

Terry  
Thomas  
Thompson (CA)  
Thompson (MS)  
Tiahrt  
Tierney  
Towns  
Turner  
Udall (CO)  
Udall (NM)

NOT VOTING—13

Baird  
Bishop (UT)  
Clay  
Gibbons  
Herseeth

□ 1649

Mr. SCOTT of Georgia changed his vote from “aye” to “no.”

Messrs. BASS, MCHUGH, BOEHLERT, DOGGETT, and MOORE of Kansas, and Mrs. MUSGRAVE changed their vote from “no” to “aye.”

So the amendment was rejected.

The result of the vote was announced as above recorded.

PERSONAL EXPLANATION

Mr. GIBBONS. Mr. Chairman, I rise today to explain how I would have voted on March 9, 2005 during rollcall votes No. 58 and No. 59 in the first session of the 109th Congress. The first vote was on the Osborne Amendment to H.R. 3, the Transportation Equity Act—A Legacy for Users, the second vote was on the Kennedy Amendment to H.R. 3.

I would have voted “yes” on both these rollcall votes.

I was unable to cast these votes because I was serving as the Master of Ceremonies at the dedication of Nevada’s Sarah Winnemucca statue in the rotunda of the U.S. Capitol.

AMENDMENT NO. 10 OFFERED BY MR. GRAVES

The Acting CHAIRMAN (Mr. LAHOOD). The pending business is the demand for a recorded vote on the amendment offered by the gentleman from Missouri (Mr. GRAVES) on which further proceedings were postponed and on which the ayes prevailed by voice vote.

The Clerk will redesignate the amendment.

The Clerk redesignated the amendment.

RECORDED VOTE

The Acting CHAIRMAN. A recorded vote has been demanded.

A recorded vote was ordered.

The Acting CHAIRMAN. This will be a 5-minute vote.

The vote was taken by electronic device, and there were—ayes 218, noes 201, not voting 15, as follows:

[Roll No. 60]

AYES—218

Aderholt  
Akin  
Alexander  
Bachus  
Baker  
Barrett (SC)  
Bartlett (MD)  
Barton (TX)  
Bass  
Beauprez  
Biggert

Bilirakis  
Blackburn  
Blunt  
Boehler  
Boehner  
Bonilla  
Bonner  
Bono  
Boozman  
Boren  
Boucher

Boustany  
Boyd  
Bradley (NH)  
Brady (TX)  
Brown (SC)  
Brown-Waite,  
Ginny  
Burgess  
Burton (IN)  
Buyer  
Calvert

Camp  
Cannon  
Cantor  
Capito  
Cardoza  
Carter  
Chabot  
Chocoma  
Coble  
Cole (OK)  
Conaway  
Cooper  
Costa  
Cox  
Cramer  
Crenshaw  
Cubin  
Cuellar  
Culberson  
Cunningham  
Davis (KY)  
Davis (TN)  
Davis, Jo Ann  
Davis, Tom  
Deal (GA)  
DeLay  
Dent  
Diaz-Balart, M.  
Drake  
Dreier  
Duncan  
Ehlers  
Emerson  
English (PA)  
Everett  
Feeney  
Ferguson  
Foley  
Forbes  
Fortenberry  
Fossella  
Foxy  
Franks (AZ)  
Frelinghuysen  
Gallegly  
Garrett (NJ)  
Gerlach  
Gibbons  
Gilchrest  
Gillmor  
Gingrey  
Gohmert  
Goode  
Goodlatte  
Gordon  
Granger  
Graves  
Green (WI)  
Gutknecht  
Hall  
Harris  
Hart  
Hastert

NOES—201

Abercrombie  
Ackerman  
Allen  
Andrews  
Baca  
Baldwin  
Barrow  
Bean  
Becerra  
Berkley  
Berman  
Berry  
Bishop (GA)  
Bishop (NY)  
Blumenauer  
Boswell  
Brady (PA)  
Brown (OH)  
Brown, Corrine  
Butterfield  
Capps  
Capuano  
Cardin  
Carnahan  
Carson  
Case  
Castle  
Chandler  
Cleaver  
Clyburn

Hastings (WA)  
Hayes  
Hayworth  
Hefley  
Hensarling  
Herger  
Hoekstra  
Holden  
Hostettler  
Hulshof  
Hunter  
Hyde  
Ingalls (SC)  
Issa  
Jindal  
Johnson (CT)  
Johnson, Sam  
Jones (NC)  
Keller  
Kelly  
Kennedy (MN)  
King (IA)  
Kingston  
Kirk  
Kline  
Kolbe  
Kuhl (NY)  
LaHood  
Latham  
Leach  
Lewis (CA)  
Lewis (KY)  
Linder  
LoBiondo  
Lucas  
Lungren, Daniel  
E.  
Mack  
Marchant  
Matheson  
McCaul (TX)  
McCotter  
McCrery  
McHenry  
McHugh  
McIntyre  
McKeon  
McMorris  
Miller (FL)  
Miller (MI)  
Miller, Gary  
Moran (KS)  
Murphy  
Musgrave  
Myrick  
Neugebauer  
Ney  
Northup  
Norwood  
Nunes  
Nussle  
Osborne  
Oxley

NOT VOTING—15

Baird  
Bishop (UT)  
Clay  
DeGette  
Herseeth  
Hobson

□ 1658

Mr. WELDON of Florida changed his vote from “no” to “aye.”

So the amendment was agreed to.

The result of the vote was announced as above recorded.

Stated for:

Mr. SIMMONS. Mr. Chairman, on rollcall No. 60, I was unavoidably detained. Had I been present, I would have vote “aye.”

The Acting CHAIRMAN. No further amendment being in order, under the rule, the Committee rises.

Accordingly, the Committee rose; and the Speaker pro tempore (Mr. PUTNAM) having assumed the chair, Mr. LAHOOD, Acting Chairman of the Committee of the Whole House on the State of the Union, reported that that Committee, having had under consideration the bill (H.R. 3) to authorize funds for Federal-aid highways, highway safety programs, and transit programs, and for other purposes, had come to no resolution thereon.

PERMISSION FOR MEMBER TO INSERT EXCHANGE OF LETTERS DURING CONSIDERATION OF H.R. 3, TRANSPORTATION EQUITY ACT: A LEGACY FOR USERS

Mr. YOUNG of Alaska. Mr. Speaker, I ask unanimous consent to insert into the RECORD an exchange of letters regarding myself and the gentleman from Texas (Chairman BARTON) regarding H.R. 3.

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

There was no objection.

□ 1700

#### GENERAL LEAVE

Mr. NUNES. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to revise and extend their remarks and include extraneous material on H.R. 3.

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

There was no objection.

#### LEGISLATION ADDRESSING THE SCHIAVO CASE

(Mr. PITTS asked and was given permission to address the House for 1 minute and to revise and extend his remarks and include therein extraneous material.)

Mr. PITTS. Mr. Speaker, as a result of a judge's decision, next week, March 18, Terry Schiavo is scheduled to have her feeding tube removed, thus sentencing her to a very slow, painful death from starvation and dehydration.

Mr. Speaker, I will submit for the RECORD the entire statement of Terry's attorney. It is a moving account of her visit with Terry. Here is a brief excerpt, "From the moment we entered the room, my impression was that Terry was very purposeful and interactive. She seemed very curious about the presence of strangers in her room. When she heard their voices, particularly her mother's voice, Terry instantly turned her head towards them and smiled. Terry established eye contact with her family, particularly her mother, who spent the most time with her during our visit."

Obviously, she is not comatose. I hope that Congress will expeditiously consider the legislation introduced by the gentleman from Florida (Mr. WELDON) to address her type of case so that she does not have to die a very painful death, in accordance with this judge's decision.

#### A VISIT WITH TERRI SCHIAVO

(By Attorney Barbara Weller)

This past Christmas Eve day, 2004, I went to visit Terri Schiavo with her parents, Bob and Mary Schindler, her sister, her niece, and Attorney David Gibbs III. The visit took place at the Woodside Hospice for about 45 minutes just before noon.

When I knew I was going to visit Terri with her parents, I had no idea what to expect. I was prepared for the possibility that the Schindlers love their daughter and sister so much that they might imagine behaviors by Terri that aren't actually evident to others. The media and Mr. Schiavo clearly give the impression that Terri is in a coma or comatose state and engages only in non-purposeful and reflexive movements and responses. I am a mother and a grandmother, as well as one of the Schindlers' attorneys,

and I could understand how parents might imagine behavior and purposeful activity that is not really there. I was prepared to be as objective as I could be during this visit and not to be disappointed at anything I saw or experienced.

I was truly surprised at what I saw from the moment we entered the little room where Terri is confined. The room is a little wider than the width of two single beds and about as long as the average bedroom, with plenty of room for us to stand at the foot of her bed. Terri is on the first floor and there is a lovely view to the outside grounds of the facility. The room is entered by a short hallway, however, and there is no way for Terri to see out into the hallway or for anyone in the hallway to observe Terri.

From the moment we entered the room, my impression was that Terri was very purposeful and interactive and she seemed very curious about the presence of obvious strangers in her room. Terri was not in bed, but was in her chair, which has a lounge chair appearance and elevates her head at about a 30-degree angle. She was dressed and washed, her hair combed, and she was covered with a holiday blanket. There were no tubes of any kind attached to her body. She was completely free of any restraints that would have indicated any type of artificial life support. Not even her feeding tube was attached and functioning when we entered, as she is not fed 24 hours a day.

The thing that surprised me the most about Terri as I took my turn to greet her by the side of her chair was how beautiful she is. I would have expected to see someone with a sallow and gray complexion and a sick looking countenance. Instead, I saw a very pretty woman with a peaches and cream complexion and a lovely smile, which she even politely extended to me as I introduced myself to her. I was amazed that someone who had not been outside for so many years and who received such minimal health care could look so beautiful. She appeared to have an inner light radiating from her face. I was truly taken aback by her beauty, particularly under the adverse circumstances in which she has found herself for so many years.

Terri's parents, sister, and niece went immediately to greet Terri when we entered the room and stood in turn directly beside her head, stroking her face, kissing her and talking quietly with her. When she heard their voices, and particularly her mother's voice, Terri instantly turned her head towards them and smiled. Terri established eye contact with her family, particularly with her mother, who spent the most time with her during our visit. It was obvious that she recognized the voices in the room with the exception of one. Although her mother was talking to her at the time, she obviously had heard a new voice and exhibited a curious demeanor. Attorney Gibbs was having a conversation near the door with Terri's sister. His voice is very deep and resonant and Terri obviously picked it up. Her eyes widened as if to say, "What's that new sound I hear?" She scanned the room with her eyes, even turning her head in his direction, until she found Attorney Gibbs and the location of the new voice and her eyes rested momentarily in his direction. She then returned to interacting with her mother.

When her mother was close to her, Terri's whole face lit up. She smiled. She looked directly at her mother and she made all sorts of happy sounds. When her mother talked to her, Terri was quiet and obviously listening. When she stopped, Terri started vocalizing.

The vocalizations seemed to be a pattern, not merely random or reflexive at all. There is definitely a pattern of Terri having a conversation with her mother as best she can manage. Initially, she used the vocalization of "uh'uh" but without seeming to mean it as a way of saying "no", just as a repeated speech pattern. She then began to make purposeful grunts in response to her mother's conversation. She made the same sorts of sound with her father and sister, but not to the same extent or as delightedly as with her mother. She made no verbal response to her niece or to Attorney Gibbs and myself, but she did appear to pay attention to our words to her.

The whole experience was rather moving. Terri definitely has a personality. Her whole demeanor definitely changes when her mother speaks with her. She lights up and appears to be delighted at the interaction. She has an entirely different reaction to her father who jokes with her and has several standing jokes that he uses when he enters and exits her presence. She appears to merely "tolerate" her father, as a child does when she says "stop" but really means, "this is fun." When her father greets her, he always does the same thing. He says, "here comes the hug" and hugs her. He then says, "you know what's coming next—the kiss." Her father has a scratchy mustache and both times when he went through this little joke routine with her, she laughed in a way she did not do with anyone else. When her father is ready to plant the kiss on her cheek, she immediately makes a face her family calls the "lemon face." She puckers her lips, screws up her whole face, and turns away from him, as if making ready for the scratchy assault on her cheek that she knows is coming. She did the exact same thing both times that her father initiated this little routine joke between the two of them.

The interactions with her family and our appearance in her room appeared to require some effort and exertion from Terri. From time to time, she would close her eyes as if to rest. This happened primarily when no one was paying particular attention to her, but we were talking among ourselves. After a few minutes or when one of the visitors approached her and started to talk directly to her again, Terri would open her eyes and begin her grunting sounds again in response to their conversations. Although I approached her, leaned close and stroked her arms and spoke to her, she did not verbally respond to me.

Terri's hands are curled up around little soft cylinders that help her not to injure herself. I understand that these contractures are likely very painful, although there was a time when Terri was receiving simple motion therapy when her hands and arms relaxed and were no longer as constricted. When the therapy was discontinued by order of her guardian and the court, the contractures returned. These contractures would apparently be avoidable if Terri were given the simple range of motion therapy she previously received. It is very sad to observe firsthand these conditions that make her life more difficult, but that would be correctable with little effort.

When we were preparing to leave, the interactions with Terri changed. First, she went through the joke routine with her father and the "lemon face." When her niece said goodbye to her, Terri did not react. Nor did she react to me or to Attorney Gibbs when we said our goodbyes to her. When her sister went to her to say goodbye, Terri's verbalizations changed dramatically. Instead