□ 1230

So the motion was agreed to.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

REMOVAL OF NAME OF MEMBER AS COSPONSOR OF H.R. 3905

Mr. RAHALL. Madam Speaker, I ask unanimous consent to remove my name as cosponsor of the bill, H.R. 3905.

The SPEAKER pro tempore (Mrs. EMERSON). Is there objection to the request of the gentleman from West Virginia?

There was no objection.

PARTIAL-BIRTH ABORTION BAN ACT OF 1997—MESSAGE FROM THE PRESIDENT OF THE UNITED STATES (H. DOC. NO. 105–158)

The SPEAKER pro tempore. The unfinished business is the further consideration of the veto message of the President on the bill (H.R. 1122) to amend title 18, United States Code, to ban partial-birth abortions.

The question is, will the House, on reconsideration, pass the bill, the objections of the President to the contrary notwithstanding.

The gentleman from Florida (Mr. CANADY) is recognized for 1 hour.

Mr. CANADY of Florida. Madam Speaker, for purposes of debate only, I yield the customary 30 minutes to the gentleman from Virginia (Mr. SCOTT).

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 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. Madam Speaker, I yield 2 minutes to the gentleman from Oklahoma (Mr. COBURN).

Mr. COBURN. Madam Speaker, we now come before the House again on a subject that has been debated many times. The advantage that we have today is that the American public now knows this subject.

The American public knows that there is no truth in the statement that there is a need for this procedure at any time, at any place, in any way.

How do I know that? I have delivered well over 3,000 babies. I have handled every major known complication of pregnancy. This debate in the past has been about untruth. It has been about a desire to preserve an option of not fulfilling one's responsibility to a child. We have already heard today mischaracterizations and facts that do not exist. Those are called untruths about this procedure.

It is my hope that we can come together as a Nation and understand that partial-birth abortion is murder. Nothing short, nothing less. There is never an instance in which a woman would have to have a partial-birth abortion versus some other means of saving her life and caring for her infant. That is something that people should keep in mind as we debate this issue.

Mr. SCOTT. Madam Speaker, I yield 3 minutes to the gentlewoman from Texas (Ms. JACKSON-LEE).

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

Ms. JACKSON-LEE of Texas. Madam Speaker, I thank the gentleman from Virginia (Mr. SCOTT) for yielding me this time.

Madam Speaker, I wish we could discuss this very serious issue with a bowl full of truth and not one of jelly beans.

When a woman is faced with this type of painful circumstance, it is one that she should face without government interference. Frankly, I think the American people do not want Democrats playing God, and the Republicans certainly should not play God.

This is a very serious issue, and if the Republican Majority was so concerned about the loss of lives of babies, when the President vetoed this legislation in October of 1997, we could have swiftly moved to committee and looked at opportunities in order to save the mother's life and to protect the mother's health.

But, Madam Speaker, it is July 1998, just a few months from election, and they wish to play with the lives of women. We have 200 million citizens, over 51 percent of them women. I would imagine that 3,000 babies pale to how many babies have been delivered.

Madam Speaker, as a mother, I love children and I want to see the wonderful birth of children continue and the loving families to nurture them. But how many have listened to the pain that I have listened to? We have had women come and testify saying that they wanted nothing more than to have a healthy baby and to have an opportunity to give birth in years to come. Their doctor insisted, because of the health and the life of the mother to be able to be viable for birth again, that this procedure was a necessary procedure.

Yet, the Republicans want to tell us that they override the President's veto today so they can stand on the right side of the issue. This legislation will deny the physician, the woman's God, and her family to determine any type of procedure. No procedure will be allowed.

Let me tell my colleagues the bare facts. Last year 19 States banned so-called partial-birth abortion. Seventeen were challenged and the challenge was upheld. Those bans are no longer because reasonable people realize this is not something mothers go lightly into.

I saw the pain in these women's faces. I saw the desire to be mothers and to nurture. I saw the loss of fathers who wanted to be able to have a child.

Madam Speaker, I simply say to the Republicans, this is no time to play any games. When we have a child with fatal abnormalities, if my colleagues have ever looked at that living thing and saw that it could not live at all, that is a painful and wrenching decision that is required to be made again by our Heavenly Father, of whom we believe in, and the physician, and the family.

So I would ask that this override not take place, because I stand with those who want life and the opportunity for life.

Mr. CANADY of Florida. Madam Speaker, I yield 30 seconds to the gentleman from Oklahoma (Mr. COBURN).

Mr. COBURN. Madam Speaker, I just want to clarify three misstatements of fact that were just made. Number one, the ban on partial-birth abortion never puts a woman's fertility at risk. That is number one.

Number two, this bill does allow in the instance of the life of a mother, if it is at risk, a partial-birth abortion to be done. We do not think that is ever the case, and I know that as a physician never to be the case, but we allow that under the law.

Finally, if a child has a terminal defect, what could be better than having it be born and loved rather than killing it?

Mr. SCOTT. Madam Speaker, I yield 30 seconds to the gentlewoman from Oregon (Ms. FURSE).

Ms. FURSE. Madam Speaker, there is only one question that the people of America need to ask themselves in this debate. Only one. That is: ''Do you want a physician in your doctor's office making this decision with you, or do you want a politician?''

Madam Speaker, I am not a physician. I am a politician. I will not make this decision for the women and families of this country, and no other politician should make that decision for them.

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

Mrs. CUBIN. Madam Speaker, I am a mother myself and married to a physician. There is very little that any of the previous speakers can tell me about abortions and about pregnancies and about life that I do not already know.

One thing I do know is our Constitution guarantees us the right to life, liberty, and the pursuit of happiness. The most fundamental of those things is life.

In our State laws in many States, the sanctity of unborn life is already regarded as a right. Let me tell my colleagues how. Criminally, if a woman is assaulted and loses her child, the person who assaulted her can be charged with manslaughter, can be charged with murder. Even if the mother survives, that child, that unborn child, has a right to live.

If someone negligently kills the father of an unborn child, the mother or

a guardian can sue on behalf of that unborn child for negligence. So in the civil courts, we recognize that unborn children have a right to live.

And to think of delivering a child up to its head and then removing the brain from that child that is viable and that can live out of the womb. There is a home in America where that child could be loved and wanted. To deliver a child that could live and kill it is absolutely a mortal sin. It is a legal wrong. It is against everything that we stand for in this country.

Madam Speaker, I urge my colleagues to vote to override the President's veto.

Mr. SCOTT. Madam Speaker, I yield myself 15 seconds.

Madam Speaker, I want to place in the RECORD the words of the American College of Obstetricians and Gynecologists, who said that the intact D&E may be the best or most appropriate procedure in a particular circumstance to save the life or preserve the health of a woman, and only a doctor in consultation with the patient should make that decision.

Madam Speaker, I yield 2 minutes to the gentleman from New York (Mr. MEEKS).

Mr. MEEKS of New York. Madam Speaker, what I have heard thus far, it seems as though we are trying to make the victims of a tragic situation the culprits. For as a man, as a husband, as a father, and as having the opportunity of talking to many of the women that had to undergo this tragic circumstance, one would think that from the other side that these women went through this willingly and they went through this as a mechanism to get rid of a child.

They went through it because of no other alternative, because of serious health results that would have happened had they delivered this child, or because of bad chromosomes, malfunctions with reference to a child.

I dare say that most, not most, 95 percent of the women that have to undergo this unfortunate circumstance, this never leaves them. How do I know? Just look at a woman who may have lost a child, for she wanted to have that child, and I can just testify to the fact that just a few months ago, my wife and I lost a child and my wife had to undergo a special procedure for her health to get the child out of the womb.

My wife still has not recovered from that, for she had no other alternative because the doctor said that if the fetus stayed in any longer, she could have some serious health ramifications.

So this is not a procedure that one does out of convenience, this is what one does out of kindness, out of respect for this woman. Without her, I would be nothing and there would be no chance to have another child.

Mr. CANADY of Florida. Madam Speaker, I yield 30 seconds to the gentleman from Oklahoma (Mr. COBURN).

Mr. COBURN. Madam Speaker, let us clarify for the American public, the vast majority of all partial birth abortions that have been performed in this country have been for the elective termination of a late pregnancy, not associated with fetal malformations, not associated with a malformation or an inconsequence of reproduction, but associated with elective termination of viable children.

Mr. SCOTT. Madam Speaker, I yield 1½ minutes to the gentlewoman from California (Ms. HARMAN).

Ms. HARMAN. Madam Speaker, this is a hard issue for many, but I urge all of us to keep several things in mind. First, Roe versus Wade sets up a careful framework: Abortions in the third trimester of pregnancy are strictly limited.

No one here is talking about changing or expanding that framework.

Second, late-term abortions are tragic. We are talking about wanted pregnancies that go terribly wrong.

Third, as our colleague, the gentlewoman from Oregon (Ms. FURSE) said, doctors, not Congress, should choose the procedure to be used in the tragic event that a late-term abortion is necessary.

Fourth, in my view, the President showed great courage in vetoing that bill and I think we should uphold his veto because, as the mother of four wanted children, the product of fortunately healthy pregnancies, I would have wanted the choice in the event that I learned late in my pregnancy that my fetus was so grossly deformed that it would not live beyond a few hours after birth, even if that, and that my reproductive health was at risk. I would have wanted that choice, and I do want that choice, under constitutional guarantees, for every woman in this country.

Mr. CANADY of Florida. Madam Speaker, I yield one minute to the gentleman from New York (Mr. FOSSELLA).

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

Mr. FOSSELLA. Madam Speaker, I rise in strong support of overriding the President's veto of partial birth abortion. We could talk about the abstract issue but we have a very narrow piece of legislation here that prevents the art and the notion of partial birth abortion, which is, for the sake of argument, almost delivering a child to birth and killing it.

We are not talking about a piece of chalk or a chair or a clock. We are talking about an innocent young child, a child that will never experience the joy of life, the power of laughter, all great accomplishments that any parent would want in a child.

Is it not amazing that in this country, where double parking your car or jaywalking is against the law that we can allow unfettered a partial delivery of a baby and killing it?

Madam Speaker, I urge every Member of Congress and every American to explore their conscience and override the President's veto.

□ 1245

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

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

Ms. WOOLSEY. Madam Speaker, there truly is no rest for the weary, and I tell my colleagues the women of this country are weary. They are just plain tired of the constant stream of attacks on their health decisions launched by the Republican leadership in this House. Today's assault on women is an especially dangerous attack because it is part of a bigger conspiracy which puts politics first and women's health last.

I rise in opposition today, Madam Speaker, because this veto override is dangerous. It does not safeguard the health of women in this country, and that is what this bill should be about, not about whether the government or Members of Congress are allowed to poke their nose into the middle of decisions best made between a woman, her family, and her doctor.

First, my colleagues, the gentleman from Oklahoma (Mr. COBURN), tells us late-term abortion is never necessary. Then, after hearing the compelling story of our colleague, the gentleman from New York (Mr. MEEKS), he tells us that it is sometimes necessary. It is that ''sometimes'' that makes it the reason that the American College of Obstetricians and Gynecologists, the American Nurses Association, and the American Medical Women's Association are strongly opposed to this legislation. It is because sometimes that is the right decision to be made between the mother, the family, and their doctor.

It continues to amaze me, Madam Speaker, that Members of this House have so little faith in women, the very people who bear and raise the children of this country, that they would deny them access to life-saving procedures out of an outrageous notion that pregnant women would elect to abort a child in the late term of that pregnancy.

Mr. GOODLATTE. Madam Speaker, I yield 45 seconds to the gentleman from Oklahoma (Mr. COBURN) to respond.

Mr. COBURN. Madam Speaker, what we are talking about is infanticide. We have seen the debate as something other than that. There is nothing in this bill that denies any woman access to quality care or life-threatening care or reproductive care. I understand that is the debate we are using to say that we believe any baby at any time ought to be able to be terminated. But there is no difference between this procedure and infanticide.

As to the question of Roe versus Wade, the Supreme Court said they did not know when life began. Well, the fact is, as we determine death in this

country as an absence of brain waves and an absence of heartbeat, and at 41 days post last menstrual period, every fetus, female and male, have a heartbeat and a brain wave.

Mr. SCOTT. Madam Speaker, I yield 30 seconds to the gentlewoman from California (Ms. WOOLSEY).

Ms. WOOLSEY. If the gentleman from Oklahoma would answer a question, I would appreciate it.

My question is does the gentleman consider the story that the gentleman from New York (Mr. MEEKS) was telling us about his wife and his lost baby infanticide?

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

Ms. WOOLSEY. I yield to the gentleman from Oklahoma.

Mr. COBURN. No, I did not say that. I said the partial-birth procedure is a question of infanticide. There are lots of mistakes of reproduction. Never is it necessary to use the partial-birth abortion method to solve that problem.

Mr. GOODLATTE. Madam Speaker, I yield 1 minute to the gentleman from Michigan (Mr. HOEKSTRA).

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

The question today before us is not only the question of life or death for thousands of partially born children in our country, but it is also a question of who we are as a people.

What kind of people are we? What kind of people are we when we are so unwilling to defend the smallest, most helpless and vulnerable among us? Partial-birth abortion is a sick, gruesome procedure. It is a violation of the most basic of human rights. It is a violation of the right to the gift of life.

We shudder when we see brutality in warring nations, we shudder when he hear stories of genocide and ethnic cleansing, we shudder when we see pain and torture and death around the world. But do we shudder when we consider the reality of partial-birth abortion? Do we shudder to think that here in the United States this is a legal procedure?

The President has acted out of a cold disregard for human life. His veto is a shameful act and it is unacceptable.

Mr. SCOTT. Madam Speaker, I yield 3½ minutes to the gentleman from New York (Mr. NADLER).

Mr. NADLER. Madam Speaker, I rise to oppose this attack on the fundamental rights of American women. Members of this House have tried time and again to limit the right to choose. They have imposed restrictions on Federal employees, on those who receive Medicaid, on women in the military, on women in prison, and on women under the age of 18. But they do not stop there. We saw last week their efforts to limit access even to birth control. We even saw them argue that the birth control pill is a form of abortion.

Their agenda is quite clear. Despite the fact that the Supreme Court has upheld the fundamental right of choice, it is their stated agenda not only to outlaw abortions by any means, but to limit access to birth control for millions of American women. That is why this vote today is so critical. It is an attempt to subvert the rulings of the Supreme Court and to implement phase I of their plan to eliminate the right to choice and to the availability of contraceptives.

When we debated this bill a year ago we argued that it was unconstitutional and could not be enforced. Time has proven us right. In 17 States courts have enjoined so-called partial-birth abortion bans as unconstitutional because they are vague, they fail to provide physicians adequate notice as to what is prohibited, they provide no exception whatsoever to preserve a woman's health, and only a dangerously inadequate exception to preserve a woman's life. Six of these unconstitutional State laws have virtually identical language to the bill before us today.

The bill is fundamentally flawed for another reason. It is based on the principle that politicians, not doctors, ought to make medical judgments about what procedures are appropriate. I would urge every pro-choice Member who may be inclined to vote for this bill to carefully consider exactly why they are pro choice.

If Members are pro choice because they believe it is a woman's decision, not the government's, about whether or not to have an abortion, then they should vote against this bill. If my colleagues believe that sometimes abortions are necessary to protect the health or life of a woman, then they should vote against this bill. If they believe that doctors should not be denied the option of using a medical procedure as they deem appropriate, then they must reject this bill. If they believe in the fundamental principles of Roe v. Wade, they must not support this bill, which severely restricts a woman's rights to choose.

Make no mistake, this bill is not about one particular procedure, it is about the fundamental right to choice. I urge my colleagues to defend a woman's right to choose and to reject this dangerous bill.

Let me close by quoting a letter of a woman from New York City who faced a tragic situation involving a fetus with a severely deformed heart and who would have been affected by this bill had it already become law. She writes, and I quote,

> You must hear our voices before you vote on this misguided bill, as well as the voices of other mothers and fathers who weep over their empty cribs. We are not bad people. We are extremely unfortunate, suffering families trying to cope with personal tragedies. Please don't deepen our wounds by taking away our choices. Please vote against H.R. 1122.

It could not be said better. Who are we to tell women in such tragic situations what to do? Women should make these choices, not politicians.

Mr. CANADY of Florida. Madam Speaker, I yield 1 minute to the gentleman from Virginia (Mr. GOODLATTE), a member of the Committee on the Judiciary.

Mr. GOODLATTE. Madam Speaker, every year this heinous procedure is performed thousands of times on healthy babies with healthy mothers, usually in the 5th and 6th months of pregnancy. For these tiny children, the difference between a painful death and full protection of the law is literally four inches. Four inches; the difference between death and life.

Congress has expressed the will of the overwhelming number of Americans who want to outlaw this inhumane procedure. The people have spoken, but the President has refused to listen. He has ignored the conscience of the American people, who plainly see that this is nothing more than a painful, cruel and unnecessary act.

Madam Speaker, this is the people's body. Although the President will not listen to the American people, we will. I urge my colleagues to override the President's shameful veto.

Mr. SCOTT. Madam Speaker, I yield ½ minute to the gentlewoman from Florida (Mrs. THURMAN).

Mrs. THURMAN. Madam Speaker, I thank gentleman from Virginia for yielding me this time.

I have been sitting here listening to this, and then I know tomorrow that I have to take some votes on managed care because we are very concerned about insurance companies who are going to and have been making decisions on people's health care.

Today, the question that I have to ask, and which just really bothers me, is today my colleagues want me to vote to allow Congress to make a decision on my medical care and not a doctor. But tomorrow they are going to tell me that a doctor should be making my decision and not the insurance company. Somewhere something is wrong in this place.

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

Mr. PITTS. Madam Speaker, abortion is the most violent form of death known to mankind. It is violence against children and it is violence against women. When will liberals begin to truly seek protection for American women?

Listen to this statement by Dr. Camilla Hersh, member of the Physicians' Ad Hoc Coalition for Truth, which details the violence of a partial-birth abortion.

> Consider the grave danger involved in a partial-birth abortion. A woman's cervix is forcibly dilated over several days. This risks creating an incompetent cervix, a leading cause of subsequent premature delivery. It also risks serious infection, a major cause for subsequent infertility. Partial-birth abortion is a partially blind procedure, done by feel, thereby risking scissor injury to the mother's uterus and laceration of the cervix or lower uterine segment. Either the scissors or bony shards of the baby's perforated and disrupted skull bones can roughly rip into the large blood vessels which supply the

lower part of the lush pregnant uterus, resulting in immediate and massive bleeding.

Let us stop kidding ourselves. Partial-birth abortion is violence. Let us override the President's veto.

□ 1300

Mr. SCOTT. Madam Speaker, I yield myself 1 minute.

Madam Speaker, I have joined several of my colleagues in supporting a bill that will actually prohibit all late-term abortions, consistent with the Constitution. We have heard that bill described. It is consistent with the law. And if we want to prohibit as many abortions as possible, we ought to consider that bill.

We have heard suggestions that some physicians think that the partial birth abortion ban is appropriate. Other physicians think that it ought to be an option for physicians. That decision ought to be left to the physicians.

This bill will not prohibit any abortions. It will just relegate some women to procedures which their physician thinks may kill, maim, or sterilize them. And that is why this bill ought to be opposed.

Mr. CANADY of Florida. Madam Speaker, I yield 30 seconds to the gentleman from Oklahoma (Mr. COBURN).

Mr. COBURN. Madam Speaker, the statement that this will not eliminate any abortions is not a correct statement. The vast majority of partial birth abortions are elective abortions. Elective. That means somebody who is pregnant who does not want to be pregnant. It has nothing to do with the quality of life of the child. It has to do with the choice to kill a baby at any stage. So this is about eliminating abortions in this method.

Number two, end this procedure. Everyone who practices medicine realizes this is a terrible procedure. This is not medicine. This is death.

Mr. CANADY of Florida. Madam Speaker, I yield 1 minute to my colleague, the gentleman from Florida (Mr. WELDON).

Mr. WELDON of Florida. Madam Speaker, I rise in support of the veto override.

I would like to address an issue that has been brought up repeatedly by the other side that most of these partial birth abortions, or a substantial portion of them, are done for medical necessity.

There has only been one study published on this procedure. It was the original report that appeared in the American Medical News by the originators of this grisly procedure, Drs. Haskell and McMann; and they described about 100 cases. Eighty-five percent were purely elective abortions.

So these were elective terminations of pregnancy of a healthy infant. So they are killing a healthy infant this way. Of the 15 percent that were for medical defects, the majority of them were for cleft palate and cleft lip. So to come here and to propose this disingenuous canard that we need this procedure in the face of those kinds of facts to me is totally unacceptable.

I encourage all of my colleagues to vote in support of this veto override.

Mr. SCOTT. Madam Speaker, I yield myself 30 seconds.

Will the gentleman from Florida (Mr. WELDON) respond to a question? If we cannot use this procedure, what procedure would be used?

Mr. WELDON of Florida. Madam Speaker, will the gentleman yield?

Mr. SCOTT. I yield to the gentleman from Florida.

Mr. WELDON of Florida. The alternative procedures, in my opinion, are just as gruesome and grisly. And I have actually seen some of them.

In my opinion, late terminations of pregnancy should be illegal. The bill which the gentleman is talking about I am sure includes the provision that all liberals who are pro-abortion want, which is a provision to protect the health of the mother. And that has been defined to include mental health. And the vast majority of women who want to get an abortion claim it for that reason, it is for their mental health that they want to terminate an unborn baby.

Mr. SCOTT. Madam Speaker, I yield myself an additional 30 seconds.

Madam Speaker, I would say the provision in the Hoyer-Greenwood bill that allows an exception for the health of the mother is there because the Supreme Court says it has to be there. Otherwise, the bill is unconstitutional.

If we pass a bill without that provision, it will be thrown out, just like most of the similar bills that have been passed by states have been thrown out.

Mr. WELDON of Florida. Madam Speaker, if the gentleman would continue to yield, I disagree, as do many people in the United States, with the decision of the Supreme Court on this issue.

Mr. SCOTT. Madam Speaker, I yield myself 10 additional seconds.

That is why the bill is unconstitutional. My colleague just disagrees with the constitutional interpretation of the Supreme Court. We are going to pass an unconstitutional bill.

Mr. CANADY of Florida. Madam Speaker, I yield myself 15 seconds to respond on this constitutional issue.

The Supreme Court, in Roe versus Wade, with which I disagree, talked about the status of the unborn child. In this bill, we are dealing with the status of a partially delivered child, and that is a matter that is entirely different. It is excluded from the scope of Roe versus Wade.

Madam Speaker, I yield 3 minutes to the gentleman from Oklahoma (Mr. COBURN).

Mr. COBURN. Madam Speaker, I understand and respect those who disagree with my opinion on this procedure. They have my respect. I disagree with them. But I wanted to describe an alternative to this. There is not a fetal malformation that this is required for. ACOG says that. Their words are ''may.'' It is not ''must.''

I want to tell my colleagues about patients that I have delivered who have had these tremendous malformations of their children. And I want my colleagues to decide, is it easier to kill a baby four-fifths of the way out of the mother and lie to her about the real consequences of the procedure, or is it better to encourage her to carry her baby to term even though it is not going to live and give her the opportunity and the husband, the mother and her husband and the father, an opportunity to hold and to love and to care for part of us?

I want to tell my colleagues about Jakey. Jakey had a courageous mom and dad. Jakey was a patient of mine. Jakey did not have all of his brain. His mother and father could have chosen to go to Kansas or lots of other places and have a termination. But what they chose was life. Maybe a very short life, but they chose life.

They chose 4½ hours of life for Jakey. They chose 4½ hours where they could hold what God had given them and say, we will deal with this. We will not run away from it. We will not put it out as a convenience. We will deal with the fact that life sometimes brings us things other than perfect and we will face that.

Partial birth abortion, whether it is for an elective procedure or for a fetal malformation, ducks the very value of life that all of us, whether we are pro-choice or pro-life, know we have to have as a society that is going to continue.

And to deny the truth, and that is what this whole argument is about, the truth that we can do it some other way that serves us as a human race in a much far better way that teaches our children to value life rather than to throw life away, we do a disservice to our Constitution, we do a disservice to the human race.

That is what I would ask my colleagues to think about. They may not be the most convenient ways to handle the problem. They may not be the fastest ways to solve the problem. But they are by far the best way to solve the problem.

Mr. SCOTT. Madam Speaker, I yield 30 seconds to the gentlewoman from Texas (Ms. JACKSON-LEE).

Ms. JACKSON-LEE of Texas. There is not much quarrel that we can have with anyone who advocates life. There is not a mother on the floor of the House or human being who would advocate against life.

What the doctor fails to realize is that what we are arguing for is the right of the woman, with her special relationship, her God, and her medical professional to make the decision.

It is interesting that we would discuss life in this context, when many of those who stand on the floor of the House would support the death penalty. We have to be consistent in life.

Mr. CANADY of Florida. Madam Speaker, I yield 1½ minutes to the gentleman from Alabama (Mr. ADERHOLT).

Mr. ADERHOLT. Madam Speaker, I know many have heard about the news and it will be or has been discussed today about the abortionist in Arizona who delivered the little girl and later discovered that he had misguessed the child's age. And rather than 23 gestational weeks old, the little girl had reached the age of about 36 weeks on June 30, when her 17-year-old mother subjected herself and her baby to a planned partial birth abortion at an AZ Women's Center in Phoenix.

This is not the first time this abortionist had this happen to him. He is currently being sued because one of his patients bled to death following an abortion in 1996. But the story of this latest mishap, which came to light just this past week and received wide coverage across the country, is just one more reason why we need to ban this procedure, which is a cruel form of infanticide, pure and simple.

Abortionists across the country knowingly commit partial birth abortions on babies as young as 20 gestational weeks, and they will continue to kill these babies and endanger the lives if we do not act today to override President Clinton's veto of the Partial Birth Abortion Act.

A baby delivered prematurely between 23 and 24 weeks would have a one-in-three chance of survival in a neonatal unit if delivered under normal circumstances and certainly would not feel the excruciating pain of a partial birth abortion.

So the question we will vote on today is quite simply whether we oppose allowing a fetus to suffer excruciating pain or whether we support life.

I am proud to stand here today with those who oppose infanticide and support life.

Mr. CANADY of Florida. Madam Speaker, may I inquire of the Chair concerning the amount of time remaining?

The SPEAKER pro tempore (Mrs. EMERSON). The gentleman from Florida (Mr. CANADY) has 15 minutes remaining, and the gentleman have Virginia (Mr. SCOTT) has 14 minutes remaining.

Mr. CANADY of Florida. Madam Speaker, I reserve the balance of my time for the purpose of closing.

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

Madam Speaker, the gentleman from Oklahoma (Mr. COBURN) suggested that we disagree with his decision. I do not agree or disagree with his decision. What I disagree with is Congress making the medical decision.

This bill will not prohibit a single abortion. There will be alternatives which were not described other than they are just as gruesome as this, and those alternatives would be used.

The bill, without the health exception, puts us in a situation where we will either allow the woman, if the bill does not pass, might have a choice of having a procedure that will not sterilize her by using this procedure. If this bill passes, the only alternative may require her sterilization. I do not think we ought to be making that choice for her that one procedure is more preferable than the one that might sterilize her.

Finally, Madam Speaker, this bill is unconstitutional, and everybody knows it. People have indicated they disagree with Roe v. Wade. The bill is unconstitutional. If we want to prohibit late-term abortions, we ought to pass the Hoyer-Greenwood bill.

Madam Speaker, I yield the balance of my time to the gentlewoman from New York (Mrs. LOWEY).

The SPEAKER pro tempore. The gentlewoman from New York (Mrs. LOWEY) is recognized for 13 minutes.

Mrs. LOWEY. Madam Speaker, I thank the gentleman for yielding.

I rise in strong opposition to the bill. Because this legislation, my colleagues, puts the lives and health of women at risk and it tramples on the constitutional right of every woman in this Nation.

Unfortunately, the GOP leadership has been waging war on abortion rights since taking over this House in 1994. This is the 93rd vote on reproductive rights in less than 4 years. 93 times. The goal is clear, ban every abortion procedure by procedure, month after month.

Madam Speaker, we have a different vision.

Mr. SCOTT. Madam Speaker, will the gentlewoman suspend for just a minute?

I understand that, prior to the close, they will ask for a Call of the House; and I think it would be appropriate for both closing speakers to be heard, and at this time I would suspend for the motion.

CALL OF THE HOUSE

Mr. CANADY of Florida. Madam Speaker, I move a call of the House.

The SPEAKER pro tempore. Does the gentlewoman from New York (Mrs. LOWEY) yield for that purpose?

Mrs. LOWEY. Madam Speaker, I yield for that purpose.

A call of the House was ordered.

The call was taken by electronic device, and the following Members responded to their names:

[Roll No. 324]

Abercrombie
Ackerman
Aderholt
Allen
Andrews
Archer
Armey
Bachus
Baker
Baldacci
Ballenger
Barcia
Barr
Barrett (NE)
Barrett (WI)
Bartlett
Barton
Bass
Bateman
Becerra
Bentsen
Bereuter
Berman
Berry
Bilbray
Bilirakis
Bishop
Blagojevich
Bliley
Blumenauer
Blunt
Boehlert
Boehner
Bonilla
Bonior
Bono
Borski
Boswell
Boucher
Boyd
Brady (PA)
Brady (TX)
Brown (CA)
Brown (FL)
Bryant
Bunning
Burton
Buyer
Callahan
Calvert
Camp
Campbell
Canady
Cannon
Capps
Cardin
Carson
Castle
Chabot
Chambliss
Chenoweth
Christensen
Clay
Clayton
Clement
Clyburn
Coble
Coburn
Collins
Combest
Condit
Conyers
Cook
Costello
Coyne
Cramer
Crane
Crapo
Cubin
Cummings
Cunningham
Danner
Davis (FL)
Davis (IL)
Davis (VA)
Deal
DeFazio
DeGette
Delahunt
DeLauro
DeLay
Deutsch
Diaz-Balart
Dickey
Dicks
Dingell
Dixon
Doggett
Dooley
Doolittle
Dreier
Duncan
Dunn
Edwards
Ehlers
Ehrlich
Emerson
Engel
English
Ensign
Eshoo
Etheridge
Evans
Everett
Ewing
Farr
Fazio
Filner
Foley
Forbes
Fossella
Fox
Franks (NJ)
Frelinghuysen
Furse
Gallegly
Ganske
Gejdenson
Gephardt
Gibbons
Gilchrest
Gillmor
Gilman
Goode
Goodlatte
Goodling
Gordon
Goss
Graham
Granger
Green
Greenwood
Gutierrez
Gutknecht
Hall (OH)
Hall (TX)
Hamilton
Hansen
Harman
Hastert
Hastings (FL)
Hastings (WA)
Hayworth
Hefley
Hefner
Herger
Hill
Hilleary
Hilliard
Hinchey
Hinojosa
Hobson
Hoekstra
Holden
Hooley
Horn
Hostettler
Houghton
Hoyer
Hulshof
Hunter
Hyde
Inglis
Istook
Jackson (IL)
Jackson-Lee (TX)
Jefferson
Jenkins
John
Johnson (CT)
Johnson (WI)
Johnson, E. B.
Johnson, Sam
Jones
Kanjorski
Kaptur
Kasich
Kelly
Kennedy (RI)
Kennelly
Kildee
Kilpatrick
Kim
Kind (WI)
King (NY)
Kingston
Kleczka
Klink
Klug
Knollenberg
Kolbe
Kucinich
LaFalce
LaHood
Lampson
Lantos
Latham
Lazio
Leach
Lee
Levin
Lewis (CA)
Lewis (GA)
Lewis (KY)
Linder
Lipinski
Livingston
LoBiondo
Lofgren
Lowey
Lucas
Luther
Maloney (CT)
Maloney (NY)
Manton
Manzullo
Mascara
Matsui
McCarthy (MO)
McCarthy (NY)
McCollum
McCrery
McDermott
McGovern
McHale
McHugh
McInnis
McIntosh
McIntyre
McKeon
McKinney
McNulty
Meehan
Meek (FL)
Meeks (NY)
Menendez
Metcalf
Mica
Millender-McDonald
Miller (CA)
Miller (FL)
Minge
Mink
Moakley
Mollohan
Moran (KS)
Morella
Murtha
Myrick
Nadler
Neal
Nethercutt
Neumann
Ney
Northup
Norwood
Nussle
Oberstar
Obey
Olver
Ortiz
Packard
Pallone
Pappas
Parker
Pascrell
Pastor
Paul
Paxon
Payne
Pease
Pelosi
Peterson (MN)
Petri
Pickett
Pitts
Pombo
Pomeroy
Porter
Portman
Poshard
Price (NC)
Pryce (OH)
Quinn
Radanovich
Rahall
Ramstad
Rangel
Redmond
Regula
Reyes
Riley
Rivers
Rodriguez
Roemer
Rogan
Rogers
Rohrabacher
Ros-Lehtinen
Rothman
Roukema
Roybal-Allard
Royce
Rush
Ryun
Sabo
Salmon
Sanchez
Sanders
Sandlin
Sanford
Sawyer
Saxton
Schaefer, Dan
Schaffer, Bob
Schumer
Scott
Sensenbrenner
Sessions
Shadegg
Shaw
Shays
Sherman
Shimkus
Sisisky
Skaggs
Skeen
Skelton
Slaughter
Smith (MI)
Smith (NJ)
Smith (OR)
Smith (TX)
Smith, Adam
Smith, Linda
Snowbarger
Snyder
Solomon
Souder
Spence
Spratt
Stabenow
Stearns
Stenholm
Stokes