

floor of this House the notion that we should cut off funding for international family planning is incomprehensible to me for the following reasons:

One, it would not reduce the number of abortions, family planning. Two, we have the opportunity from the standpoint of population and the environment, we have a responsibility to be responsible. I think that I am going to have to yield back to the gentlewoman, but I do so bewildered by the maker of this motion.

The CHAIRMAN. The time of the gentlewoman from New York (Mrs. LOWEY) has expired. The gentleman from Texas (Mr. PAUL) has 1 minute remaining.

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

Let me see if I can explain as an obstetrician the fundamentals of the birds and the bees, about the fundamentals of law. Under the Constitution we are not permitted to do these things.

I agree with much of what has been said. I believe in birth control, and I believe it should be voluntary. But this is not voluntary on the part of the American taxpayer. They are the ones who suffer the consequence of the involuntary compulsion of the tax collector coming and compelling the American taxpayer to fund things that they find immoral and wrong. That is the lack of voluntary approach that you have.

Yes, there are a lot of good intentions. I think that is very good. But there are a lot of complications that come from these procedures. As I mentioned before, this nonoxynol, it is a spermicidal, and it increases the spread of AIDS. Good intentions, unintended consequences. The American taxpayers are subsidizing this.

What we are saying is that there is a better approach. There is a voluntary approach through donations, through our churches. But not through the compulsion of the IRS telling the American taxpayers that they are compelled to pay for an egregious act that they find personally abhorrent.

The CHAIRMAN. The time of the gentleman from Texas has expired.

Does the gentleman from New York wish to make his point of order?

POINT OF ORDER

Mr. GILMAN. Mr. Chairman, I raise a point of order against the amendment on the grounds that it violates clause 2 of rule XXI in that it constitutes legislation on an appropriation bill.

The CHAIRMAN. Does the gentleman from Texas wish to be heard briefly on the point of order?

Mr. PAUL. Yes. This is an amendment that I have brought up on several occasions. As the gentlewoman just mentioned, we have voted on it. She cited the votes that we have had on previous occasions. We have done this before. The one question that they have is whether or not these funds can be used for lobbying. Of course the Mexico City language, the funds are

permitted to be used for lobbying and prevention of lobbying for the change in the promotion and the propagandizing for abortion and birth control.

I would say this conforms with the Constitution, it conforms with this bill, it conforms with what we have done for the past several years, and it is strictly, narrowly defined as a prohibition of funds to be used to perform population control.

The CHAIRMAN. The Chair is prepared to rule.

The gentleman from New York makes a point of order that the amendment offered by the gentleman from Texas proposes to change existing law, in violation of clause 2(c) of rule XXI.

As recorded in Deschler's Precedents, volume 8, chapter 26, section 52, even though a limitation or exception therefrom might refrain from explicitly assigning new duties to officers of the government, if it implicitly requires them to make investigations, compile evidence, or make judgements and determinations not otherwise required of them by law, then it assumes the character of legislation and is subject to a point of order under clause 2(c) of rule XXI. Specifically, subsections (a)(4) and (b)(4) of the proposed section in the amendment offered by the gentleman from Texas require new determinations not required under existing law.

Therefore, the point of order against the amendment is sustained.

AMENDMENT NO. 23 OFFERED BY MR. TRAFICANT

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

The CHAIRMAN. The Clerk will designate the amendment.

The text of the amendment is as follows:

Amendment No. 23 offered by Mr. TRAFICANT:

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

#### TITLE VII—ADDITIONAL GENERAL PROVISIONS

SEC. 701. None of the funds appropriated in this Act shall be made available to the Palestine Authority.

The CHAIRMAN. Pursuant to the order of the House of Wednesday, July 12, 2000, the gentleman from Ohio (Mr. TRAFICANT) and a Member opposed each will control 5 minutes.

Mr. OBEY. Mr. Chairman, I would claim the time in opposition to the amendment.

The CHAIRMAN. The gentleman claims the time in opposition. The gentleman from Ohio (Mr. TRAFICANT) is recognized for 5 minutes on his amendment.

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

In 1994, the United States signed an agreement with Palestinian authorities to encourage American investment with the Palestinian Authority, and this would allow the use of OPIC funds.

In 1995, Vice President AL GORE asked a company in my district to be, in fact, the first investor in Gaza. The

Buchheit Company got OPIC insurance and made a multi-million dollar investment in Gaza, the first, encouraged by Vice President AL GORE.

The company entered into contracts with the Palestinian Authority and hired and trained workers in Gaza. There were irrevocable written instructions to block wire transfers and dollars.

In January of 1996, the American company got a \$1.1 million loan from OPIC to expand the business in Gaza. They wired the funds from D.C. to Gaza. The money was stolen, never put into accounts. The State Department said, "It is a private commercial matter. Take it to court." They took it to court in Cleveland. They won. They were awarded triple damages. But now it is being appealed. So last year we got language in the bill saying, Let's work this out.

In October of 1999, OPIC wrote two letters asking the Palestinian Authority questions concerning the situation. I want the chairman and the gentleman from Wisconsin (Mr. OBEY) to hear this. The Palestinian Authority admitted wrongdoing. They admitted to making fraudulent checks to a fictitious company that were cashed in 1996 and 1997. Then they seized the equipment of the company and still hold it.

Under the 1994 agreement, any disputes have to either be amicably settled or taken care of through arbitration or legal means and they said, We're not going to do anything about it.

When the company got the OPIC loans, they had to put liens on their property. So when everything was defaulted on, the company paid the loans out of their own pocket. The Palestinian Authority still has their equipment. They have told us to go to hell.

My amendment comes right to the point to prohibit any funding for the Palestinian Authority.

Mr. Chairman, I reserve the balance of my time and ask how much time I have remaining.

The CHAIRMAN. The gentleman from Ohio has 2½ minutes remaining.

Mr. OBEY. Mr. Chairman, I have only one speaker and I understand it is my right to close.

The CHAIRMAN. The gentleman is correct. The gentleman from Wisconsin has the right to close.

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

Here is where we are. We had another amendment that would be listed as out of order because it would prohibit any funds going to the Palestinian Authority until they resolve not only this case but several other American companies that have been ripped off.

If we are going to leverage American dollars, make investments with private companies, then have those companies go overseas and be ripped off, then who do we represent?

Mr. Chairman, I yield to the gentleman from Alabama (Mr. CALLAHAN), the distinguished chairman.