

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

APRIL 26, 2005.—Referred to the House Calendar and ordered to be printed

Mr. GINGREY, from the Committee on Rules,
submitted the following

R E P O R T

[To accompany H. Res. 236]

The Committee on Rules, having had under consideration House Resolution 236, by a record vote of 9 to 4, report the same to the House with the recommendation that the resolution be adopted.

SUMMARY OF PROVISIONS OF THE RESOLUTION

The resolution provides for consideration of H.R. 748, the Child Interstate Abortion Notification Act, under a structured rule. The rule provides one hour of general debate equally divided and controlled by the chairman and ranking minority member of the Committee on the Judiciary. The rule waives all points of order against consideration of the bill.

The rule provides that the amendment in the nature of a substitute recommended by the Committee on the Judiciary now printed in the bill shall be considered as an original bill for the purpose of amendment.

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

EXPLANATION OF WAIVERS

The Committee is not aware of any points of order against consideration of the resolution. The waiver of all points of order against consideration of the resolution is prophylactic in nature.

COMMITTEE VOTES

Pursuant to clause 3(b) of House rule XIII the results of each record vote on an amendment or motion to report, together with the names of those voting for and against, are printed below:

Rules Committee Record Vote No. 39

Date: April 26, 2005.

Measure: H.R. 748, Child Interstate Abortion Notification Act.

Motion by: Mrs. Slaughter.

Summary of motion: To amend the rule and require that the Judiciary Committee file a supplemental report to clarify the descriptions of the amendments in the original Judiciary Committee report.

Results: Defeated 4 to 9.

Vote by Members: Diaz-Balart—Nay; Hastings (WA)—Nay; Sessions—Nay; Putnam—Nay; Capito—Nay; Cole—Nay; Bishop—Nay; Gingrey—Nay; Slaughter—Yea; McGovern—Yea; Hastings (FL)—Yea; Matsui—Yea; Dreier—Nay.

Rules Committee Record Vote No. 40

Date: April 26, 2005.

Measure: H.R. 748, Child Interstate Abortion Notification Act.

Motion by: Mrs. Slaughter.

Summary of motion: To make in order and provide the appropriate waivers for the amendment offered by Mr. Nadler, which takes away a father's right to sue in cases in which he caused the minor to become pregnant.

Results: Defeated 4 to 9.

Vote by Members: Diaz-Balart—Nay; Hastings (WA)—Nay; Sessions—Nay; Putnam—Nay; Capito—Nay; Cole—Nay; Bishop—Nay; Gingrey—Nay; Slaughter—Yea; McGovern—Yea; Hastings (FL)—Yea; Matsui—Yea; Dreier—Nay.

Rules Committee Record Vote No. 41

Date: April 26, 2005.

Measure: H.R. 748, Child Interstate Abortion Notification Act.

Motion by: Mrs. Slaughter.

Summary of motion: To make in order and provide the appropriate waivers for the amendment offered by Mr. Watt, which provides a health exception to offenses created under the Act.

Results: Defeated 4 to 9.

Vote by Members: Diaz-Balart—Nay; Hastings (WA)—Nay; Sessions—Nay; Putnam—Nay; Capito—Nay; Cole—Nay; Bishop—Nay; Gingrey—Nay; Slaughter—Yea; McGovern—Yea; Hastings (FL)—Yea; Matsui—Yea; Dreier—Nay.

Rules Committee Record Vote No. 42

Date: April 26, 2005.

Measure: H.R. 748, Child Interstate Abortion Notification Act.

Motion by: Mr. Hastings of Florida.

Summary of motion: To make in order and provide the appropriate waivers for the amendment offered by Ms. Waters, which creates an exception that would allow a minor who resides in a state that requires by law parental involvement in that minor's abortion decision, to be transported by another person across state lines to a state where no such law exists without any liability under H.R. 748, if that minor's pregnancy resulted from incest.

Results: Defeated 4 to 9.

Vote by Members: Diaz-Balart—Nay; Hastings (WA)—Nay; Sessions—Nay; Putnam—Nay; Capito—Nay; Cole—Nay; Bishop—Nay; Gingrey—Nay; Slaughter—Yea; McGovern—Yea; Hastings (FL)—Yea; Matsui—Yea; Dreier—Nay.

Rules Committee Record Vote No. 43

Date: April 26, 2005.

Measure: H.R. 748, Child Interstate Abortion Notification Act.

Motion by: Mr. Hastings of Florida.

Summary of motion: To amend the rule to recommend that the chairman of the Judiciary Committee, before debate on the rule, make clear that no House members support sexual predators.

Results: Defeated 4 to 9.

Vote by Members: Diaz-Balart—Nay; Hastings (WA)—Nay; Sessions—Nay; Putnam—Nay; Capito—Nay; Cole—Nay; Bishop—Nay; Gingrey—Nay; Slaughter—Yea; McGovern—Yea; Hastings (FL)—Yea; Matsui—Yea; Dreier—Nay.

Rules Committee Record Vote No. 44

Date: April 26, 2005.

Measure: H.R. 748, Child Interstate Abortion Notification Act.

Motion by: Mrs. Matsui.

Summary of motion: To make in order and provide the appropriate waivers for the amendment offered by Mrs. Harman, which authorizes the Secretary of Health and Human Services to provide annual funding to public and private entities to establish or expand teenage pregnancy prevention programs. Requires applicants to incorporate teenage pregnancy prevention programs that have been proven to delay sexual intercourse or sexual activity, increase condom or contraceptive use (without increasing sexual activity), or reduce teenage pregnancy.

Results: Defeated 4 to 9.

Vote by Members: Diaz-Balart—Nay; Hastings (WA)—Nay; Sessions—Nay; Putnam—Nay; Capito—Nay; Cole—Nay; Bishop—Nay; Gingrey—Nay; Slaughter—Yea; McGovern—Yea; Hastings (FL)—Yea; Matsui—Yea; Dreier—Nay.

Rules Committee Record Vote No. 45

Date: April 26, 2005.

Measure: H.R. 748, Child Interstate Abortion Notification Act.

Motion by: Mrs. Matsui.

Summary of motion: To make in order and provide the appropriate waivers for the amendment offered by Ms. Linda Sánchez, which creates an exception to the parental notification provision of H.R. 748 so that physicians do not have to notify parents of the abortion procedure when: (1) the physician performs the abortion

procedure in state that does not have a law in force requiring parental involvement in the minor's decision, and (2) the minor's state of residence does not have a parental notification law in force requiring parental involvement in a minor's decision.

Results: Defeated 4 to 9.

Vote by Members: Diaz-Balart—Nay; Hastings (WA)—Nay; Sessions—Nay; Putnam—Nay; Capito—Nay; Cole—Nay; Bishop—Nay; Gingrey—Nay; Slaughter—Yea; McGovern—Yea; Hastings (FL)—Yea; Matsui—Yea; Dreier—Nay.

Rules Committee Record Vote No. 46

Date: April 26, 2005.

Measure: H.R. 748, Child Interstate Abortion Notification Act.

Motion by: Mr. Lincoln Diaz-Balart.

Summary of motion: To report the rule.

Results: Agreed to 9 to 4.

Vote by Members: Diaz-Balart—Yea; Hastings (WA)—Yea; Sessions—Yea; Putnam—Yea; Capito—Yea; Cole—Yea; Bishop—Yea; Gingrey—Yea; Slaughter—Nay; McGovern—Nay; Hastings (FL)—Nay; Matsui—Nay; Dreier—Yea.

SUMMARY OF AMENDMENTS MADE IN ORDER

(Summaries derived from information provided by the amendment sponsor.)

1. Scott (VA): Immunizes taxicab drivers, bus drivers, others in the business of professional transport, doctors, nurses, and/or other medical providers or their staff from the transportation provision of the bill. (20 minutes)

2. Jackson-Lee/Nadler: Adds to the exceptions to the offense of transporting minors for the purpose of obtaining an illegal abortion grandparents of the minor and members of the clergy. (20 minutes)

TEXT OF AMENDMENTS MADE IN ORDER

1. AN AMENDMENT TO BE OFFERED BY REPRESENTATIVE SCOTT OF VIRGINIA, OR HIS DESIGNEE, TO BE DEBATABLE FOR 20 MINUTES

Page 4, after line 11, insert the following:

(3) The prohibitions of this section do not apply with respect to conduct by taxicab drivers, bus drivers, nurses, medical providers or others in the business of professional transport. Redesignate succeeding subsections accordingly.

2. AN AMENDMENT TO BE OFFERED BY REPRESENTATIVE JACKSON-LEE OF TEXAS, OR HER DESIGNEE, TO BE DEBATABLE FOR 20 MINUTES

Page 4, after line 11, insert the following:

“(3) The prohibition of subsection (a) does not apply with respect to conduct by a grandparent of the minor or clergy person.