

□ 1705

AFTER RECESS

The recess having expired, the House was called to order by the Speaker at 5 o'clock and 5 minutes p.m.

THE JOURNAL

The SPEAKER. The Chair has examined the Journal of the last day's proceedings and announces to the House his approval thereof.

Pursuant to clause 1, rule I, the Journal stands approved.

PLEDGE OF ALLEGIANCE

The SPEAKER. Will the gentleman from Maryland (Mr. HOYER) come forward and lead the House in the Pledge of Allegiance.

Mr. HOYER led the Pledge of Allegiance as follows:

I pledge allegiance to the Flag of the United States of America, and to the Republic for which it stands, one nation under God, indivisible, with liberty and justice for all.

MAKING IN ORDER MOTION TO SUSPEND THE RULES ON SUNDAY, MARCH 20, 2005, ON S. 686 REGARDING TERRI SCHIAVO, WITHOUT INTERVENTION OF ANY MOTION TO ADJOURN

Mr. DELAY. Mr. Speaker, I ask unanimous consent that upon entry of this order, the Speaker may decline to entertain a motion to adjourn until after disposition of the motion to suspend the rules described in this order; that it be in order at any time on Sunday, March 20, 2005, for the Speaker to entertain a motion that the House suspend the rules with respect to S. 686; and that such motion be debatable for 3 hours, equally divided and controlled by the chairman and ranking minority member of the Committee on the Judiciary or their designees.

The SPEAKER. Is there objection to the gentleman from Texas?

Mr. HOYER. Mr. Speaker, reserving the right to object, and if the majority leader will answer a question, it is my understanding that we have an agreement that there will be, pursuant to this unanimous consent request, debate on the pending piece of business, the House bill or the Senate Bill containing the House language, between 9 p.m. and 12 midnight this day; is that accurate?

Mr. DELAY. Mr. Speaker, will the gentleman yield?

Mr. HOYER. I yield to the gentleman from Texas.

Mr. DELAY. Mr. Speaker, I appreciate the gentleman yielding, and before answering the question, I want to thank the gentleman for all the good work that he has been doing over the last 2 or 3 days under very difficult circumstances. The distinguished whip has worked very long hours, and we greatly appreciate his cooperation and his consultation.

I really do thank you for that, Mr. Whip.

To answer your question, our intentions are to come in at 9 o'clock. We hope to vote at midnight, and, therefore, we will have a 3-hour debate.

Mr. HOYER. Reclaiming my time, Mr. Speaker, the majority leader anticipated my next question.

And I appreciate your comments. This is, obviously, a very serious issue and we are prepared to deal with it seriously. We appreciate the fact that this provides for sufficient time in debate for the issues to be raised and addressed by the House of Representatives.

My second question, which you have anticipated, is that in fact Members can expect at 12 midnight, at the conclusion of the 3 hours of debate between 9 p.m. and 12 midnight, for the vote to occur on the pending legislation; is that accurate?

Mr. DELAY. Mr. Speaker, if the gentleman will continue to yield, the gentleman is absolutely correct. And hopefully, as the gentleman knows, every hour is incredibly important to Terry Schiavo. The Senate has passed the bill, so we will be taking up a Senate bill and, hopefully, we will expedite this process as fast as the House rules will allow us.

Mr. HOYER. I thank the gentleman for that answer. It is also my understanding, Mr. Leader, that although we will recess to the call of the Chair, it would be, as I understand it, the intention of the Chair not to recall the House until 9 p.m. tonight.

Mr. DELAY. I appreciate the gentleman's question, and that is the intention. But, hopefully, level heads will prevail, and maybe something will happen; lightning might strike and another agreement may be made.

Certainly we would not do anything without the distinguished whip's concurrence and okay, in consultation with him, and we will keep the whip advised if there is any unlikely reason for us to come back earlier than 9 o'clock.

Mr. HOYER. I thank the gentleman for those comments and would make it clear to the House, Mr. Speaker, that of course one of the considerations is Members are trying to get back. They have had 17 hours notice of reconvening and with the vote to occur at 12, obviously, 9 o'clock will have been 14 hours, and the reason we did not want to go sooner is because there are Members on either side of this question who would want to make their positions known. So that is the reason for our concern.

So I appreciate the gentleman's comment, and my expectation then is that we will go back in at 9.

Mr. Speaker, I withdraw my reservation of objection under those representations.

The SPEAKER? Is there objection to the request of the gentleman from Texas?

There was no objection.

RECESS

The SPEAKER. Pursuant to clause 12(a) of rule I, the Chair declares the House in recess subject to the call of the Chair.

Accordingly (at 5 o'clock and 10 minutes p.m.), the House stood in recess subject to the call of the Chair.

□ 2103

AFTER RECESS

The recess having expired, the House was called to order at 9 o'clock and 3 minutes p.m.

COMMUNICATION FROM THE CLERK OF THE HOUSE

The SPEAKER laid before the House the following communication from the Clerk of the House of Representatives:

OFFICE OF THE CLERK,

HOUSE OF REPRESENTATIVES,

Washington, DC, March 20, 2005.

Hon. J. DENNIS HASTERT,

The Speaker, House of Representatives, Washington, DC.

DEAR MR. SPEAKER: Pursuant to the permission granted in Clause 2(h) of Rule II of the Rules of the U.S. House of Representatives, the Clerk received the following message from the Secretary of the Senate on March 20, 2005 at 6:20 p.m.:

That the Senate passed S. 686.

That the Senate agreed to S. Con. Res. 23.

With best wishes, I am,

Sincerely,

JEFF TRANDAHL,

Clerk.

FOR THE RELIEF OF THE PARENTS OF THERESA MARIE SCHIAVO

Mr. SENSENBRENNER. Mr. Speaker, pursuant to the order of the House of today, I move to suspend the rules and pass the Senate bill (S. 686) for the relief of the parents of Theresa Marie Schiavo

The Clerk read as follows:

S. 686

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

SECTION 1. RELIEF OF THE PARENTS OF THERESA MARIE SCHIAVO.

The United States District Court for the Middle District of Florida shall have jurisdiction to hear, determine, and render judgment on a suit or claim by or on behalf of Theresa Marie Schiavo for the alleged violation of any right of Theresa Marie Schiavo under the Constitution or laws of the United States relating to the withholding or withdrawal of food, fluids, or medical treatment necessary to sustain her life.

SEC. 2. PROCEDURE.

Any parent of Theresa Marie Schiavo shall have standing to bring a suit under this Act. The suit may be brought against any other person who was a party to State court proceedings relating to the withholding or withdrawal of food, fluids, or medical treatment necessary to sustain the life of Theresa Marie Schiavo, or who may act pursuant to a State court order authorizing or directing the withholding or withdrawal of food, fluids, or medical treatment necessary to sustain her life. In such a suit, the District