

Mr. President, I yield the floor.

MORNING BUSINESS

The PRESIDING OFFICER. Under the previous order, there will now be a period for morning business.

Mr. ABRAHAM addressed the Chair.

The PRESIDING OFFICER. The Chair recognizes the Senator from Michigan.

Mr. ABRAHAM. Mr. President, we have reached the time set aside for morning business. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

Mr. ABRAHAM. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER (Mr. BENNETT). Without objection, it is so ordered.

Mr. ABRAHAM. Mr. President, I ask unanimous consent to be allowed to speak as in morning business for up to 20 minutes.

The PRESIDING OFFICER. The Senate is in morning business. The Senator has that right. Without objection, the Senator will be recognized to speak as in morning business for 20 minutes.

THE CHILD CUSTODY PROTECTION ACT

Mr. ABRAHAM. Mr. President, at present, it is our expectation tomorrow morning to be voting on cloture on a motion to proceed forward on S. 1645, the Child Custody Protection Act. It is my hope that tomorrow we will find 60 votes so we might proceed to debate that issue. The fact is, we have not had an opportunity here on the floor to have much debate about this motion to proceed, or about the issue itself, so I would like to take the time today to begin to acquaint our colleagues with this very vital piece of legislation.

Mr. President, the Child Custody Protection Act would protect State laws requiring parental involvement in a minor's important decision whether or not to undergo an abortion.

If the minor's home State has a parental involvement law this legislation would make it a Federal offense to transport that minor across State lines to obtain an abortion, unless the parents have been involved as that law requires, or the requirement has been waived by a court.

By protecting existing State laws this legislation would help protect parents' rights and the health and well-being of teen-age girls facing unexpected pregnancy.

I know, Mr. President, that the abortion issue has been strongly debated in this Chamber and, indeed, throughout our country. But I believe we all should be able to agree on the need for this legislation. Whatever one's position on the underlying issue of abortion, the protection of parental rights, of valid

State laws, and of our daughters' health and emotional well-being demand that we prevent non-parents and non-guardians from circumventing State parental involvement laws.

The rationale behind this legislation is simple, Mr. President: States that choose to institute parental involvement requirements deserve to have those requirements respected.

Mr. President, 85 percent of Americans surveyed in a 1996 Gallup poll favored requiring minors to get parental consent for an abortion. Americans quite reasonably believe that no teen should be left to face an unexpected pregnancy alone. As the Supreme Court noted in *H.L. versus Matheson*, "the medical, emotional, and psychological consequences of an abortion are serious and can be lasting; this is particularly so when the patient is immature."

I believe the American people share this realization, and also realize that parents are almost always the ones most willing and able to provide their daughters with the guidance and support they need in making the life-changing decision whether or not to undergo an abortion.

Thus it is not surprising that more than 20 States have instituted parental involvement requirements.

These laws are on the books. They have been held constitutional, and they have the support of a strong majority of the American people.

Unfortunately, parental involvement laws are being circumvented and undermined by non-parents and non-guardians taking pregnant, minor teens across State lines for secret abortions.

This is a significant problem. The abortion rights Center for Reproductive Law & Policy reports that thousands of pregnant girls are taken across State lines by adults to obtain secret abortions.

Indeed, a veritable interstate abortion industry seems to have grown up.

Abortion clinics in States without parental involvement laws are advertising in States that do have these requirements. The advertisements inform anyone who cares to know that the clinics will perform abortions on minors without parental notification or consent.

Many people are attracted by these advertisements, and the results can be tragic.

During the hearing on this bill, the Judiciary Committee heard from Joyce Farley. Mrs. Farley told us how her 12-year-old daughter was given alcohol, raped, then taken across the State lines, by the rapist's mother, for a secret abortion. Understandably, Mrs. Farley was of the view that the abortion was undertaken to destroy evidence of her daughter's rape by a 17-year-old neighbor, who committed the act.

Mrs. Farley's daughter was understandably frightened and embarrassed. She did not immediately tell her mother of either her rape or her pregnancy.

Her rapist's mother took advantage of this situation. Without telling Mrs. Farley, she drove the girl from her home in Pennsylvania, which has a parental notification law, to New York, which does not. She took the girl to an abortion clinic, lied on the forms, claiming to be the girl's mother, and waited while the girl underwent an abortion. The rapist's mother then dropped Mrs. Farley's daughter off 30 miles from her home.

This poor girl was bleeding and in pain. When she got home, Mrs. Farley asked her what was wrong and eventually was told about the abortion. She then called the New York abortion clinic and was told that the pain and bleeding were normal—to be expected. She was told to increase her daughter's medication.

Luckily for her daughter, Mrs. Farley is a nurse, so she knew that this advice was dangerously wrong. As it turned out, the abortion was incomplete and this young girl, now just 13, had to undergo another procedure to complete the abortion.

Mrs. Farley was understandably very upset at what had happened to her daughter. She also was upset at what had, and what had not, been done about it.

The man who had gotten her daughter pregnant eventually pleaded guilty to statutory rape. But the rapist's mother, who claimed she was just "helping out" by taking a by-then-13-year-old rape victim across State lines for a secret abortion, may receive no punishment at all.

The Pennsylvania Supreme Court has just accepted for review her challenge of Pennsylvania's prosecution of her under State law. She charges that Pennsylvania exceeded its constitutional authority. Moreover, courts, legislators and prosecutors face great difficulty in situations like this because it is unclear which State's laws should apply.

The actions of the rapist's mother were arguably legal in New York, even though Pennsylvania has made them illegal within that State. It is this classic conflict of laws problem that the Child Custody Protection Act would address.

Mr. President, Mrs. Farley deserves better protection than she currently receives. Her daughter certainly deserves better protection, and parents and teens all across America deserve better protection against this kind of interference in the most important and most private decisions people can make.

Any parent with minor daughters—and I have two of my own—should be concerned about what happened to Mrs. Farley, and especially what happened to her daughter.

State parental notification and consent laws exist to protect girls from predators. They also exist to protect families.

Today, any child is at significantly increased risk of drug abuse, crime,