

109TH CONGRESS
1ST SESSION

H. RES. 253

Raising a question of the privileges of the House.

IN THE HOUSE OF REPRESENTATIVES

MAY 3, 2005

Mr. CONYERS submitted the following resolution; which was laid on the table

RESOLUTION

Raising a question of the privileges of the House.

Whereas the Committee on the Judiciary conducted a markup of the bill H.R. 748, the “Child Interstate Abortion Notification Act,” on Wednesday, April 13, 2005 and ordered the bill reported on that same day;

Whereas the Committee on the Judiciary subsequently reported H.R. 748 to the House on Thursday, April 21, 2005, with an accompanying report designated House Report 109–51;

Whereas, during the markup of H.R. 748, Representatives Nadler, Scott, and Jackson-Lee offered in good faith a total of five amendments to the bill, all of which failed on party-line votes;

Whereas, because Representatives Nadler, Scott, and Jackson-Lee called for recorded votes on their amendments,

under section 3(b) of Rule XIII, the votes were published in House Report 109–51;

Whereas, although it is the long and established practice in House reports to describe recorded votes with objective, nonargumentative captions, the Committee on the Judiciary majority departed from this practice in House Report 109–51 by captioning these five amendments with inflammatory, inaccurate captions implying that these three Members of Congress condoned the criminal behavior of “sexual predators”;

Whereas, as one example, while an objective, nonargumentative description of one of Representative Nadler’s amendments would read, “exempts a grandparent or adult sibling from the criminal and civil provisions of the bill,” and is in fact the language the Committee on the Judiciary used to caption this amendment in past reports on this legislation, the caption in House Report 109–51 was instead, “Mr. Nadler offered an amendment that would have exempted sexual predators from prosecution under the bill if they were grandparents or adult siblings of a minor.” (Similar problems occurred in describing amendments offered by Representatives Scott and Jackson-Lee.);

Whereas, when Representative Sensenbrenner, the Chairman of the Committee on the Judiciary, was asked about this language and given the opportunity to correct it, both in the Committee on Rules and on the House floor, he instead explained that it was his purpose and intention to include these derogatory and inaccurate captions in House Report 109–51;

Whereas committee reports are official congressional documents to which American citizens will refer when seeking to interpret the bills they accompany;

Whereas, although the committee markup and reporting process gives Members ample opportunity to debate, characterize, and criticize each other's views, committees have a ministerial, institutional responsibility to accurately report the proceedings of committee activities;

Whereas the vote captions published in House Report 109–51 appear to be purposefully inaccurate and misleading, and therefore belittle the dignity of the House and undermine the integrity of the proceedings of the House; and

Whereas this unprecedented manipulation of a traditionally nonpartisan portion of a committee report constitutes an abuse of power by the majority of the Committee on the Judiciary: Now, therefore, be it

1 *Resolved*, That the House of Representatives—

2 (1) finds that the Committee on the Judiciary
3 purposefully and deliberately mischaracterized the
4 above-mentioned votes in House Report 109–51; and

5 (2) directs the chairman of such committee to
6 report to the House a supplement to House Report
7 109–51 that corrects the record by describing the
8 five amendments with nonargumentative, objective
9 captions.

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