

sense of Congress to acknowledge the movement, the progress, that has been made, the fact that the OAU agreement has been accepted or at least has been moved on and as well that there are efforts toward trying to resolve this.

Mr. GILMAN. Mr. Chairman, will the gentlewoman yield?

Ms. JACKSON-LEE of Texas. I yield to the gentleman from New York, the Chairman of the Committee on International Relations.

Mr. GILMAN. Mr. Chairman, I share the gentlewoman's concerns that Ethiopia and Eritrea, two fine countries that have already suffered too many years of communist dictatorship, have spent 14 months at war with one another, and the loss has been tragic. We are hopeful now that there is a cease-fire, that they will implement the cease-fire and return to peace. I want to commend the gentlewoman for focusing attention on the cease-fire that is under way.

Ms. PELOSI. Mr. Chairman, will the gentlewoman yield?

Ms. JACKSON-LEE of Texas. I yield to the gentlewoman from California.

Ms. PELOSI. Mr. Chairman, I thank the gentlewoman for yielding me time.

Mr. Chairman, I know that the distinguished chairman of our committee will be calling for a point of order on this sense of the Congress motion, but I did want to take a half a moment to join her in commending our former colleague here, Mickey Leland. When the gentlewoman mentioned that it is 10 years, it seems impossible, but indeed it was 1989. I was with my family in Cairo when we got the bad news. We were all going to join Mickey in Nairobi when he left Ethiopia. Of course, he invited everyone to go to Ethiopia with him.

Fortunately for everyone else, he did not have a large enough plane for everyone. Maybe if he had a larger plane, he would still with be us. Every day I remember him, because his picture is on the wall of my office, holding a baby, that beautiful picture of Mickey Leland. He was there, not helping countries, but helping people.

I am particularly pleased that the gentlewoman at least has us focused on peace in that region because that is what we should be working toward. Once again, I commend the gentlewoman for calling the Congress' attention to this important region of the world.

Mr. CALLAHAN. Mr. Chairman, I yield myself such time as I may consume.

I share the gentlewoman's concern about the war in Ethiopia and Eritrea, and I too am optimistic that the war between these two nations will soon be ending. I remind Members that bin Laden has long utilized Sudan as a terrorist training ground. In fact, Sudan served as a safe-harbor for the bin Laden terrorists who blew up the U.S. embassies in Tanzania and in Kenya. But I sincerely hope that the gentlewoman would withdraw her amend-

ment. I do not want to insist on my point of order, but I must insist if the gentlewoman does not choose to withdraw it.

Ms. JACKSON-LEE of Texas. Mr. Chairman, will the gentleman yield?

Mr. CALLAHAN. I yield to the gentlewoman from Texas.

Ms. JACKSON-LEE of Texas. If the chairman would allow me just to summarize, then I would like to ask unanimous consent upon my summary to withdraw this amendment.

I appreciate very much the chairman of the Committee, the chairman of the Committee on International Relations and their ranking members for their kind words and agreement with me on the importance of this issue.

Let me close by simply saying that we have at least the makings of the potential of an opportunity for peace. The de facto cease-fire and the work of the government of Algeria in aiding the negotiations between Eritrea and Ethiopia should also be recognized, and hopefully the Congress will continue to monitor this circumstance to avoid the loss of life and certainly in tribute to my predecessor, Mickey Leland and his love for Ethiopia and love for mankind we can monitor the circumstances there.

Mr. GILMAN. Mr. Chairman, I share the gentlewoman's concerns that Ethiopia and Eritrea, two fine countries that have already suffered many years of communist dictatorship, have spent 14 months at war with one another.

I am very hopeful that they will implement the ceasefire and return to peace.

Ms. JACKSON-LEE of Texas. Mr. Chairman, I ask unanimous consent to withdraw my amendment.

The CHAIRMAN. Is there objection to the request of the gentlewoman from Texas?

There was no objection.

AMENDMENT NO. 9 OFFERED BY MR. PAUL

Mr. PAUL. Mr. Chairman, I offer an amendment.

The CHAIRMAN. The Clerk will designate the amendment.

The text of the amendment is as follows:

Amendment No. 9 offered by Mr. PAUL:

At the end of the bill, insert after the last section (preceding the short title) the following:

LIMITATION ON FUNDS FOR ABORTION, FAMILY PLANNING, OR POPULATION CONTROL EFFORTS

SEC. . None of the funds appropriated or otherwise made available by this Act may be made available for—

- (1) population control or population planning programs;
- (2) family planning activities; or
- (3) abortion procedures.

The CHAIRMAN. Pursuant to the order of the House of Thursday, July 29, 1999, the gentleman from Texas (Mr. PAUL) and a Member opposed each will control 5 minutes.

Mr. CALLAHAN. Mr. Chairman, I rise in opposition to the amendment.

The CHAIRMAN. The gentleman from Alabama will control the time in opposition to the amendment.

Mr. CALLAHAN. Mr. Chairman, I ask unanimous consent to transfer my 5 minutes to the gentlewoman from California (Ms. PELOSI), and that she may yield said time.

The CHAIRMAN. Is there objection to the request of the gentleman from Alabama?

There was no objection.

The CHAIRMAN. The gentleman from Texas (Mr. PAUL) is recognized for 5 minutes.

(Mr. PAUL asked and was given permission to revise and extend his remarks.)

Mr. PAUL. Mr. Chairman, I yield myself 3 minutes.

Mr. Chairman, the amendment is straightforward. It prohibits the use of any money for population control, family planning, or abortion of any funds authorized in this bill, appropriated in this bill.

Mr. Chairman, the question really is this: Should the American taxpayer be required to pay for birth control pills, IUDs, Depo-Provera, Norplant, condom distribution, as well as abortion in foreign countries. Those who believe this is a proper and legitimate function will vote against the amendment. Those who believe that it is not a proper function for us to be doing these things around the world would vote for my amendment.

Mr. Chairman, I mention abortion because although this bill does not authorize funds directly for abortion, any birth control center that is involved that receives funds from us and are involved with abortion, all they do is shift the funds. All funds are fungible, so any country that we give money to that is involved with abortion, for whatever reason, or especially in a family planning clinic, can very easily shift those funds and perform abortions. So this is very, very clear-cut.

I would like to spend a minute though on the authority that is cited for doing such a thing. Under the House rules, the committee is required to at least cite the constitutional authority for doing what we do on each of our bills. Of course, I was curious about this, because I was wondering whether this could be general welfare. This does not sound like the general welfare of the U.S. taxpayer, to be passing out condoms and birth control pills and forcing our will on other people, imposing our standards on them and forcing our taxpayers to pay. That does not seem to have anything to do whatsoever with the general welfare of this country.

Of course, the other clause that is generally used in our legislation is the interstate commerce clause. Well, it would be pretty tough, pretty tough, justifying passing out condoms in the various countries of the world under the interstate commerce clause.

So it was very interesting to read exactly what the justification is. The Committee on Appropriations, quoting from the committee report, the Committee on Appropriations bases its authority to report this legislation from

clause 7, section 9 of Article I of the Constitution of the United States of America, which states "no money shall be drawn from the Treasury but in consequence of appropriation made by law." "Appropriations contained in this act," the report says, "are made pursuant to this specific power granted by the Constitution."

That is not a power. That was a prohibition. It was to keep us from spending money without appropriation. If this is true, we can spend money on anything in the world, and the Constitution has zero meaning. This cannot possibly be.

So all I would suggest is this: Be a little more creative when we talk about the Constitution. There must be a more creative explanation on why we are spending these kinds of monies overseas.

Ms. PELOSI. Mr. Chairman, who has the right to close?

The CHAIRMAN. The gentlewoman from California (Ms. PELOSI), defending the position of the committee.

Ms. PELOSI. Mr. Chairman, I yield myself such time as I may consume.

Mr. Chairman, I rise in very strong opposition to the Paul amendment, and it is not even reluctantly. It is with grave disappointment, frankly, that this amendment is even being proposed, though I respect the gentleman's right to do so, and I respect the gentleman.

If this Paul amendment would be enacted, it would cause deaths and suffering for millions of women and children. I say that without any fear of contradiction.

Of course, we all want to reduce the number of abortions performed throughout the world, and the best way to do that is to promote family planning. It seems hard to believe that the gentleman would stand up and say he does not know why it is in our national interests that we improve the plight of children, poor children and families throughout the world by allowing them the opportunity to make decisions for themselves about the timing and the number of children that a family would have, or that the impact that this has on women, alleviating poverty, raising the literacy rate, and, again, giving more empowerment to women by having them control their own destinies.

The issue of population, certainly we understand that our world's resources are finite. I think that most would agree that it is in our interests as well as the interests of every person living on this Earth that we husband our resources very carefully, and that includes curbing uncontrolled population growth. I say that as one who does not support any forced measures in that end, but voluntary efforts to that end.

This amendment would close the most effective avenue to preventing abortions. The gentleman says that well, if we spend this money, then the organizations that use this money but also perform abortions have this underwriting, or the money is fungible, and, therefore, we are supporting abortions.

I think the gentleman knows full well that no funds may be used for abortion procedures. That is the law of the land. We reiterate it every time we have a discussion on this subject. If you are going to apply fungibility, you would have to apply it to everything we do here. I do not know why all of a sudden when it comes to international family planning, fungibility becomes a principle, but when we are dealing with the defense bill or any other appropriations, we never say that giving money for this, that or the other purpose helps that country underwrite some practices that we might not approve of.

The amendment would end a more than 30-year-old program recognized as one of the most successful components of U.S. foreign assistance. Tens of millions of couples, Mr. Chairman, in the developing world are using family planning as a direct result of this program, and the average number of children per family has declined more than one-third since the 1960's.

Three out of four Americans surveyed in 1995 wanted to increase or maintain spending on family planning for poor countries. I was, this year, in India and saw what happened in those states where there was effective family planning as opposed to what was the plight of the people in areas where the women did not have access to this family planning information.

So I believe that this amendment would be contrary to the interests and values of the vast majority of the people in the world, and certainly, speaking in our own terms, of the American people. In February 1997, both the House and the Senate showed their commitment to the USAID International Family Planning Program by voting for the early release of funds specifically for this program.

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We had to have a vote at that time.

Mr. Chairman, I see some of my colleagues on their feet, and I am pleased to yield to the distinguished gentleman from New York (Mr. GILMAN), chairman of the authorizing committee, the Committee on International Relations.

Mr. GILMAN. Mr. Chairman, I want to associate myself with the remarks of the gentlewoman from California (Ms. PELOSI). Population control, population planning is so important today. That is the next crisis that we are to be confronted with. The growth of populations around the world are going to lead to hunger in impoverished areas. And where we have hunger and poverty, we soon have hostility.

The best way to prevent that is to help with family planning and with population control. And I thank the gentlewoman for her arguments in opposition to this amendment.

Mr. CALLAHAN. Mr. Chairman, will the gentlewoman yield?

Ms. PELOSI. I yield to the gentleman from Alabama.

Mr. CALLAHAN. Mr. Chairman, it is my duty in this House as chairman of

this subcommittee to draft a bill. And in order to draft a bill, I have to depend upon a very able staff which really did the drafting of this 119 pages of law that hopefully will be passed tomorrow morning.

But upon my instruction, I would like to reiterate, and I know the gentleman from Texas (Mr. PAUL) has already brought it out, but since I am responsible for writing this bill, the bill says that none of the funds made available under this heading may be used to pay for the performance of abortions as a method of family planning.

So I just wanted to make perfectly clear my position as the author of this bill with respect to abortions.

Ms. PELOSI. Mr. Chairman, reclaiming my time, the gentleman's position on this is well-known.

Mr. PAUL. Mr. Chairman, I yield myself such time as I may consume.

Mr. Chairman, the gentlewoman makes the point that we should not use the abortion issue to talk about fungibility and I believe that she is correct. I think it should apply to everything. This is the reason I do strongly oppose Export-Import Bank money going to Red China. Their violations of civil liberties and abortions are good reasons why we should not do it, and yet they are the greatest recipient of our foreign aid from the Exim Bank. \$5.9 billion they have received over the years.

So I would say, yes, the gentlewoman is correct. All of these programs are fungible. And I agree that the wording in the bill says that our funds cannot be used. But when we put our funds in with other funds, all of the sudden they are in a pool and they can shift them around and there is a real thing called fungibility.

So once we send money to a country for any reason, we endorse what they do. Therefore, we should be rather cautious. As a matter of fact, if we were cautious enough we would not be in the business of taking money at the point of a gun from our American taxpayer, doing things that they find abhorrent around the world and imposing our will and our standards on them.

Mr. Chairman, birth control methods are not perfectly safe. As a gynecologist, I have seen severe complications from the use of IUDs and Depo-Provera and Norplant. Women can have strokes with birth control pill. These are not benign.

And my colleagues say we want to stop the killing and abortions, but every time that the abortion is done with fungible funds, it is killing a human being, an innocent human being. So for very real reasons, if we were serious about stopping this and protecting the American taxpayer, there is nothing wrong with some of these goals. I agree. As a gynecologist, I would agree with the goals, but they should not be done through coercion. They should be done through voluntary means through churches and charities. That is the way it should be done.