain an abortion. This legislation prohibits anyone, including grandparents, stepparents, religious counselors or any other family member from accompanying a young woman across State lines for such a procedure.

Parental involvement is obviously ideal and currently some 75 percent of minors under age 16 seek the advice and help of their parents when faced with an unintended pregnancy and the prospect of obtaining an abortion. These young ladies are fortunate enough to have loving, understanding parents that they can talk to. But not all teenagers are that fortunate.

For those teenagers who believe they cannot involve their parents, they are left with no one else to turn to, no one to counsel them, including consideration of alternatives to an abortion. Should this bill pass, young women would be forced to make such a difficult decision alone, for fear of putting a family member or a trusted adult in danger of committing a Federal crime. We owe it to these young women to allow them the opportunity to involve someone they can trust in making that important decision.

□ 1200

Most teenagers who do not involve their parents do involve an adult in such a decision, with some 15 percent talking with a stepparent, grandparent or sibling. It is far more preferable to teach our young people to practice abstinence and to be responsible, making abortions unnecessary. That would be far better than passing legislation which holds concerned family members and trusted adults criminally responsible for helping these young women who are confronted with a very difficult decision.

Accordingly, Mr. Speaker, I urge my colleagues to oppose this legislation, and I thank the gentlewoman from Texas (Ms. JACKSON-LEE) for having yielded this time to me.

Mr. BACHUS. Mr. Speaker, I yield 2 minutes to the gentleman from California (Mr. GARY MILLER).

Mr. GARY MILLER of California. Mr. Speaker, it is interesting the argument by my colleagues on the opposite side of the aisle in opposition to this bill. They use words like: "Let's get to-

gether." However "let's" never includes parents. And, "We need to help young ladies." However "we" never includes parents. Clearly, this is not about adult women, it is about young girls and, in some cases, children.

As my colleague said, it is illegal for a school nurse to give a high school student two aspirin without parental consent. Schools obtain permission slips for parents to take students on field trips. It is even illegal for high school students to participate in many high school sports without parental permission, but it is not illegal for a complete stranger to transport a teen-aged girl or even a 12-year-old girl across State lines to circumvent State laws so that she can have an abortion without her parents' knowledge.

There has been a lot of talk about loopholes over the last weeks. If this is not a loophole, there is no such thing as a loophole. The Child Custody Protection Act will close a Mack-truck-sized loophole by prohibiting anyone from transporting someone else's daughter across State lines for the purpose of circumventing a State parental consent notification law.

Many want us to believe this is about a nice little grandmother. This is not. It is about an employee of an abortion industry or a sexual predator who wants to cover up the rape of a young girl under the age of 18. No one should be able to make mockery of legal State parental consent laws.

This is not whether or not a woman has a right to choose. This is about a young girl's rights to be involved with her parents and the parents' rights to be involved with their children.

Anyone who opposes this loophole I believe is an extremist, and anyone who does not support this is out of touch with the American people. If my colleagues do not like parental consent laws, they should go to the State capitals where they live and fight to repeal them, but do not oppose a common-sense measure such as this. I urge all my colleagues to support families, to support children and to support women in fighting this measure.

Ms. JACKSON-LEE of Texas. Mr. Speaker, I yield 2½ minutes to the gentlewoman from Connecticut (Ms. DELAURO), a member of our leadership.

Ms. DELAURO. Mr. Speaker, I thank the gentlewoman for yielding this time to me.

I rise today in strong opposition to this bill. We all believe that young women should turn to their parents for guidance and for support, and do my colleagues know what? Most do. Unfortunately, Congress is unable to legislate strong and healthy family relationships, and there are times in some families where a young person cannot turn to her parents for fear of physical abuse, and the so-called Child Custody Protection Act would leave those young women with nowhere to turn.

The Republicans claim that they want to protect young women from sexual predators forcing them across State lines. This is a worthy goal. We all share this goal. But nowhere in this legislation does it specify that it is illegal to use force or threat of force to transport a minor across State lines to obtain an abortion and avoid parental consent laws. This is a key omission, and without that distinction the bill would make it illegal for any adult other than a parent from taking a young woman out of State for an abortion, which I would like to point out is a legal medical procedure.

It means that a young woman who is in a time of tremendous emotional need would be unable to turn to a stepparent, a grandmother, an aunt, an older sister, or even a trusted member of the clergy, without placing that person at risk for breaking the law.

I might add that the Republicans in the committee would not make an exception for the case of incest. They voted down a waiver or an exception for incest. Now do my colleagues want to tell me that an incestual relationship is one with a loving parent and that is the person that a young woman ought to turn to? My God, what are we trying to do here? The Child Custody Protection Act would only isolate a young woman in time of greatest need.

Let me just say that do not play out, and I say this to some of my colleagues, do not play out your own personal philosophies which people respect, but do not do that at the risk of jeopardizing the health, the safety of young women. This is not our job. Do not turn grandmothers, trusted adults into criminals in this country. I urge my colleagues to reject this misguided bill.

Mr. BACHUS. Mr. Speaker, I yield 2 minutes to the gentleman from Florida (Mr. WELDON).

Mr. WELDON of Florida. Mr. Speaker, as a practicing physician for many years, I have always been aware of the fact that if a minor child came to see me in the emergency room with an illness or a injury, I could not treat that child without the consent of a parent, I could not give pain relieving medications, I could not stitch a laceration. Indeed, I could be prosecuted for assault by treating a child without the consent of a parent.

But, amazingly, in many States those same minor children, a minor female who cannot get basic medical care without their parents' consent, can have an invasive surgical procedure legally, an abortion, a surgical procedure with the attendant risks of hemorrhage, infection, sterility and, yes, even death can legally be obtained in some States. What is even more disturbing is that in the majority of cases these minor children have been impregnated by men over the age of 18, a crime called statutory rape in most States.

Now many States have correctly addressed this problem by passing legislation requiring the consent of a parent, and those laws have been upheld in the courts, but, unfortunately, many States have not passed these types of legislation, and what has developed is the unconscionable situation where minor females are being carried across State lines without the knowledge or consent of their parents for the purpose of obtaining an abortion. This bill correctly addresses this problem by making it illegal to circumvent State laws by carrying a minor child across State lines, and I encourage all of my colleagues to support this legislation and vote for its passage.

Ms. JACKSON-LEE of Texas. Mr. Speaker, I yield 2 minutes to the gentlewoman from California (Ms. WOOLSEY).

Ms. WOOLSEY. Mr. Speaker, I rise today in strong opposition to this so-called Child Custody Protection Act. Last year, the far right majority here in this Congress wanted to make it a crime to help a pregnant young woman, and now it is the same story over again. What we really should be doing is helping our teens. Teens need people that they can count on when they are really in a serious situation. In situations where parents are abusive or absent this bill would make it criminal for a young woman to turn to a trusted adult, a family member, for help.

Let us face it. Some teenagers will have sex without parental consent, and we all know that teenagers can continue a pregnancy, receive prenatal care and deliver a baby without parental consent. Teens can also give the baby up for adoption without parental consent.

The only thing that is prevented from doing is deciding to end a pregnancy. This bill does one thing. It seeks only to further isolate young women who dare not or cannot involve their parents. Remember, one-third of our young women who do not notify their parents of a pregnancy have been victims of family abuse and violence. This bill is all wrong. Instead of criminalizing freedom of choice, we should be providing our teens with better education, better health care and support services.

Mr. Speaker, this bad legislation died in the Congress last year because it was not good for young women. Once again, I urge my colleagues to vote against the Child Custody Protection Act.

Mr. BACHUS. Mr. Speaker, I yield 2 minutes to the gentleman from Texas (Mr. DELAY) in support of the legislation.

Mr. DELAY. Mr. Speaker, I thank the gentleman from Alabama; and I am proud to stand here today with the gentlewoman from Florida (Ms. ROSLEHTINEN) and my other colleagues

who have done an admirable job promoting the Child Custody Protection Act.

There is a great injustice taking place as we speak. In 28 States minor girls are being taken across State lines for abortions just so parental consent or notification laws can be avoided. For a child to receive an aspirin at school or to be involved in a class field trip, they must gain prior consent from a parent. But for a dangerous and sometimes fatal procedure a child, yes, a child, can be transported across State lines without a simple notification of their parent.

This is criminal, and this practice has to stop. We must remedy this injustice against States who have decided that parents have a right to know when their child's health is threatened. To add insult to injury, literally, the abortion industry actually encourages such interstate activity and most definitely profits by it. In many States, abortion clinics even advertise in the phone book of these nearby States, and they advertise no parental consent required. If that is not a criminal act, then I do not know what is.

So I urge my colleagues today to vote for the Child Custody Protection Act. A vote for this bill is a vote to respect State law. A vote for this bill is a vote to ensure that parents living in those 22 States get to maintain their right to know about their child's welfare; and, most importantly, a vote for this bill is a vote for the safety of our children.

Ms. JACKSON-LEE of Texas. Mr. Speaker, I yield myself 30 seconds.

Let me just say to my good friend from Texas, Becky Bell is dead. Becky Bell is dead because Indiana had a parental consent law, and Becky Bell did not have the resources and the nurturing, comforting familial situation, a loving family and loving parents, did not have the resources to go and get a safe abortion. She is dead.

Mr. Speaker, I yield 2 minutes to the distinguished gentleman from Illinois (Mr. DAVIS).

Mr. DAVIS of Illinois. Mr. Speaker, I rise in opposition to H.R. 1218, the Child Custody Protection Act which could more appropriately be called: The Teen Endangerment Act.

Specifically, I rise to speak against the criminal sanctions this bill would impose on grandmothers, aunts and clergy, responsible adults a child might turn to if they feel uncomfortable talking to their parents or they have a reason they cannot talk to their parents. This law punishes the 1 million American teenagers who become pregnant each year, and it punishes the adults who seek to assist these children in their time of need.

Proponents of this bill would say these teens could go to a judge for a judicial bypass. To this I say, if they can-

not tell their parents, how can they tell a judge? Can my colleagues imagine how intimidating this would be to a young woman? How would she even know where to find a judge?

The fact is, young women who do not and cannot tell their parents have important reasons such as their parents are alcoholics, they are emotionally or physically abusive, or the pregnancy is the result of incest. If we pass this bill, what do we tell people like Keishawn, an 11-year-old who was raped by her father? What do we tell the family of Becky Bell, who died from an illegal abortion because a State law prevented her receiving the help? I know what we can tell Keishawn's Aunt Vicky: "We should have sent you to jail for helping this child." And we should tell Becky Bell's family: "We know that a similar law killed your child, but we are going to make it Federal anyway."

□ 1215

We who oppose this bill encourage young women to involve their parents when they face this monumental crisis, when we consider the fact that most young people will talk to their parents but then there are those who cannot. So if we pass this law, what we are doing is making the most difficult decision that a young person would ever have to make more painful, more lonely and more difficult for them.

Mr. BACHUS. Mr. Speaker, I yield 3 minutes to the gentleman from Tennessee (Mr. BRYANT).

Mr. BRYANT. Mr. Speaker, I thank the gentleman from Alabama (Mr. BACHUS) for yielding the time.

Mr. Speaker, I want to thank most especially the gentlewoman from Florida (Ms. ROSLEHTINEN) who has brought forth this bill, which I think is a very good one. I think it is one that we ought to pass, and I urge my colleagues to support it.

It seems like we can agree on an awful lot of things today. We all want more education, better health care for our young people and we all want to make sure that there are fewer abortions out there, but yet we cannot agree on this, I think, very simple issue.

Frankly, I have sat here and listened to the debate and I hear a lot of talking around in circles and I still cannot understand why we do not agree on this amendment.

We have a problem here. We have State laws that set higher standards in some cases than other States on abortions. They require parental consent. Right now we have a problem situation where there are older people taking school-aged children, girls that are 12, 13, 14 years old, across the State lines into those other States and having those abortions done, all without parental consent.

I think for the most part we agree that should not happen, but we are

hearing this circle talk today that well, maybe in some cases it is appropriate that we can take these young teenagers across State lines because they are involved in an incestuous relationship.

Let me get this straight. There is a parent in an incestuous relationship with a young girl. So their answer is they want to be able to secretly take that young girl across the State line and get an abortion and act like nothing happened. They do not go to a parent but they go to a trusted friend, an aunt, somebody in the religious area; but nothing happens.

That does not make sense. What should occur in that case is that they ought to go to that trusted friend, that grandmother, that aunt and then follow the law, follow the process, go to court and get a bypass, get a court to approve that, go to a judge that that person would know about. If they know enough to get across State lines, they would know enough to go to a judge and go in the private chambers, not in public court and get that bypass.

By the way, while there, tell that judge that the father is abusing that child in a sexual relationship so that that will not happen again. To me, that makes a lot of sense here.

We hear about grandmothers and aunts and trusted friends going to jail. We hear terms like spotlights and roadblocks and back alley abortions, things that really are not appropriate to this level in this debate, I hope. Those trusted friends, those grandparents and those aunts and uncles are protected under this law by that bypass procedure. The grandparents, even if they are occupying the status of a parent, if they are a guardian or standing in the status of loco parentis under the law, they serve as a parent. So a parent is a much broader definition than just simply mother and dad. If there is no mother and dad, there is the guardian out there that has this ability under the law to take that child across State lines to obtain that abortion, if that is necessary.

It just seems to me we agree on most of the issues that we are talking about today and it is just this one issue of incest or a parent that someone cannot talk to, but the bypass procedure very clearly provides a regular order or process to have this done.

Mr. Speaker, I urge my colleagues to support this bill.

Ms. JACKSON-LEE of Texas. Mr. Speaker, I yield 3 minutes to the gentleman from Colorado (Ms. DEGETTE).

Ms. DEGETTE. Mr. Speaker, I rise in opposition to this deceptively titled Child Custody Protection Act. This bill pits desperate young women against responsible, caring adults. This bill drives young women into isolation at a time when they are most in need of help. This bill not only violates teens'

constitutional rights but also seriously endangers their lives.

The last speaker said that it would not really be true that we would have back alley abortions, and people could simply go to a friendly judge.

I submit most of the speakers on the other side of this aisle have never stood in the shoes of being a vulnerable and scared young woman who is the victim of incest or who is the victim of child abuse. I submit that that is a decision that is very, very hard for them and it is a decision that has led many young women like Becky Bell, who we have heard of, like Spring Adams who we have heard of, and others to go to back alley abortions because they are scared.

We want them to go to trusted adults. We want them to report incest and we want that to be prosecuted, but in the meantime we do not want to deny safe and legal abortions to young women who for whatever reason, we may not even know it, cannot go to the adult. We do not want to criminalize bus drivers or grandmothers or others who have legitimate reasons for taking these young women across State lines.

Many of us ran for Congress on platforms of States' rights, and we are all in favor of States' rights all the time here in Congress, unless, of course, they violate our personal social agendas and then we are all for the Federal Government usurping those States' rights.

This bill is unconstitutional. It removes the rights of States to legislate around a safe and legal procedure, and that is abortion. Lawrence Tribe, the preeminent legal scholar, has opined that this bill is unconstitutional, and here is what he has said. This amounts to a statutory attempt to force this most vulnerable class of young women to carry the restrictive laws of their home State like the bars of a prison that follow them wherever they go. Such a law violates the basic premises upon which our Federal system is constructed and therefore violates the Constitution of the United States.

I urge a no vote on this ill-conceived legislation and I urge everyone in this chamber not to put their own values and views on these vulnerable young women. Have some compassion. Understand some of them may not, for whatever reason, be able to go and do what we would all hope they would do, which is to talk to their parents and talk to their parents before they undertake a decision like this. Please vote no.

Mr. CANADY of Florida. Mr. Speaker, I would inquire of the Chair concerning the amount of time remaining on each side.

The SPEAKER pro tempore (Mr. BURR of North Carolina). The gentleman from Florida (Mr. CANADY) has 22 minutes remaining. The gentleman from Texas (Ms. JACKSON-LEE) has 18½ minutes remaining.

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

Mr. GRAHAM. Mr. Speaker, I thank the gentleman from Florida (Mr. CANADY) for yielding me this time.

Mr. Speaker, there was an emotional plea to have some compassion and understanding for the young ladies who find themselves in this horrible spot. I would also encourage my colleagues to have that same compassion and understanding for those young ladies, but also for the parents and for the law because the best way to handle hard problems in society is to have laws that make some sense and have a procedure.

Every State law that requires parental notification has a procedure to have the young ladies' needs addressed and that people can, in fact, go to a judge and seek relief.

I have stood with victims, I have not been in their shoes, of people who have been raped by their parents, who have been abused by their parents, and as a prosecutor I felt a real desire and need to prosecute those people. As a Congressman, I feel a real desire and need to uphold the law where the law has been passed in a duly constitutional fashion.

What the other side is doing is they do not like parental notification statutes. Well, just go back home and lobby the legislature. If they do not like the law back home, go home and change it; but when a law that is passed by a State that affects a minor's interest, whether it is abortion or anything else, do not let people conspire, regardless of the family relationship or the business interest, to cheat the State out of a law that they duly passed. If we do it here, where is it going to stop? Because someone has a view of abortion different than the State in question, do not allow people to go around and cheat the States out of the laws that were duly passed. If one does not like it as a Member of Congress, go home and talk about it.

This statute addresses a real problem. There are ads being run in this country to lure people across State lines to perform abortions, and they talk about the fact that a person does not have to get parental notification. Avoid that State law; go find somebody to bring them over here and we will do something that the State has a different view of across the border.

For those of us in Congress who really do respect the role of the States and really do respect State rights and parental rights, we need to come to the aid of the people who find themselves in this dilemma. What good does it do for a State legislature to pass a law if people can avoid it and Congress remains silent?

Stand up for people who are trying to follow the law.

Ms. JACKSON-LEE of Texas. Mr. Speaker, I yield 2½ minutes to the gentlewoman from California (Ms. LEE).

Ms. LEE. Mr. Speaker, I want to thank the gentlewoman from Texas (Ms. JACKSON-LEE) for yielding me this time, and also for her consistent leadership on behalf of America's families.

Mr. Speaker, I rise in strong opposition to H.R. 1218. This bill, as we have heard, makes it a Federal crime for anyone, other than a parent or a guardian, to transport a minor across State lines. This is another attempt to limit the choices available to young people in crises. This bill closes doors rather than opens doors of opportunities for young people and their families, a general support system.

Also, it closes the opportunity to consider possible options. Of course it makes sense for a child, a girl, to consult with her parents about something as momentous as sexual activity and the surprising pregnancy that sometimes follows. In States that have no mandatory parental involvement, 60 percent of the parents know about their daughters pregnancy. We could only wish that all parents had the trust of their children and that the remaining 40 percent could turn to their parents for counsel. However, we know that sadly not all children feel that they can safely turn to a parent, especially where sexual activity is concerned.

Many young girls are being raised by their grandparents, their aunts and their uncles. Why should we criminalize extended family members or members of the clergy or a trusted adult when they try to help young women facing crisis pregnancies? Under this legislation, grandparents, aunts and uncles and members of the clergy could be prosecuted and jailed for traveling across State lines to obtain reproductive health services for young women. This is wrong.

The fact is, many young girls do not have a mother or a father at home to talk to. Those who support this bill do not value extended families which so many girls are part of. Why do the supporters of this bill feel that it is right to discriminate against such a large number of young girls in this country?

It is amazing to me that the majority of those speaking on behalf of this bill are men who really do not have the experience of a young girl's trauma.

This legislation really does limit reasonable options. It would force young people in a period of turmoil, with the clock relentlessly ticking, to turn to illegal or self-induced abortions or to pretend or wish away their pregnancies with sometimes horrendous results, as we constantly learn from news reports.

So I urge my colleagues not to legislate relationships, not to legislate personal behavior. Please vote against this Child Custody Protection Act. It is bad policy and it is discriminatory.

Mr. CANADY of Florida. Mr. Speaker, I yield 3 minutes to the gentleman from Alabama (Mr. BACHUS).

Mr. BACHUS. Mr. Speaker, I thank the gentleman from Florida (Mr. BACHUS) for yielding me this time.

Mr. Speaker, we are all struggling to do the right thing, and we are confronted with a case where we have a 14- or a 15-year-old girl. She is pregnant, unwanted pregnancy, as she would say, as we would say, and she is considering an abortion.

Who do we involve? Well, the First Lady of the United States has said it takes a village to raise these young ladies. But do we go out and choose anyone in the village? That is what the critics seem to be saying: Anyone will do. It does not have to be the parents. It can just be anyone that happens along.

We have heard that a compassionate bus driver might be the person.

□ 1230

We have been told that the grandmother is usually the person. We are told about these aunts. But in fact, who is this so-called trusting adult that is taking this young 14- or 15-year-old girl across lines? What member of the village is it that we are substituting for the parent and their involvement and their love?

Quite simply, it is the boyfriend. We do not have to speculate on that. The Department of Health and Human Services reported to this very Congress in 1995 and said in two-thirds of the cases when 15- and 16-year-old girls are pregnant it is a male adult, and the medium age of that male adult is 22 years old. It is not the grandmother that is impregnating them, it is not the loving aunt, and it is not the compassionate priest, it is the boyfriend.

There is a study of 46,000 schoolchildren in California. Two-thirds of them were impregnated by adults; again, average age 22. Let me tell the Members what that study said. It said the differences in ages between the young girl and the father who impregnated her at the very least suggest very different life experiences, and bring into question issues of pressure and abuse.

Another study a year earlier said, "Obviously, these males are vulnerable to statutory rape charges and have a strong incentive to pressure the young girl into obtaining an abortion." That is what the California study said. That is what our own Health and Human Services study said. It is not about the grandmother, it is about the boyfriend.

Finally, the study said that 58 percent of these so-called trusting adults who we are all concerned about today, 58 percent of them who take the young girl across State lines, who are they? Who in the village are they? They are the boyfriend. We have a choice to make. Do we choose the parents or the boyfriend?

Ms. JACKSON-LEE of Texas. Mr. Speaker, I yield 5 minutes to the distinguished gentleman from New York (Mr. NADLER), a senior member of the Committee on the Judiciary.

Mr. NADLER. Mr. Speaker, I do not for one moment grant what one of the speakers said a few moments ago, that we are agreed on most things, that we are only disagreeing on incest. I do not grant that the real purpose of this bill is to help anybody.

The real purpose of this bill is to make it as difficult as possible for young women to get an abortion. The real purpose is to make it as impossible for young women to exercise their legal rights as we can possibly make it. That is the real motivation. It is what is driving this bill, and not any supposed concern about parental involvement.

As the New York Times this morning said, the bill is "a cold-hearted piece of legislation that would jeopardize the health of desperate young women seeking abortions, and potentially imprison adults who help them." Realize what this bill would do. A 19-year-old sister who helped her 17-year-old sister to an abortion clinic or to a hospital across the State line could go to jail.

The bill is clearly unconstitutional because it violates the constitutional principles of federalism. The bill violates the rights of States to enact and enforce their own laws governing conduct within their own boundaries, and it violates the rights of residents of each of the United States to travel to and from any State of the Union for lawful purposes, a right strongly reaffirmed by the Supreme Court in its recent landmark decision in Saenz versus Roe only last month.

The fact of the matter is that each State is free, notwithstanding Article IV, to make certain benefits available to its own citizens. A State's criminal laws may not be replaced with stricter ones for the visiting citizen from another State, whether by that State's own choice or by virtue of the law of the visitor State, or by virtue of a congressional enactment.

This bill seeks to export the laws of one State to another. We cannot constitutionally make it a crime to do something that is legal in the State where you do it because it is illegal in a different State.

I know the gentleman from Florida (Mr. CANADY) will cite a 1978 cases in which a Mann Act prosecution for transporting a woman across State lines for the purpose of prostitution was upheld, despite the fact that prostitution is legal in the State to which she was transported.

But all that case says is that of course there can be a Federal law and a Federal crime without a State law. The Federal government can prosecute a spy in New Jersey, even if New Jersey has no laws against espionage.

But this bill is very different. It would only be a crime to transport a

young woman to another State for the purpose of obtaining an abortion if she had not met the legal requirements to get an abortion in her own State, in the State she left. In other words, the bill would, in effect, for purposes of abortion, imprison her within the laws of the State that she left, and this we cannot constitutionally do.

So the bill is clearly unconstitutional, and the bill is cruel. It would force a young woman to drive by herself for long distances both before and after an abortion, greatly increasing her own health risks, rather than allow a responsible adult to accompany her to and from the clinic. This is dangerous, it is unnecessary, it will cause deaths.

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

The AMA has reported that "the desire to maintain secrecy has been one of the leading reasons for illegal abortion deaths since 1973." This bill is a death sentence for many young women. Actually, it is not, because the Supreme Court will throw it out. But if it were ever enacted into law, until the Supreme Court throws it out, it is a death sentence for young women. Like all parental consent laws and required waiting period laws, the bill further risks women's health because of delayed abortions. We should be taking actions to ensure that abortions are as safe as possible, rather than delaying it to make it as difficult as possible.

The bill also invites family members to sue one another for damages. Who gets to sue? Parents, even parents who have been abusive or have abandoned their children; fathers who have raped their daughters are allowed to sue for damages from the prison cell. Whom can they sue? The bill entitles parents to sue doctors, clinics, relatives.

The litigation could bankrupt clinics just by the discovery process, which I am sure delights the supporters of this bill. If the intent is only to sue the transporter, the bill should be amended to say so.

What about the criminal penalties? The bill would force a grandmother to go to jail for coming to the aid of a grandchild, or a 19-year-old sister for coming to the aid of her 17-year-old sister.

I offered an amendment which would exempt grandparents and adult brothers and sisters of the minors, but the Committee on Rules would not even allow the amendment to be considered on the floor. It would criminalize almost any adult relative of a child who tries to help a young woman.

Proponents of the bill ignore these concerns and wave around a judicial

bypass as a panacea, but we know the judicial bypass option of many parental consent laws have been ineffective. Again, my amendment to improve this bill by allowing individuals subject to prosecution to appeal to a Federal court for a judicial bypass was blocked from consideration by the Committee on Rules.

We know that many local judges refused to hold hearings or are widely known to be anti-choice, and refuse to grant bypasses, despite rulings of the Supreme Court that they cannot withhold the bypass.

This bill further limits the options of young women who, for whatever reason, cannot obtain parental consent. Mr. Speaker, I urge my colleagues to reject this unconstitutional and cruel bill.

Mr. CANADY of Florida. Mr. Speaker, I yield 4 minutes to the gentleman from New Jersey (Mr. SMITH).

Mr. SMITH of New Jersey. I thank my good friend for yielding time to me.

Mr. Speaker, I want to begin by thanking the gentlewoman from Florida (Ms. ROS-LEHTINEN) for this excellent human rights pro-woman pro-family legislation, and thank the gentleman from Florida (Mr. CANADY), the chairman of the subcommittee, for his expert guiding of this legislation through committee and for his commitment.

Mr. Speaker, a majority of Americans now more fully understand that abortion is violence against children, that it is a horrible dismemberment or perhaps poisoning, one of the other methods frequently employed. It is an execution of children before birth. Americans want it stopped. The polls clearly show that.

A recent survey by the Center for Reproductive Gender Equality, which is run by Faye Wattleton, the former president of Planned Parenthood, found that 70 percent of women want more restrictions on abortion; just women, that was their only universe, their only population polled, 70 percent want more restrictions.

A recent CNN-Gallup poll found that a majority of Americans want most abortions made illegal. That is not what we are dealing with today, but a majority of Americans want to protect the lives of unborn children from this violence, dismemberment, poisoning, and partial birth abortion.

In 1998 in the New York Times a survey was issued on point on what we are talking about today, parental consent. This would apply, of course, and provide integrity for the laws of States on both parental notification and parental consent, but on parental consent, the stronger of the two, it found that a whopping 78 percent of Americans want parental consent laws in their States.

I think Americans adopt a reasonable standard when they say and when they report back with this. They understand

that this legislation is very, very reasonable. Secretly transporting teenagers across State lines to procure abortions in a State with no parental notification or consent compounds the violence of abortion by exploiting the vulnerable minor.

Mr. Speaker, when the partial birth abortion ban was debated in the last few years, many pro-abortion organizations said there were "fewer than 500 partial birth abortions per year in the entire country." We now know that was an outright lie. It was repeated on this floor by one speaker after another. We know it is a lie now.

That statement, like other statements, was proven to be false, and interestingly, it was a New Jersey newspaper, the Bergen Record, which has a very strong editorial slant in favor of abortion, that broke the story that one clinic, Metropolitan Medical Associates in Engelwood, did about 1,500 partial birth abortions every year. That is three times the number in the entire country in this one clinic.

Now we also know that Metropolitan Medical Associates and other abortion mills in New Jersey advertise and market their business in Pennsylvania and elsewhere, and use the fact that until just a couple of days ago, and that has changed, thankfully, we just got a parental notification law in New Jersey, but for many years they used the fact that we did not have such a thing to say, look, young teenagers, come across the State line and get your secret abortion.

If Members look at this ad, abortions up to 24 weeks on demand, these are not rape abortions, these are on demand, because the baby is construed to be unwanted. These ads are telling young teens, we can end your baby's life and your parents need never know. It is a secret abortion.

What happens when the complications set in, Mr. Speaker? There is a group called Mothers Against Minors' Abortions. It is not unlike MADD, Mothers Against Drunk Driving, a group of women who have come together to say, enough is enough. We need to protect our daughters from those who would exploit, this so-called trusted adult who can exploit their young daughter.

A woman by the name of Eileen Roberts who testified, and perhaps members of the committee might remember her testimony, pointed out that, and this is her quote, "Wondering why my daughter had become depressed, over the next 2 weeks my husband and I thought perhaps her boyfriend had introduced her to drugs, so we searched for answers." She goes on to say, "Words cannot adequately communicate the Orwellian nightmare of discovering that your child has undergone an abortion."

She said her daughter was depressed, and there were all kinds of consequences. Interestingly enough, as she

points out in her testimony, when she went to get reparative surgery because of what happened in this legal abortion, but there were complications, she had to sign on the bottom line and give her permission. But when the baby was destroyed and when this intrusive surgery was done, she did not have to give either her consent and she was not notified.

She asked no more secret abortions in her testimony. This legislation again does not impose, although perhaps it should, but it does not, a nationwide or Federal parental notification or consent. It just preserves the integrity of those State laws that say we want to protect our children from the exploitation of those who would do them harm. Please vote in favor of this legislation. Again I want to thank the gentlewoman from Florida (Ms. ROS-LEHTINEN) for her courageous leadership in offering this bill today.

Ms. JACKSON-LEE of Texas. Mr. Speaker, I am delighted to yield 2 minutes to the distinguished gentleman from New York (Mr. WEINER), a member of the Committee on the Judiciary.

Mr. WEINER. Mr. Speaker, I thank the gentlewoman for yielding time to me.

A 15-year-old pregnant girl, perhaps with no parents to care for her, perhaps even worse, parents that harm her, what crime has she committed? Why do we seek to punish her more by making a criminal out of someone that would try to help that girl? She is already a victim, and this bill would victimize her a second time.

I understand the passion of my colleagues, and the previous speaker in particular, in their opposition to abortion. But what purpose do we serve by forcing an exquisitely lonely young girl to go it alone? What is the political gain that my colleagues see in forcing her into an unsafe abortion? What crime has she committed that is so egregious that she would then be forced to turn away or not turn to someone that might help her?

As we posture about our love and respect for America's parents, I would hope in our zeal we are tempered a little bit by love and understanding for the young victims that we also represent.

□ 1245

I do not ask my colleagues, any of my colleagues, who oppose a woman's right to choose to abandon their principles. But I do wish that supporters of this measure would not use the plight of the most helpless to make their points.

I dare say that no one who speaks today and perhaps no one in this Chamber wants there to be even a single abortion. But this bill, all it does is make sure that someone who is in that unfortunate position is forced to be in that position all alone.

Some who have spoken here today have said, oh, this is an issue of federalism; this is an issue of due process; this is an issue of respect for local courts. But someone in a position faced with these excruciating choices, is it not also an issue of compassion? Should we not also remember that?

Why do my colleagues insist on mocking the idea that perhaps a grandmother is a person who can show great love for that victim? Why do we scoff at the notion that all families are not like those we are blessed to come from? Why do we celebrate our churches, our synagogues, and our mosques, yet we would make criminals out of a pastor who would help a young victim?

I urge my colleagues to oppose this measure.

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

Mr. HALL of Texas. Mr. Speaker, I rise today in strong support of H.R. 1218. I have listened to this type of testimony for a long, long time. I rise without any ill will toward those who differ with me.

I have heard testimony on abortion for the last 50 years. I started my public service in 1951. I have listened to fathers, and I have listened to mothers. I have listened to girls in trouble, to pastors. I have listened to medical testimony.

I am not among those who want to push anybody off on a sidewalk or fire on anyone who is trying to enter into an abortion clinic. I hope I am not a part of the far right or the far left. I believe I am a part of what they might call the far middle, because the gentleman from New Jersey (Mr. SMITH) testified from the record that 78 percent of the people want parental rights. I have listened to all that testimony.

I voted many, many times. While I have compassion for those who differ with me, I come down on the side of life. I can come down on no other side. By voting in favor of this bill, I think I am not just voting to protect young women. I think I am voting in support of States' rights, and I am voting in support of parental rights.

All of us want the best for our children. We want to help them make very difficult decisions. We want to be there to support them through this process. This bill allows parents to be a part of that very trying time physically and emotionally by enforcing State laws which require parental involvement in a decision bearing serious consequences for our daughters.

In a time when our children cannot even, as has been testified to here time and time again, so much as even receive an aspirin at school without parental permission, it certainly seems illogical to allow our minor daughters to travel across State lines to have an illegal abortion.

This bill gives us the chance to tell our daughters that we care about their

health and well-being and we want to prevent other adults from taking our place.

I thank the gentlewoman from Florida (Ms. ROS-LEHTINEN) for her leadership, and I am pleased to vote in support of States, of our parents, and of our children.

Ms. JACKSON-LEE of Texas. Mr. Speaker, I am delighted to yield 2½ minutes to the gentlewoman from New York (Mrs. MALONEY), a long-time advocate for protecting children.

Mrs. MALONEY of New York. Mr. Speaker, I thank the gentlewoman from Texas for yielding me this time and for her leadership on the Children's Caucus and so many other important issues.

This bill sounds like a good idea. In an ideal world, parents would always be the first person that teenagers would go to with their problems. But, unfortunately, we do not live in an ideal world. Some parents abuse their kids. Some parents kick them out of the house. Some parents are not capable of taking care of their own children.

This bill is not about protecting young women. It is about antichoice politics. I would like to put this vote in perspective. This is the 121st vote against a woman's right to choose since the beginning of the Republican-led 104th Congress. I have documented each and every one of those antichoice votes in a Choice Report which is available on my web site.

The Republican-led Congress has acted again and again to eliminate the right to choose, procedure by procedure, restriction by restriction. Today we are debating a bill to criminalize the act of taking a minor across State lines for an abortion without parental consent if the State in which the person resides requires it.

As the mother of two daughters, I know that this is not a simple issue. Of course, I would hope that my daughters would include me in making such an important decision. Unfortunately, many young women do not live in normal families. They are in severely dysfunctional families.

I would hope that any young woman who refuses or cannot involve her parents would have another trusted adult from whom to seek guidance and support. However, this bill would make criminals out of such adults. It would make criminals out of loving grandparents, siblings, counselors, friends, aunts and uncles who have nothing but the safety and well-being of the young woman in mind.

If a young woman refuses to involve her family and the law prohibits her from looking to another responsible adult for support, then essential parental support and adult support is stripped away from this young person.

This bill does not protect young women from undue influence. On the

contrary, it strips them of essential support. This bill is not about protecting our young women. It is driven solely by the divisive nature of abortion politics.

I urge my colleagues to oppose this bill and put the safety and well-being of America's young women before the political agenda of antichoice legislators. I urge a "no" vote.

Mr. Speaker, I rise in strong opposition to this bill.

It sure sounds like a good idea. In an ideal world, parents would always be the first person their teenagers would go to with their problems.

Unfortunately, we don't live in an ideal world.

Unfortunately, some parents abuse their kids.

Unfortunately, some parents kick their kids out of the home.

Unfortunately, some parents are not capable of taking care of their kids.

I'd like to put this vote in perspective. This is the 121st vote on choice since the beginning of the 104th Republican Congress.

I have documented each of these votes in a Choice Report, which is available on my website: www.house.gov/maloney/choicereport.htm

Congress has acted again and again to eliminate procedure by procedure, restriction by restriction.

I find it particularly ironic that at the same time when some are trying to restrict access to contraception for young people through Title X—which will prevent unwanted pregnancies—they are also restricting access to abortion.

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

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

Unfortunately, many teens live in severely dysfunctional families.

I would hope that any young women who refuses to involve her parents would have another trusted adult from which to seek guidance and support.

However, this bill will make criminals of those loving grandparents, siblings, counselors and friends who have nothing but the safety and well-being of the young woman in mind.

It sends the message to young women that an abortion is something they must go through alone.

This is a dangerous bill, and should perhaps be called the Teen Endangerment Act.

It will succeed only in making it more difficult for a young woman to get a safe, legal abortion. If she refuses to involve her family and the law prohibits her from looking to another responsible adult for help, then essential support is not there.

This is also an unnecessary bill. For those who worry about young women being forced or coerced by an adult into having an abortion against their will, let me remind them that we already have laws, such as informed consent laws or prohibitions against kidnaping and statutory rape, which protect against this.

This bill doesn't protect young women from undue influence. On the contrary, it strips them of essential support.

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

I urge a "no" vote.

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

Mr. COOK. Mr. Speaker, I rise today in strong support of H.R. 1218, the Child Custody Protection Act. I would like to add my voice of thanks to the gentlewoman from Florida (Ms. ROS-LEHTINEN) for her excellent leadership on the issue and to the gentleman from Florida (Mr. CANADY) for his strong work on the subcommittee and for yielding me this time.

Involving parents in a child's life is crucial in the healthy development of a child. Sometimes, however, a decision comes up in a child's life that seems too large for that child to handle. Sometimes it seems like no one, not even parents, would be a good person to help with their decision. Whether it is a problem at school, with friends or even the complicated decisions surrounding an abortion, children, I acknowledge, sometimes feel that relatives, even parents, cannot be relied upon.

But the fact is the parents are often, if not always, the best place to turn for a child in times of crisis. Parents loving and nurturing is complemented by their wisdom and their experience. This bill simply ensures that State laws requiring parental involvement will continue and that no one will be able to short-circuit or circumvent the productive and healthy system of communication that these laws lay out between the parent and their child.

Because of what this bill represents and protects at its core, a strong family bond, I am proud to stand up here today and show my support for the Child Custody Protection Act.

I urge my colleagues to support this bill on its merits, and I again thank the gentlewoman from Florida (Ms. ROS-LEHTINEN) for introducing this bill and showing America how important the family bond really must be.

Ms. JACKSON-LEE of Texas. Mr. Speaker, I am delighted to yield 2 minutes to the distinguished gentleman from Oregon (Mr. WU).

Mr. WU. Mr. Speaker, I thank the gentlewoman from Texas for yielding me this time.

Most teenagers do involve their parents when making major life decisions like the one we debate today. However, in situations where the young woman cannot share her decision with a parent, she should not be isolated from other sources of counsel and support. Whether it is a grandparent, clergy

member, or some other trusted adult, young women are better served by talking through the decision and having someone to lean on rather than being all alone.

While most young women do involve a parent in their decision, not every young woman has that choice. Whether a parent is absent or abusive or worse, we know that not every family is a model family.

This law would endanger some young women who have the misfortune of difficult family circumstance. This law would make criminals out of people whose only crime is to help a young person in distress. H.R. 1218 isolates young women, puts them at risk, and restricts access to reproductive choice.

Let us stop building walls and barriers around our children and let us start having a real discussion about how we can best nurture them, educate them, and raise them to be responsible and productive citizens.

Mr. CANADY of Florida. Mr. Speaker, I inquire once again of the Chair concerning the amount of time remaining on each side.

The SPEAKER pro tempore (Mr. BURR of North Carolina). The gentleman from Florida (Mr. CANADY) has 8½ minutes remaining. The gentlewoman from Texas (Ms. JACKSON-LEE) has 5 minutes remaining.

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

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

Mr. Speaker, I rise in support of H.R. 1218, the Child Custody Protection Act.

I would like to thank the gentlewoman from Florida (Ms. ROS-LEHTINEN) for her tireless efforts to bring this important legislative effort to the floor for consideration.

In light of all that has happened over the past few months, our Nation has had a growing concern about the moral fabric of our society. We have felt an increasing need to do everything that we can to protect our children, as they are our most precious resource. We must provide them with a safe environment so that they may thrive as they move into adulthood.

One of life's harsh realities is that some young women become pregnant at too early an age. H.R. 1218 does not terminate a person's right to an abortion but does provide important protections for young children who become pregnant.

This legislation will make it illegal for any person to transport a minor across State lines to obtain an abortion without first consulting a parent or a judge. It will make it a Federal crime if an individual knowingly circumvents the laws of their State to seek an abortion for any mother under the age of 17.

It is most often an older male who preys on a young girl, impregnates her,

and then takes her illegally across State lines to have an abortion without the knowledge and consent of the parents. We should all find this manipulative behavior disgusting and disheartening.

Not only is this a crime for an older male to be sexually active with a young girl, but it can be dangerous for that child to receive an abortion. Only a parent knows that child's health history, including allergies to medication. A parent should be informed, and the older male should be prosecuted.

Laws in an increasing number of States, now numbering more than 20, including my home State of Michigan, require parental notification or consent by at least one parent or authorization by a judge before an abortion can be performed.

This legislation will not mandate parental consent in the States which do not currently have parental consent laws but will protect those in States which do require parental consent.

Many of my colleagues are concerned that this bill will prohibit young girls from confiding in a close family member or a friend if they feel they cannot talk to their parents. This is absolutely wrong. There is a provision in the legislature which will allow a judge to relieve the parental notification requirement in certain circumstances. I urge my colleagues to vote in favor of H.R. 1218.

Ms. JACKSON-LEE of Texas. Mr. Speaker, it is my pleasure to yield 1½ minutes to the gentlewoman from Illinois (Ms. SCHAKOWSKY).

□ 1300

Ms. SCHAKOWSKY. Mr. Speaker, I rise in opposition to H.R. 121, the Child Custody Protection Act. Let me tell my colleagues a story about a functional family, in many ways a picture-perfect family.

A few years ago, I had lunch with Karen and Bill Bell, who had a 17-year-old daughter named Becky, and a son that lived in a suburb. They had a wonderful life, they were a close family, and they supported, Bill and Karen did, parental notification requirements. That is until Becky lay dying in the hospital.

As Karen sat next to her, holding her hand, she said, "Becky, tell mommy what happened." Well, what happened to Becky is that she had an illegal abortion in a State that required parental notification, and she did not want to disappoint her loving parents.

Bill and Karen took a year out of their lives and went State to State to try to oppose parental notification laws. Not because they do not want close families but because they do not want young women like Becky, beautiful young women with their full lives ahead of them, to die.

And so I submit to my colleagues, who in all good faith support this legis-

lation, that the consequences of this law will be that young women will die. It will be women from dysfunctional families and women from middle class and functional families alike, young women who have their entire lives ahead of them, and I would suggest that this should be soundly defeated.

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

Mr. GREEN of Wisconsin. Mr. Speaker, I thank my colleague for yielding me this time and I wish to add my voice of congratulations to the others for the good work of the gentlewoman from Florida (Ms. ROS-LEHTINEN).

Mr. Speaker, there are lots of reasons to support this legislation. Let me focus on just two. Number one, it reinforces existing State laws; number two, it helps parents play a more active role in their children's lives.

More than 20 States have laws requiring the consent of one parent before a minor can have an abortion. Nonetheless, too many organizations and too many businesses seek to avoid those laws. Now, each speaker today has been talking about his or her own experience back in their home State. Every one of those speakers should support this bill because this bill reinforces the laws back in their home State.

Let us also be very clear about something. This bill does not punish a grandparent or an aunt if a pregnant child turns to them for counseling or support. It does, it does, when that adult seeks to evade the existing law of their home State.

Now, Mr. Speaker, we all understand how great the need is for the other goal of this bill, helping parents to be more actively involved in their children's lives. This bill does so by reinforcing State requirements of parental consent. And I know my colleagues have heard it before, but it is worth repeating. Under current law it is easier for a child to get an abortion than it is for that child to get an aspirin.

Today, children need a parental consent waiver to attend a field trip, to join the basketball team or to get an aspirin. For goodness sakes, why should a child not be required to receive parental consent before they undergo major surgery for abortion?

Once again I want to congratulate and thank the gentlewoman from Florida for her work. We need to allow parents to have this opportunity to parent their children.

Ms. JACKSON-LEE of Texas. Mr. Speaker, I yield 1½ minutes to the gentleman from North Carolina (Mr. WATT), the ranking member of the Subcommittee on the Constitution of the Committee on the Judiciary.

Mr. WATT of North Carolina. Mr. Speaker, we have heard a lot of debate about the merits or lack of merits of abortions. I want to turn the attention of the Members to another issue, and

that is the legal issue that resulted in this matter coming to the Committee on the Judiciary, not the policy issue of abortion versus nonabortion. We deal with legal issues in the Committee on the Judiciary, and I would submit to this body that this is an unprecedented legal maneuver that is taking place here.

There are a number of States that allow lotteries, but we do not prosecute somebody who goes from a State that does not allow a lottery to a State that does allow a lottery for doing that. There are a number of States that allow gambling. We do not prosecute a person that goes from one State that does not allow gambling to a State that allows gambling to engage in that legal activity in that particular State. This proposal would prosecute somebody for going to a State to engage in conduct that is legal in that State.

So I do not think we need to be misled about this protection of States' rights. The States' rights that the proponents of this legislation are protecting are the rights of the States who have parental consent laws, not the rights of the States who do not have parental consent laws. We ought to be free to exercise the legal rights in the State in which those rights are available.

Mr. CANADY of Florida. Mr. Speaker, I yield 1 minute to the gentleman from Colorado (Mr. TANCREDO).

Mr. TANCREDO. Mr. Speaker, the opponents of this bill, I have heard often during the debate on this particular piece of legislation, refer to the procedure that we call abortion as being both safe and legal. I have heard this now two or three times. It is indeed legal, but it is anything but safe, for inevitably in this procedure one person ends up dead and another oftentimes wounded emotionally and/or physically harmed. It is anything but a safe procedure.

It is for that reason that I rise in support of the Child Custody and Protection Act and in support of the rights of parents across this country. Because these decisions that a girl will make in this regard will live with her for the rest of her life and they are the ones with which parents should be involved.

Just 2 weeks ago, we stood in this chamber talking about the importance of family and the need for parents to play a greater role in the lives of their children. A vote for this bill today is a step in that direction.

Ms. JACKSON-LEE of Texas. Mr. Speaker, I yield 30 seconds to the gentleman from Virginia (Mr. MORAN).

Mr. MORAN of Virginia. Mr. Speaker, I would remind my colleagues what we are talking about are young girls, young girls in trouble, young girls who are unmarried, young girls who invariably, according to the statistics, have been impregnated by older men exploiting them. We are talking about

situations that are not common. It is common for parents to be responsible, to be nurturing, not to be punitive, but that is not always the case.

I do not think we should be legislating morals when we do not know the individual circumstances that may apply. I think we should leave this to the States. We should not have legislation that is as punitive as this. I think it is regressive, and I would hope we would vote against it.

Mr. CANADY of Florida. Mr. Speaker, I yield 1½ minutes to the gentlewoman from Wyoming (Mrs. CUBIN).

Mrs. CUBIN. Mr. Speaker, I would like to take this minute to talk about two things that are very near and dear to my heart, child protection and parental rights. As a mother of two sons, I think I know a lot about both of those things.

This bill and those issues come together on the floor of the United States House today in the form of the Child Custody Protection Act.

I think it is a frightening reality that thousands of adults of every year take minor girls across State lines for the purpose of getting an abortion, in secret, behind the backs of their parents, in direct violation of parental involvement laws of a minor girl's home State.

Eighty-five percent of Americans agree it is wrong to take a minor across State lines for an abortion without their parents' knowledge. No one, not friends, not relatives, not a counselor at a clinic should be allowed to take our children across State lines for an abortion.

Let us support laws that bring families together, not tear them apart. We must do what the American people want and what is best for our children, and that is pass the Child Custody and Protection Act.

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

Mr. Speaker, I want to clear up any misconceptions. This bill is not about partial birth abortions, this bill is not about advertising of unscrupulous abortion clinics or anyone else. This bill is about endangering the lives of teenagers, teenagers who may be suffering from a different kind of family life than most of us would like.

My colleagues on the other side kept using the example that we seek parental consent forms to take aspirin in schools. I beg to differ with them. We seek consent forms. Grandmothers and aunts and those who may have custody of the child can do so. And when I say custody, I am stretching the word. It may not be a legal term.

This act, perceived to be protecting a child, endangers a young woman's life, because it denies her the opportunity for a nurturing person to help her make a terribly important decision.

This country's laws give us the right to choose. This endangers the lives of

young women just because they are teenagers. It eliminates the privacy right. It throws them into a courtroom that is cold and impersonal. And if they cannot tell their parents and they cannot tell others, how can they go into a courtroom and ask for a waiver.

I would ask, Mr. Speaker, that we not politicize this issue; that we think about the lives of our children; and that we stand for educating young women; we stand for stopping the numbers of abortions in young women by educating them and preparing them for adult life; and we stand away from this kind of legislation that endangers the lives of innocent young women who seek only, seek only, to be able to live their lives and to not continue the mistake that they may have thought that they have made and they do that seeking the nurturing and loving and caring attitudes of those who may want to help them.

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

Mr. CANADY of Florida. Mr. Speaker, I yield the balance of my time to the gentlewoman from Florida (Ms. ROS-LEHTINEN).

Ms. ROS-LEHTINEN. Mr. Speaker, I thank the gentleman from Florida (Mr. CANADY) for his leadership on this issue.

Mr. Speaker, my 13-year-old daughter had a slight head wound that required stitches. My husband and I were in D.C., so my parents took Amanda to the hospital. But because the injury was not life-threatening, the hospital refused to give her stitches until Dexter and I gave permission. Yet, incredibly enough, Amanda could be taken to another State and undergo an abortion without my husband and me knowing about it. Would the abortionist know what medicines Amanda is allergic to? Of course not. Parents know, parents can help.

Mr. Speaker, let us take a moment to ponder on the infamous Joyce Farley case. Let us remember the way in which her underage daughter was taken advantage of and raped. Let us not forget about the pain and the suffering she endured, the severe complications, the bleeding, the multiple hospital visits and the astronomical medical bills that her parents were forced to pay, all because one stranger, the mother of the rapist, who is now a litigant in the Pennsylvania Supreme Court, thought that she could take the life of Joyce Farley's daughter into her own hands.

Joyce's 12-year-old was raped then later driven to another State by the rapist's mother. She underwent a botched abortion and was dropped off 30 miles from her home. And, of course, she had to have another hospital visit to correct the damage done by the abortionist.

Cases such as Joyce Farley's must not be repeated. Now more than ever it

is evident that children need their parents. Society needs to do everything within our power to help parents assume responsibility for our children. We need to try to secure the right of parents to become involved in the lives of our children and to help them, not to pull families apart.

The opponents of this legislation have sought ways in which to defy this child-parent relationship. They have tried to place grandparents, brothers, sisters on par with the parents. But let me ask my colleagues, Mr. Speaker, what well-meaning sweet old grandmother would not feel the need to let a child's parent know? What well-meaning minister would drive a child to an abortion clinic and advise the child to keep the pregnancy and the abortion a secret from her parent?

Mr. Speaker, the American people have expressed support for more parental involvement. They support a parent's right to know, and they support the Child Custody Protection Act.

Mr. RYAN of Wisconsin. Mr. Speaker, I rise today in support of The Child Custody Protection Act. This bill will help to enforce parental involvement laws that are implemented to protect the physical and emotional health of children.

Parents know their child's medical history, as well as other health factors that a minor child might not even know about themselves. When parents aren't involved in major medical decisions, such as abortion, risks to the minor's health increase dramatically. In fact, in it's H.L. versus Matheson decision (1981), the Supreme Court expressed it's concern that abortion can be harmful to minors, "The medical, emotional, and psychological consequences of an abortion are serious and can be lasting; this is particularly so when the patient is immature."

Why in the world would we not want parents to be involved in these decisions? Parents have to sign permission slips for their kids to go on field trips at school, and they have to sign a medical slip that allows them to take over the counter medication at school. But abortion advocates would have you believe that parents shouldn't have to sign off on major decisions like abortion. That just doesn't make sense.

This bill does not in any way require states to create new parental consent or notification laws, nor does it interfere with existing state laws regarding abortions for minors.

This bill would make it a federal misdemeanor to transport a minor across a state line for an abortion, if that action circumvents state law requiring parental or judicial involvement in that minor child's abortion decision. This legislation ensures the rights of parents, protects the health of minors, and enforces state law.

Mr. PACKARD. Mr. Speaker, I would like to extend my strong support for H.R. 1218, The Child Custody Protection Act. As a father of seven and a grandfather to 34, the thought of a stranger taking one of my grandchildren to another state to receive an abortion absolutely sickens me.

The Child Custody Protection Act would make it a federal offense for someone who is

not the parent or guardian, to knowingly transport a minor across state lines so that she can receive an abortion.

H.R. 1218 is plainly an issue of parental knowledge and state laws. It is alarming to think that our children are required to receive parental consent to take aspirin at school, yet a stranger can make critical decisions about their health and well-being.

Mr. Speaker, more than twenty states currently require parental consent or notification as a precondition to receive an abortion. In supporting this legislation we are respecting state rights, and upholding the family relationship as the center for moral values and guidance. I urge all my colleagues to support this bill.

Mr. CUMMINGS. Mr. Speaker, as a Member of the Transportation Committee, I am concerned about the broad impact H.R. 1218 could have on our citizens' right to travel safely. We are considering taking away the right of young women to move freely between states with family or friends to seek legal medical care.

Now, suppose citizens were locked into the laws of their home state as they travel across country. This would mean that the speed limits, marriage regulations, restrictions on adoption, and all other controls over behavior would in fact follow the citizens.

This would be absurd. In fact, the premise of "federalism," is our entitlement to travel and be subject to the laws of the state we are in.

The principles of this bill obliterate that right. The strict provisions—with no exceptions for travel with family or clergy—discourage free interstate travel and subject young women to perilous travel alone. This violates our federal system, is unconstitutional, and frankly, unacceptable.

I urge a "no" vote.

Mr. BLUMENAUER. Mr. Speaker, I rise in opposition to H.R. 1218. There is nothing more important in parent-child relationships than for parents to be involved in the healthcare decisions of their children.

The basic parental right and responsibility is perhaps most critical in the case of pregnancies of young woman.

In most American homes, no one cares more about the welfare, health, and safety of a child than her parents.

Although a young woman may be frightened or feel or ashamed to share with her parents, parents are usually best able to provide support for these most personal decisions.

Unfortunately, not all young women are able to confide in their parents should they become pregnant. A victim of family violence or incest is often not in a position to share her pregnancy with her parents for fear of further abuse.

This bill, although laudable for its intention to encourage communication between parents and children, does not provide alternatives for a young woman who is unable, for fear of physical or emotional abuse, to involve her parents in her decision.

In addition, the bill would criminalize the actions of close family members who might seek to assist a young woman who is struggling with this monumental decision. For troubled American households, grandparents, estranged parents, aunts, uncles, or siblings often serve in the parental role.

The bill unfortunately does not make provisions for such circumstances. In fact, it may put these young women in a more dangerous situation should they feel compelled to turn to illicit providers of abortion services or travel alone.

Mr. Speaker, I agree with the need for more parental involvement in their children's lives, but for these reasons, I must vote "no" on H.R. 1218.

Mr. ADERHOLT. Mr. Speaker, today I would like to give my support to the Child Custody Protection Act and I commend Representative ROS-LEHTINEN for working so diligently to protect children and the rights of their parents.

Today we live in a nation bitterly divided over the debate of abortion. As horrifying as abortion is, this bill really deals with another issue, that of States rights. Two weeks ago, you joined me to pass the Ten Commandments Defense Act, another piece of legislation securing the rights of States to establish their own laws. Both of these pieces of legislation protect the Tenth Amendment of States rights.

Representative ROS-LEHTINEN's act argues that citizens and businesses of one state should respect the laws of another state. If the people of Alabama have voted for the rights of the parents to know if their children want an abortion, this is the law within the borders of Alabama. No one, not even a well-meaning friend, has the right to break this law by taking a child away from their home and into another state for what could be the most terrifying and traumatic experience of their life.

Abortion clinics are enticing people to break the law by advertising in the phone books of neighboring states with parental notification laws. We are constantly hearing of the tobacco industry being sued for illegally targeting minors in advertising. Using the same logic, these abortion clinics may be setting themselves up for a few lawsuits.

We convict and sentence adults for engaging in sexual relations with a minor, yet we don't even slap the hand of an adult who aids a minor in destroying their unborn child. Unfortunately, right now, without this law in place, a statutory rapist can conceal the evidence of his crime by taking his young victim across state lines to abort the child he fathered.

As a parent and a defender of the Constitution, I am calling on you, my fellow lawmakers, to respect the autonomous powers of States to allow parents to parent.

Mr. HAYES. Mr. Speaker, I rise today in support of the Child Custody Protection Act. This legislation will make it a federal misdemeanor for a person to transport a minor across state lines in order to circumvent state law so that the minor may obtain an abortion.

In North Carolina—Parental consent is required. A Physician cannot perform an abortion on a minor unless they have the consent of a parent or legal guardian. The Child Custody Protection Act is designed to give parents input in one of the most serious and lasting decision a child could make. While North Carolina parents are guaranteed a voice in our state, there is still an enormous federal loophole in this effort. The fact that someone else could transport that same young woman to another state with more lenient parental laws completely undermines this common sense measure.

I hope that we will work for policies that keep young women from having to make this type of decision in the first place. Abortion should not be a decision that a school aged girl has to make. The pressures in our society are so great on young women to have sexual relations before marriage. We need to go one step further in our schools and communities by teaching abstinence until marriage as the correct and healthy method of sex education. This would be a life saver for our children—keeping them from ever having to make the decision of whether or not to have an abortion.

Mr. KENNEDY of Rhode Island. Mr. Speaker, for the record I strenuously object to H.R. 1218, the Child Custody Protection Act. This bill would make it illegal for a trusted adult who is not a parent to bring a minor to another state for an abortion.

Although I think young women should be encouraged to seek their parents' guidance when facing difficult choices regarding abortion and other reproductive health issues, it is not appropriate or possible for the government to legislate family involvement in this important and highly personal decision.

Many minors do not seek advice from their parents because they have experienced violence in their family or fear violence if they tell a parent of their abortion. H.R. 1218 presumes incorrectly that most young women are part of a loving, supportive and healthy home, but in reality it will force many young women to face this situation in isolation rather than trusting a close adult, such as a grandparent, clergy member or sibling.

It is my fear that this measure will force young women to seek illegal dangerous medical treatment rather than tell their parents of their pregnancy. As a result, this would completely undermine a woman's right to choose guaranteed by *Roe v. Wade*.

In fact, I can argue that this legislation is irresponsible because it does nothing to address the need for education. It is critical that we emphasize the importance of educating our youth about family planning in order to reduce the number of abortions in this country.

Finally we must remember that most young women go to their parents for guidance, but we have an obligation to protect young women who cannot turn to a supportive parent by voting against H.R. 1218.

Mrs. MORELLA. Mr. Speaker, I rise today in opposition to the Child Custody Protection Act. I believe this legislation takes the wrong approach to the problem of teen pregnancy and could turn a young woman's fear into desperation.

Minors should consult their parents before seeking an abortion, and more than 75 percent of young women already involve one or both parents in their decision, but some teens fear family violence if they talk to their parents; other teens are deeply afraid of disappointing their parents. This bill does not address the reality of dysfunctional families in which so many children exist.

Instead of increasing parental involvement, this bill could harm young women by further isolating them at a time when they are already facing the crisis of an unwanted pregnancy, leading them to turn to illegal or unsafe abortions or to travel alone to other states. As drafted, even a step-parent, aunt, or grandmother could not accompany a minor unless

the parent had been notified or had consented, depending on the state law. The Supreme Court has decided that the Constitutional right to privacy includes a minor's right to terminate a pregnancy. Although states are given the option of enacting their own laws on this issue, H.R. 1218 would federalize a process that many states have chosen not to enact.

The Child Custody Protection Act intends to make it a federal crime to assist a minor by crossing state lines to obtain a legal abortion. The desire to maintain secrecy has been one of the leading reasons for illegal abortion deaths. Building roadblocks for a pregnant teenager can cause her to feel more alone and alienated in a fearful situation. I urge my colleagues to oppose this legislation.

Mr. SOUDER. Mr. Speaker, I rise in support of H.R. 1218, the "Child Custody Protection Act" which would make it a federal offense to transport a minor across a state line for an abortion if this action circumvents a state law requiring parental involvement in that minor's abortion or circumvents a requirement of a judicial waiver. This legislation does not mandate parental involvement but requires obedience to state law. This bill deals with the narrow but important question of the interstate transportation of minors to circumvent existing state laws which places pregnant girls at risk and ignores parental rights.

In a widely publicized 1995 case, a 12-year-old Pennsylvania girl became pregnant after involvement with an 18-year-old man. Pennsylvania law requires parental consent or judicial bypass for an abortion to be performed on a minor. However, the man's mother took the pregnant girl for an abortion in New York, which has no parental involvement law. The girl's mother did not even know that she was pregnant. When Pennsylvania authorities prosecuted the woman for interfering with the custody of a child, she was defended by a pro abortion group which argued that the woman's action were like those of "thousands of adults who each year aid young women in exercising their constitutional right to an abortion". The fact is that many abortion advocates advertise and refer young girls to neighboring states to avoid these laws. This reality is not in the best interests of these children.

Exceptions already exist when the pregnant girl's health is genuinely at risk and judicial bypass procedures exist for situations where abusive parents or guardians are involved. The fact is that for the vast majority of cases it is the parents or legal guardians—not the boyfriends, strangers, or meddling in-laws—who are generally best able to weigh the risks of various courses of action in the light of their often unique knowledge of the girl's medical history, psychological makeup, and other crucial factors.

Schools require parental involvement for field trips, medications, early school release, and academic decisions such as sexual education classes, yet with reckless disregard for state laws, a stranger can legally transport a minor across state lines and have her undergo a potentially life-threatening procedure.

Parental notification laws were signed into law this month in both Florida and Texas. Twenty other states already have these laws on the books. The Child Custody Protection

Act is supported by a vast majority of Americans since it works to strengthen the rights of parents to raise their children as they see fit by enforcing state laws which require parental involvement in a decision bearing serious medical and emotional consequences to their daughters. The legislation passed the House with a vote of 276–150 last year.

Mr. Speaker, I urge support of this critical legislation and request that the President sign it into law.

Mr. HYDE. Mr. Speaker, I don't think there is a member in this House who is against supporting and reinforcing family values. We all know that the family is under assault in this country. Efforts to counter this assault and foster good public policy, have occurred in 34 states that currently have laws requiring consent or notification of at least one parent or court authorization before a child can obtain an abortion. These states have expressed their public policy that when a child is going to have an abortion, the parents of the child, the mother who bore her, the father who supports the family unit, know about it, know that their daughter is going to be treated by an abortionist who is going to perform a very serious surgical procedure with potentially serious consequences.

These states have decided by passing these laws that parents are entitled to be part of that decision. This bill reinforces those state laws. It is good legislation, designed to support the family and prevent the evasion of state laws that require parental consent before a child can have an abortion.

I can think of nothing more destructive to the family unit than back door efforts to evade the inclusion of a parent in a child's decision to have an abortion. Some have said grandparents, siblings or others should have the right to take a minor child for an abortion without parent's knowledge. This would create a situation where the grandparents are pulling in one direction and the parents, who have the primary responsibility for the child's well-being and her unborn child, are pulling in another. I say, leave it to the parents. Yes, you can have parents who are intolerant, absent, abusive, or involved with drugs, but the law recognizes these situations and provides for a judicial bypass of a parental consent requirement. This bill recognizes the humanity of the unborn and reinforces the structure of the family. I urge my colleagues to vote in favor of H.R. 1218, the "Child Custody Protection Act of 1999."

□ 1315

The SPEAKER pro tempore (Mr. BURR of North Carolina). All time for debate has expired.

Pursuant to House Resolution 233, the bill is considered as having been read for amendment and the previous question is ordered.

The question is on 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 MS.

JACKSON-LEE OF TEXAS

Ms. JACKSON-LEE of Texas. Mr. Speaker, I offer a motion to recommit.

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

Ms. JACKSON-LEE of Texas. Yes, I am, Mr. Speaker, in its present form.

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

The Clerk read as follows:

Ms. JACKSON-LEE of Texas moves to recommit the bill H.R. 1218 to the Committee on the Judiciary with instructions to report the same back to the House forthwith with the following amendment:

Page 4, after line 11 insert the following:

"(3) The prohibitions of this section do not apply with respect to conduct by an adult sibling or grandparent, or by a minister, rabbi, pastor, priest, or other religious leader of the minor.

Ms. JACKSON-LEE of Texas (during the reading). Mr. Speaker, I ask unanimous consent that the motion be considered as read and printed in the RECORD.

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

There was no objection.

The SPEAKER pro tempore. The gentlewoman from Texas (Ms. JACKSON-LEE) is recognized for 5 minutes in support of her motion to recommit.

Ms. JACKSON-LEE of Texas. Mr. Speaker, I come to this floor with a very heavy heart, because I had hoped that in deliberations on dealing with something as, if you will, sacred and challenging as the very private and terrible decision of having to decide whether to terminate a pregnancy could be done in a bipartisan manner.

I indicated earlier in my remarks, we are not debating partial-birth abortion; we are not talking about advertising that may be too solicitous and too open; we are really talking about a life that, unfortunately in America, may be somewhat different than we would like.

I loved to watch the T.V. Show Ozzie and Harriet, and I really enjoyed the fact that children lived in two-parent families in a loving and nurturing environment. I enjoyed those television programs. But, Mr. Speaker, that is just not today's reality.

We live in a different time. We come from mixed and different cultures. So many Americans have had to grow up without parents or without the traditional family structure. This is a day, Mr. Speaker, when many young people have to live with their grandparents. I represent communities who have extended families and who have to reach out to take care of someone who may have been abandoned.

Poverty strikes in this Nation, and sometimes parents go off because they are frustrated and cannot take care of their family. This overemphasis on parents, Mr. Speaker, is unfair. The motion to recommit responds to the dire circumstances of young people who do not have parents who are there to nurture and care for them.

We offered this amendment in committee. We offered it in the Committee

on Rules, and we were denied. So that means that a young woman who has been raped, who has been involved in incest or child abuse through the family situation cannot seek to have their grandparent, their grandmother, their adult siblings, their aunts, their religious advisors like ministers and rabbis to provide them the guidance that would help them to make the right decision. These loving people under this bill will now be put in jail if they attempt to help and counsel this young female teen-ager who has nowhere else to go.

I am confused as to why my colleagues on the other side of the aisle keep talking about States' rights and then we want to alter States' rights by federalizing this particular activity. States already have these provisions and yet now we want to take away the rights of those who are in States who do not have them. This bill endangers the lives of teens who may have to make the worse decision in their life.

Let me share with my colleagues the story of Keishawn, 11 years old, and her Aunt Vicky. Keishawn, 11 years old, was raped by her father. Mr. Speaker, is that the parent that Keishawn should have gone and gotten consent from? Therefore she sought help from her aunt, her aunt under this bill would be jailed under this legislation.

And what about Becky Bell, who was dating her older brother's boyfriend, who had loving parents, who was in a State with parental consent, who was frightened to go to the courts and ask for a judicial bypass or waiver and went to a back-room abortionist, where her young life was snuffed out because of the inadequate medical care. And, yes, she died due to a terrible infection of which the medical examiner confirmed that she died due to a botched abortion.

Mr. Speaker, this is something that we should be able to resolve. We should leave it to the States. But, most importantly, Mr. Speaker, if we are going to put this bill on the floor, how can we deny grandparents the right to counsel these young teens, where no viable parent is involved.

We are not asking for grandparents to intrude into the relationship of loving families who can talk and generate the decisions that need to be made within the privacy of their home. But, Mr. Speaker, are we here so blinded by the fact that we do not realize what kind of world we live in, that we are living in a world with broken homes? Are we to indict those families who are doing the best they can to raise their children by grandparents or aunts—are they now to go to jail? Are our minister and rabbis to go to jail too?

I just heard on this floor yesterday how important it is to turn our eyes toward our heavenly Father. But yet we want to deny religious leaders the right to give counsel to these suffering teens.

Mr. Speaker, I would ask that my colleagues support a motion to recommit that recognizes the world in which we live has changed and we all don't come from two-parent families. We live in a Nation that has a diverse population that finds many different family structures to guide a teen-ager. Although we should encourage families to stay together we must also accept the fact that young girls can be raped, there is incest, there is child abuse. Sometimes families are not the kind of families that we would like.

I understand the reality of Keishawn and Becky Bell. Becky Bell is now dead. She is dead because we forced upon her the laws of parental consent, and we denied her the right to counsel with other family members to help her in her terrible time of need.

Mr. Speaker, I ask my colleagues to vote down the bill and to vote for the motion to recommit.

Mr. Speaker, I rise to offer a motion to recommit to exclude grandparents, older siblings, trusted relatives, and the clergy from H.R. 1218, the Child Custody Protection Act of 1999.

Although many young women would involve their parents when seeking an abortion, not every young person can do so. Parents may be abusive, or even absent. In those cases where a young woman cannot involve her parents in the decision, there are others who would help by offering physical and emotional support during a time of crisis, confusion and emotional pain. A minor should be able to turn to a relative, close friend, and even clergy members for assistance.

In those cases, this law would endanger minors who cannot talk with their parents and would make criminals of those people the minor turns to for people help.

Supporters of this bill claim that judicial bypass, a procedure which permits teenagers to appear before a judge to request a waiver of the parental involvement requirement, is a preferred alternative. However, many teens do not make use of it because they do not know how to navigate the legal system.

Many teens are embarrassed and are afraid that an unsympathetic or hostile judge might refuse to grant the waiver. Also, the confidentiality of the teen is compromised if the bypass hearing requires use of the parents' names. In small towns, confidentiality may be further compromised if the judge knows the teen or her family.

The need to travel across state lines may be necessary in states where abortion services are not readily available. This may be because of various state restrictions or distance. Some young women must seek services outside of their home state because the closest abortion provider may be across state lines.

When a young woman must travel these distances, we do not want her taking this difficult and tumultuous step alone. Therefore, I offer this motion to recommit to exclude grandparents, older siblings, trusted relatives, and the clergy, so an adult can assist a young woman who is facing an arduous choice.

Grandparents play an important role in the lives of young people. Grandparents act as

counselors for children who cannot speak with their parents. In many cases, grandparents act as parents to children who are abandoned or neglected by their own parents. The relationship between a child and a grandparent should be viewed just as sacred as the relationship between a parent and a child.

Older brothers and sisters also form a unique bond with children who cannot communicate with their parents. There are so many instances where an older brother or sister acts as the parents. We should reward these outstanding members of the family who have taken on such responsibility; we should not punish them with threats of criminal sanctions.

This motion to recommit also would exclude aunts, uncles, first cousins and godparents from the prohibitions of this bill. We should not punish caring relatives for providing support to a scared young woman.

In a time of crisis, a member of the clergy is an important counselor. The advice and assistance of the clergy should not be compromised for fear of criminal sanctions. In its present form, this bill would criminalize any efforts by a religious leader to assist a young woman in her efforts to obtain an abortion.

I hope that my colleagues will accept this motion to recommit. It is vital that we allow our young people to turn to responsible adults when facing abortion. We want trusted members of society bonding with the young woman seeking their help; we do not want these members taken away in bonds.

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

Mr. Speaker, I want to urge all the Members of the House to oppose this motion to recommit for the simple reason that in its four lines it sweeps aside the whole concept of parental involvement. It sweeps aside the notion that it is the parent who should have the primary responsibility for the nurture of children.

Now, this is a concept that has been recognized time and time again by the Supreme Court of the United States. It is a concept that has been recognized by the Supreme Court in the very cases where the Supreme Court has dealt with the various State laws calling for parental involvement in a minor's abortion decision.

Now, what does the amendment provide for? The amendment says that a grandparent can substitute for the parent, an adult sibling, a minister, a rabbi, a pastor, a priest, or other religious leader of the minor.

Now, I love my in-laws and my parents, but they have no business taking my daughter across State lines for the purpose of having an abortion. And I have a great deal of respect for my pastor, but I will guarantee my colleagues that he has no business taking my daughter across State lines for the purpose of having an abortion. It is the parents who have the primary responsibility, and we should recognize that along with the States who have passed laws which recognize that and along with the Supreme Court, which has

recognized that in opinion after opinion.

Now, the truth of the matter is, if there are difficult circumstances such as we have heard about in the debate where it is not possible for a young girl to go to her parents concerning such a decision, the courts have required that there be made available a judicial bypass procedure. That is there. In all the laws that are in effect across the land, there is a judicial bypass procedure.

We have heard an example of a child that was raped by the father and an effort was made to take the child for an abortion without the knowledge of the authorities. Well, that is exactly the kind of case where the judicial bypass should most certainly be utilized so there will be a certainty that the authorities are aware of this parental abuse that is taking place.

Why that sort of thing should be handled in some other manner secretly makes no sense to me. I do not think the child's interest is being protected unless the authorities are involved. That is how the child is going to be protected against future abuse by a father who would commit such a heinous crime.

The opponents of the bill and the supporters of this motion to recommit contend that judicial bypass procedure is not meaningful, that it does not work. Well, I would suggest to the Members of the House that that is a fallacious argument. In case after case, the Supreme Court of the United States has imposed requirements on the judicial bypass procedures to make certain that they do work in a way that protects the interest that the court has found must be protected.

The Supreme Court said that the judicial bypass must allow for consideration with sufficient expedition to provide an effective opportunity for abortion to be obtained. That is what the Supreme Court said back in 1979.

In subsequent cases, they have struck down laws where it has been shown that there was a systematic failure to provide a judicial bypass option in the most expeditious practical manner. The cases are there. The judicial bypass mechanism works as the Supreme Court intended it to work.

The problem that the opponents of this bill have is that they do not like any parental involvement law. They do not believe that there should ever be a requirement for parental involvement. They believe that the decision to have an abortion is a decision that the minor should be able to make on her own, without any input from anybody other than from the abortionist. That is the bottom-line position of the people who oppose this bill.

I would suggest to my colleagues that that is the wrong position. That is the position that is overwhelmingly rejected by the American people. It is a position that has been rejected by the

Supreme Court. And it is a position that this House should, once again, reject as we reject the motion to recommit and move forward to the passage of this important legislation.

Again, I want to thank the gentlewoman from Florida (Ms. ROSLEHTINEN) for her outstanding leadership on this. I urge the Members of the House to vote against the motion to recommit and in favor of this important legislation.

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. JACKSON LEE of Texas. 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 SPEAKER pro tempore. Pursuant to clause 9 of rule XX, the Chair will reduce to a minimum of 5 minutes the period of time within which a vote by electronic device, if ordered, will be taken on the question of passage of the bill.

The vote was taken by electronic device, and there were—yeas 164, nays 268, not voting 2, as follows:

[Roll No. 260]

YEAS—164

Abercrombie	Dingell	Kilpatrick	Porter	Shays	Udall (NM)
Ackerman	Dixon	Kind (WI)	Price (NC)	Sherman	Velazquez
Allen	Doggett	Lampson	Rangel	Sisisky	Vento
Andrews	Dooley	Lantos	Rodriguez	Slaughter	Visclosky
Baird	Edwards	Larson	Rothman	Smith (WA)	Waters
Baldacci	Engel	Lee	Roybal-Allard	Stabenow	Watt (NC)
Baldwin	Eshoo	Levin	Rush	Stark	Waxman
Barrett (WI)	Etheridge	Lewis (GA)	Sabo	Strickland	Weiner
Becerra	Evans	Lofgren	Sanchez	Tauscher	Wexler
Bentsen	Farr	Lowe	Sanders	Thompson (CA)	Wise
Berkley	Fattah	Luther	Sandlin	Thompson (MS)	Woolsey
Berman	Filner	Maloney (CT)	Sawyer	Thurman	Wu
Biggert	Ford	Maloney (NY)	Schakowsky	Tierney	Wynn
Bishop	Frank (MA)	Markey	Scott	Towns	
Blagojevich	Frost	Matsui	Serrano	Udall (CO)	
Blumenauer	Gejdenson	McCarthy (MO)			
Boehlert	Gephardt	McCarthy (NY)			
Boucher	Gilchrest	McDermott			
Brady (PA)	Gilman	McGovern			
Brown (FL)	Gonzalez	McKinney			
Brown (OH)	Green (TX)	Meehan			
Campbell	Greenwood	Meek (FL)			
Capps	Gutierrez	Meeks (NY)			
Capuano	Hastings (FL)	Menendez			
Cardin	Hilliard	Millender-			
Carson	Hinchee	Donald			
Castle	Hinojosa	Miller, George			
Clay	Hoeffel	Minge			
Clayton	Holt	Mink			
Clyburn	Hooley	Moore			
Conyers	Horn	Moran (VA)			
Coyne	Hoyer	Morella			
Crowley	Inslee	Nadler			
Cummings	Jackson (IL)	Napolitano			
Davis (IL)	Jackson-Lee	Olver			
DeFazio	(TX)	Owens			
DeGette	Jefferson	Pallone			
Delahunt	Johnson (CT)	Pastor			
DeLauro	Johnson, E.B.	Payne			
Deutsch	Jones (OH)	Pelosi			
Dicks	Kennedy	Pickett			
			Aderholt	Frelinghuysen	Metcalf
			Archer	Gallely	Mica
			Armey	Ganske	Miller (FL)
			Bachus	Gekas	Miller, Gary
			Baker	Gibbons	Moakley
			Ballenger	Gillmor	Mollohan
			Barcia	Goode	Moran (KS)
			Barr	Goodlatte	Murtha
			Barrett (NE)	Gooding	Myrick
			Bartlett	Gordon	Neal
			Barton	Goss	Nethercutt
			Bass	Graham	Ney
			Bateman	Granger	Northup
			Bereuter	Green (WI)	Norwood
			Berry	Gutknecht	Nussle
			Bilbray	Hall (OH)	Oberstar
			Bilirakis	Hall (TX)	Obey
			Bliley	Hansen	Ortiz
			Blunt	Hastings (WA)	Ose
			Boehner	Hayes	Oxley
			Bonilla	Hayworth	Packard
			Bonior	Hefley	Pascarella
			Bono	Herger	Paul
			Borski	Hill (IN)	Pease
			Boswell	Hill (MT)	Peterson (MN)
			Boyd	Hilleary	Peterson (PA)
			Brady (TX)	Hobson	Petri
			Bryant	Hoekstra	Phelps
			Burr	Holden	Pickering
			Burton	Hostettler	Pitts
			Buyer	Houghton	Pombo
			Callahan	Hulshof	Pomeroy
			Calvert	Hunter	Portman
			Camp	Hutchinson	Pryce (OH)
			Canady	Hyde	Quinn
			Cannon	Isakson	Radanovich
			Chabot	Istook	Rahall
			Chambliss	Jenkins	Ramstad
			Chenoweth	John	Regula
			Clement	Johnson, Sam	Reyes
			Coble	Jones (NC)	Reynolds
			Coburn	Kanjorski	Riley
			Collins	Kaptur	Rivers
			Combest	Kasich	Roemer
			Condit	Kelly	Rogan
			Cook	Kildee	Rogers
			Cooksey	King (NY)	Rohrabacher
			Costello	Kingston	Ros-Lehtinen
			Cox	Kleccka	Roukema
			Cramer	Klink	Royce
			Crane	Knollenberg	Ryan (WI)
			Cubin	Kolbe	Ryun (KS)
			Cunningham	Kucinich	Salmon
			Danner	Kuykendall	Sanford
			Davis (FL)	LaFalce	Saxton
			Davis (VA)	LaHood	Scarborough
			Deal	Largent	Schaffer
			DeLay	Latham	Sensenbrenner
			DeMint	LaTourette	Sessions
			Diaz-Balart	Lazio	Shadegg
			Dickey	Leach	Shaw
			Doolittle	Lewis (CA)	Sherwood
			Doyle	Lewis (KY)	Shimkus
			Dreier	Linder	Shows
			Duncan	Lipinski	Shuster
			Dunn	LoBiondo	Simpson
			Ehlers	Lucas (KY)	Skeen
			Ehrlich	Lucas (OK)	Skelton
			Emerson	Manzullo	Smith (MI)
			English	Mascara	Smith (NJ)
			Everett	McCollum	Smith (TX)
			Ewing	McCrery	Snyder
			Fletcher	McHugh	Souder
			Foley	McInnis	Spence
			Forbes	McIntosh	Spratt
			Fossella	McIntyre	Stearns
			Fowler	McKeon	Stenholm
			Franks (NJ)	McNulty	Stump

Stupak Thune Weldon (FL)
Sununu Tiaht Weldon (PA)
Sweeney Toomey Weller
Talent Trafficant Weygand
Tancredo Turner Whitfield
Tanner Upton Wicker
Tauzin Vitter Wilson
Taylor (MS) Walden Wolf
Taylor (NC) Walsh Young (AK)
Terry Wamp Young (FL)
Thomas Watkins
Thornberry Watts (OK)

NOT VOTING—2

Brown (CA) Martinez

□ 1347

Mr. BISHOP changed his vote from “nay” to “yea.”

So the motion to recommit was rejected.

The result of the vote was announced as above recorded.

The SPEAKER pro tempore (Mr. BURR of North Carolina). The question is on the passage of the bill.

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

RECORDED VOTE

Mr. CANADY of Florida. 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 159, not voting 5, as follows:

[Roll No. 261]

AYES—270

Aderholt Costello Gutknecht
Archer Cox Hall (OH)
Army Cramer Hall (TX)
Bachus Crane Hansen
Baker Cubin Hastings (WA)
Ballenger Cunningham Hayes
Barcia Danner Hayworth
Barr Davis (FL) Hefley
Barrett (NE) Davis (VA) Herger
Bartlett Deal Hill (IN)
Barton DeLay Hill (MT)
Bateman DeMint Hilleary
Bereuter Diaz-Balart Hilliard
Berry Dickey Hobson
Billray Dingell Hoekstra
Billirakis Doolittle Holden
Bishop Doyle Horn
Bliley Dreier Hostettler
Blunt Duncan Hulshof
Boehner Dunn Hunter
Bonilla Ehlers Hutchinson
Bonior Ehrlich Hyde
Bono Emerson Isakson
Borski English Istook
Boswell Etheridge Jenkins
Boyd Everett John
Brady (TX) Ewing Johnson, Sam
Bryant Fletcher Jones (NC)
Burr Foley Kanjorski
Burton Forbes Kasich
Buyer Fossella Kelly
Callahan Fowler Killdee
Calvert Franks (NJ) King (NY)
Camp Frelinghuysen Kingston
Canady Gallegly Kleczka
Cannon Ganske Klink
Chabot Gekas Knollenberg
Chambliss Gibbons Kolbe
Chenoweth Gillmor Kucinich
Clement Goode Kuykendall
Coble Goodlatte LaFalce
Coburn Gooding LaHood
Collins Gordon Largent
Combest Goss Latham
Condit Graham LaTourrette
Cook Granger Lazio
Cooksey Green (WI) Leach

Lewis (KY) Pickering
Linder Pitts
Lipinski Pombo
LoBiondo Pomeroy
Lucas (KY) Portman
Manzullo Pryce (OH)
Mascara Quinn
McCollum Radanovich
McCrery Rahall
McHugh Ramstad
McInnis Regula
McIntosh Reyes
McIntyre Reynolds
McKeon Riley
McNulty Roemer
Metcalf Rogan
Mica Rogers
Miller (FL) Rohrabacher
Miller, Gary Ros-Lehtinen
Minge Roukema
Moakley Royce
Mollohan Ryan (WI)
Moran (KS) Ryun (KS)
Murtha Salmon
Myrick Sandlin
Neal Sanford
Nethercutt Saxton
Ney Scarborough
Northup Schaffer
Norwood Sensenbrenner
Nussle Sessions
Oberstar Shadegg
Obey Shaw
Ortiz Sherwood
Ose Shimkus
Oxley Shows
Packard Shuster
Pascrell Simpson
Pease Skeen
Peterson (MN) Skelton
Peterson (PA) Smith (MI)
Petri Smith (NJ)
Phelps Smith (TX)

NOES—159

Abercrombie Filner
Ackerman Frank (MA)
Allen Frost
Andrews Gejdenson
Baird Gephardt
Baldacci Gilchrest
Baldwin Gilman
Barrett (WI) Gonzalez
Bass Green (TX)
Becerra Greenwood
Bentsen Gutierrez
Berkeley Hastings (FL)
Berman Hinchey
Biggart Hinojosa
Blagojevich Hoeffel
Blumenauer Holt
Boehert Hooley
Boucher Houghton
Brady (PA) Hoyer
Brown (FL) Inslee
Brown (OH) Jackson (IL)
Campbell Jackson-Lee
Capps (TX)
Capuano Jefferson
Cardin Johnson (CT)
Carson Johnson, E.B.
Castle Jones (OH)
Clay Kaptur
Clayton Kennedy
Clyburn Kilpatrick
Conyers Kind (WI)
Coyne Lampson
Crowley Lantos
Cummings Larson
Davis (IL) Lee
DeFazio Levin
DeGette Lewis (GA)
DeLahunt Lofgren
DeLauro Lowey
Deutsch Luther
Dicks Maloney (CT)
Dixon Maloney (NY)
Doggett Markey
Dooley Matsui
Edwards McCarthy (MO)
Engel McCarthy (NY)
Eshoo McDermott
Evans McGovern
Farr McKinney
Fattah Meehan

Velazquez Waxman Woolsey
Visclosky Weiner Wu
Waters Wexler Wynn
Watt (NC) Wise

NOT VOTING—5

Brown (CA) Lewis (CA) Martinez
Ford Lucas (OK)

□ 1355

So the bill was passed.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

Stated for:

Mr. FORD. Mr. Speaker, I missed rollcall vote No. 261, and, if I had been present on final passage H.R. 1218, the Child Custody Protection Act, I would have voted “yes.”

PROVIDING FOR CONSIDERATION OF H.R. 66, ROUTE 66 CORRIDOR ACT

Mr. HASTINGS of Washington. Mr. Speaker, by direction of the Committee on Rules, I call up House Resolution 230 and ask for its immediate consideration.

The Clerk read the resolution, as follows:

H. RES. 230

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. 66) to preserve the cultural resources of the Route 66 corridor and to authorize the Secretary of the Interior to provide assistance. The first reading of the bill shall be dispensed with. 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 Resources. 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 Resources now printed in the bill. Each section of the committee amendment in the nature of a substitute shall be considered as read. During consideration of the bill for amendment, the Chairman of the Committee of the Whole may accord priority in recognition on the basis of whether the Member offering an amendment has caused it to be printed in the portion of the Congressional Record designated for that purpose in clause 8 of rule XVIII. Amendments so printed shall be considered as read. The Chairman of the Committee of the Whole may: (1) postpone until a time during further consideration in the Committee of the Whole a request for a recorded vote on any amendment; and (2) reduce to five minutes the minimum time for electronic voting on any postponed question that follows another electronic vote without intervening business, provided that the minimum time for electronic voting on the first in any series of questions shall be 15 minutes. 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