

power. But yet, the Supreme Court, in their imagination in 1965, created this right to privacy, a right to privacy fabricated out of whole cloth, didn't exist in the Constitution, doesn't exist today in the Constitution, but it exists on the lips of every law school professor that's teaching constitutional law, a right to privacy that's been created now by the Supreme Court. They say it was in this Constitution somehow but had never been discovered until the Supreme Court discovered it in *Griswold v. Connecticut*.

So it was against the law in Connecticut, Massachusetts, and multiple other States to even sell contraceptives. So the Supreme Court created a right to privacy and outlawed the ban on contraceptives in Connecticut.

I say if you lived in Connecticut in 1965 and you wanted contraceptives, you could drive across the State line, or you could move to another State. That was the vision of the laboratories of the State experiment of the Founding Fathers. States' rights, Tenth Amendment. They imposed that in 1965.

Oh, by the way, in 1972 there was a case called *Eisenstadt* that said, well—it was just married people in *Griswold* in 1965. *Eisenstadt* came along and said, well, if there's a right to privacy for married people to be able to purchase contraceptives, surely that exists for unmarried people as well. They imposed that, and the Federal Government took another reach, and now we have the foundation for *Roe v. Wade*, which turned into—the right to privacy became the foundational argument for *Roe v. Wade* in 1973, just 8 years after *Griswold*.

And they found, in the emanations and penumbras, a right to abortion. Only the right to abortion of a non-viable fetus, I might add, but the companion case was *Doe v. Bolton*. And in that case it said, But there will be exceptions to the viable fetus if the health of the mother is considered. And health of the mother was defined to be mental, physical, or familial health of the mother. And so it was an open door right to any kind of abortion, this all rooted in judicial activism, I might add.

Today, seeing what has happened in *Griswold*, and then setting aside a State law, now, to the point where the President of the United States, Mr. Speaker, stepped before a press conference, a week, 2 weeks ago, on a Friday at noon, and he said, Well, okay, you know I might have gotten in a little hot water about taking away the rights to conscience of the Catholic Church and other religious institutions by telling them, through Kathleen Sebelius, that they shall provide, not just contraceptives any longer—I want to emphasize, Mr. Speaker, it wasn't just that. It was contraceptives, sterilizations, and abortifacients, pills that cause abortion, requiring religious organizations, pro-life organizations, especially the Catholic Church, to pro-

vide that if they're going to provide any kind of health care for their employees or their patients, a direct, clear, imposition of a violation of rights to conscience.

And Father Jonathan Morris said, publicly, that you cannot force someone to violate their conscience. You keep your convictions of your conscience, even unto death. I applaud the position that he has taken. I endorse that position that he has taken.

But now, a few days after this announcement came out, and the heat came on the President, his noon press conference on that Friday, he stepped up and, instead of, let's say, legislating within the confines of the Constitution itself, the supreme law of the land, or amending the Constitution if you disagree with what it says, or even legislating from the bench, as *Griswold*, *Eisenstadt*, *Roe* and *Doe*, and many others have done, we have now a President with the highest degree of audacity I have ever seen—and by the way, he uses that term “audacity” pretty often.

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He thinks he's legislating by press conference. He said, Well, I'm not going to impose this on you any longer, Catholic Church and others. I'm going to impose it on insurance companies. They shall provide contraceptives, sterilizations, abortifacients, abortion-causing pills, and they shall do it at no charge.

The audacity of the President of the United States to issue such a thing. And we should not comply with such an unconstitutional order from the President of the United States.

Mr. Speaker, I appreciate your indulgence, and I yield back the balance of my time.

LEAVE OF ABSENCE

By unanimous consent, leave of absence was granted to:

Mr. NADLER (at the request of Ms. PELOSI) for today on account of medical reasons.

Mr. SHIMKUS (at the request of Mr. CANTOR) for today on account of surveying tornado damage in his district.

ADJOURNMENT

Mr. KING of Iowa. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 1 o'clock and 50 minutes p.m.), under its previous order, the House adjourned until Monday, March 5, 2012, at noon for morning-hour debate.

EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of rule XIV, executive communications were taken from the Speaker's table and referred as follows:

5146. A letter from the Chairman, Securities and Exchange Commission, transmitting

a report of a violation of the Antideficiency Act; to the Committee on Appropriations.

5147. A letter from the Chairman, Securities and Exchange Commission, transmitting a report of a violation of the Antideficiency Act; to the Committee on Appropriations.

5148. A letter from the Chief Counsel, Department of Homeland Security, transmitting the Department's final rule — Suspension of Community Eligibility [Docket ID: FEMA-2011-0002] [Internal Agency Docket No.: FEMA-8213] received January 13, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Financial Services.

5149. A letter from the Chairman, Securities and Exchange Commission, transmitting the Commission's 2010 Annual Report of the Securities Investor Protection Corporation; to the Committee on Financial Services.

5150. A letter from the Assistant General Counsel for Legislation, Regulation and Energy Efficiency, Department of Energy, transmitting the Department's final rule — Patent Compensation Board Regulations (RIN: 1990-AA33) received February 2, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

5151. A letter from the Assistant General Counsel for Legislation, Regulation and Energy Efficiency, Department of Energy, transmitting the Department's final rule — DOE Patent Licensing Regulations (RIN: 1990-AA41) received February 2, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

5152. A letter from the Director, Office of Congressional Affairs, Nuclear Regulatory Commission, transmitting the Commission's final rule — NRC Procedures for Placement and Monitoring of Work with the U.S. Department of Energy, Management Directive 11.7, DT-12-02 received February 6, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

5153. A letter from the Acting Director, Defense Security Cooperation Agency, transmitting a notice of proposed lease with the Government of Poland (Transmittal No. 02-12) pursuant to Section 62(a) of the Arms Export Control Act; to the Committee on Foreign Affairs.

5154. A letter from the Secretary, Department of Commerce, transmitting Periodic Report on the National Emergency Caused by the Lapse of the Export Administration Act of 1979 for February 26, 2011 — August 25, 2011; to the Committee on Foreign Affairs.

5155. A letter from the Assistant Secretary, Department of Defense, transmitting report on proposed obligations of funds provided for the Cooperative Threat Reduction Program; to the Committee on Foreign Affairs.

5156. A letter from the Special Inspector General for Afghanistan Reconstruction, transmitting the fourteenth quarterly report on the Afghanistan reconstruction, pursuant to Public Law 110-181, section 1229; to the Committee on Foreign Affairs.

5157. A letter from the Director, Office of Communications and Legislative Affairs, Equal Employment Opportunity Commission, transmitting the Commission's Annual Sunshine Act Report for 2011; to the Committee on Oversight and Government Reform.

5158. A letter from the Deputy Chief, National Forest System, Department of Agriculture, transmitting the Department's report on the detailed boundary of Sturgeon Wild and Scenic River in Michigan, pursuant to 16 U.S.C. 1274; to the Committee on Natural Resources.

5159. A letter from the Acting Assistant Secretary for Fish and Wildlife and Parks, Department of the Interior, transmitting the Department's final rule — Change of Addresses for Regional Offices, Addition of One New Address, and Correction of Names of