

decide whether Florida's buffer safety zones around clinics and health care workers' homes violate the first amendment's protections of speech and association. Let us not confuse FACE and the safety zone law in question here. FACE does not include such zones, and the Madsen case does not directly involve blocking clinic entrances or violence against patients or health care providers. Thus, there is no need to wait for the Court's decision in Madsen to enact the different protection-oriented measures of FACE. In fact, when the Supreme Court heard Madsen last week, the justices themselves noted the contrast between the narrowly tailored civil and criminal penalties in FACE and the broader Florida buffer zone law.

Passage of the Freedom of Access to Clinic Entrances Act would immediately help bring an end to harassment and damage to health clinics and places of religious worship, which are also included in the conference report. On the clinic front, the list of infractions is long: the murder of Dr. David Gunn, the hooting of Dr. George Tiller, 36 bombings, 84 cases of arson, 60 attempted arsons, 35 clinic invasions, 498 acts of vandalism, 86 assaults, 49 death threats, 29 burglaries, 2 kidnappings, and countless cases of stalking of clinic employees.

Let's act now to curb the growth of this harmful list. I urge my colleagues to vote for the conference report.

**Mr. DELAY.** Mr. Speaker, this bill is not about abortion. It's not even about equal protection under the law. Unfortunately, it achieves the opposite. S. 636 was crafted and moved through the Senate and the House by those who are of the opinion that people who oppose abortion should not be allowed their right to free speech.

I want to make one thing clear before I address the contents of this bill: Opponents to S. 636 are in no way condoning violence. In fact, the very stance of being pro-life implies a reverence for all life and a commitment to protecting it.

Look at the murder trial over the abortion doctor, Dr. David Gunn: justice has been served. Dr. Gunn's murderer was convicted of first degree murder and sentenced to life in prison on March 5 of this year. Nevertheless, his murder has served as the impetus for a whole new course of action against people who are primarily law abiding nonviolent protesters. Dr. Gunn's murderer was not a profer. He proved that the minute he pulled the trigger.

While it is my strong belief that people who commit violent acts should be prosecuted to the full extent of the law, this bill simply extends beyond its stated purpose. Think about this: by voting for S. 636, we are saying that our present legal statutes are not sufficient to deliver justice to the American people. This is just not so.

We don't need another bill to protect people seeking abortions. We already have at least six Federal laws to punish these and related acts. What this bill really does is to single out the free speech of a particular group of people exercising their constitutional rights. So why do we need this legislation? We don't, unless, like the writers of this bill, you think the Federal Government should regulate free speech.

The writers of the FACE bill are clearly "two-faced." They seek to legislate free speech in the name of so-called free access.

Under the FACE bill, if two people were engaged in a fist fight outside of a clinic, one opposed to abortion and the other seeking the abortion, only the person opposed to the abortion would be subject to penalties under this bill.

Like the recent Supreme Court ruling on the interpretation of RICO, S. 636 will severely impinge upon first amendment rights of those who oppose abortion. Groups which have historically organized for social protest or civil disobedience will find themselves hampered by the mere threat of a RICO claim and/or civil and criminal penalties under this bill.

In addition, this bill levies penalties of up to \$10,000 for peaceful, nonviolent protesters. This means a grandmother simply praying the rosary outside an abortion clinic could be arrested and fined under the wording of the FACE bill. This is an outrage. Since when did nonviolent civil disobedience count as constitutionally unprotected free speech?

This bill does not reflect the constitutional liberties our country prides itself on. I urge my colleagues, Republicans and Democrats who so adamantly champion free speech rights to oppose this dangerous bill.

**Mr. ROGERS.** Mr. Speaker, due to a personal tragedy, the death of my closest friend, Dr. Stephen Kelley, I will be unable to cast my vote today against the conference report on S. 636, the so-called Freedom of Access to Clinics Act of 1994, so that I may attend his funeral in Somerset, KY. While I loathe to miss any vote, particularly one as important as this, there are rare and extraordinary occasions when we must put family and friends above all else. This is one of those occasions.

However, I want to reiterate to my colleagues my continued opposition to S. 636. Had I been able to cast my vote today, my vote would have been an unequivocal no.

I am deeply alarmed about the chilling precedent this bill would set. This bill does nothing more than jeopardize the constitutional guarantee of freedom of speech and assembly for a single group, pro-life supporters, in order to appease another group, the pro-abortion lobby. This is a dangerous precedent indeed.

I am certainly not opposed to stopping violence. Violent acts can never be tolerated, and those criminals must be prosecuted to the fullest extent of the law. We already have laws on the books to punish those who engage in violence, and we have seen those individuals prosecuted and punished.

But, that is not what this bill is about. This bill is about an attempt to silence peaceful protests by pro-life supporters by intimidating them into silence.

Mr. Speaker, this bill flies in the face of the very principles on which this Nation was founded. I urge my colleagues to defeat this legislation.

**Mr. GEJDENSON.** Mr. Speaker, I rise today in support of the conference report on S. 636, the Freedom of Access to Clinic Entrances Act. Violent and obstructive acts against reproductive health care clinics, their patients, and personnel, have escalated appallingly in the past few years. In my home State of Connecticut, an organized campaign of harassment,

physical interference, and terrorism has resulted in a sevenfold increase in acts targeted against reproductive health clinics and the women who visit them.

The use of violence to express political views is unacceptable. In my district, clinics in Norwich, Middletown, Willimantic, and Old Saybrook have experienced bomb threats, blockades, and trespass. The Freedom of Access to Clinic Entrances Act provides relief for clinics and their patients by prohibiting obstruction, force, or threat of force to block access to reproductive health services. At the same time, the bill specifically protects the exercise of free speech such as peaceful picketing and other expressive conduct.

The murder of Dr. David Gunn in Florida and the organized bombing campaign against reproductive health care clinics have naturally received the greatest public attention. But these violent acts are the tip of the iceberg. Clinic personnel and their patients are being physically assaulted on a daily basis across the nation.

In one case of clinic violence, the husband of a Wisconsin abortion clinic director was assaulted while guarding the clinic against attack by anti-choice demonstrators. He discovered a protester in the parking lot behind the clinic taking down the license plate numbers of all clinic staff. The protester threw the clinic director's husband to the ground, shattering his arm and requiring lengthy rehabilitation. Unfortunately, this type of violence against clinic personnel and their families occurs every day.

The Freedom of Access to Clinic Entrances Act provides federal legal protections to reproductive health care facilities, their staff and their patients. I urge my colleagues to support this important legislation.

**Mr. ABERCROMBIE.** Mr. Speaker, I rise today in strong support of the Freedom of Access to Clinics conference report, S. 636. Passage of this legislation will be a significant victory in the long and hard fight for a woman's right to choose. During the past decade we have seen unprecedented acts of violence on health clinics, on providers and on women seeking services. Health clinics around the country have reported acts of terrorism, including bombings, arson, harassment, stalking, and death threats on employees. With the killing of Dr. David Gunn in Pensacola, FL we see that campaign—fueled by its own apocalyptic rhetoric—escalated to murder. This intimidation must be stopped. We must give law enforcement authorities the legal mandate they need to protect access to clinics and ensure that women are not deprived of their right to obtain reproductive services.

S. 636 does not infringe upon the rights of citizens to engage in peaceful protest. As we have repeatedly stated in numerous debates on this issue, protection of the first amendment right of free speech is an important element of the bill. The bill permits a variety of peaceful protests, such as praying or carrying signs. As my colleagues are well aware, I am an outspoken and passionate advocate of free speech. Yet we cannot condone this nationwide campaign of terror and violence as an extension of free speech.

Failure to approve the conference report will be a victory for the antichoice fanatics and will reduce Roe versus Wade to a meaningless