

July 13, 2000

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

Statement of HON. RON PAUL OF TEXAS

[Pages: H6007]

Amendment No. 17 offered by Mr. Paul: At the end of the bill (preceding the short title), insert the following:

TITLE VII--ADDITIONAL GENERAL PROVISIONS

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

Sec. 701. (a) Limitation: None of the funds appropriated or otherwise made available by this Act may be made available for--

(1) population control educational programs or population policy educational programs;

(2) family planning services, including, but not limited to--

(A) the manufacture and distribution of contraceptives;

(B) printing, publication, or distribution of family planning literature; and

(C) family planning counseling;

(3) abortion and abortion-related procedures; or

(4) efforts to change any nation's laws regarding abortion, family planning, or population control. (b) **Additional Limitation:** None of the funds appropriated or otherwise made available by this Act may be made available to any organization which promotes or makes available--

(1) population control educational programs or population policy educational programs;

(2) family planning services, including, but not limited to--

(A) the manufacture and distribution of contraceptives;

(B) printing, publication, or distribution of family planning literature; and

(C) family planning counseling;

(3) abortion and abortion-related procedures; or

(4) efforts to change any nation's laws regarding abortion, family planning, or population control.

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

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Mr. GILMAN. Mr. Chairman, I reserve a point of order.

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

Mr. Chairman, my amendment strikes all the funding for international population control, birth control, abortion, and family planning. This is not an authorized constitutional expenditure. It should not be spent in this manner.

More importantly, in a practical way, it addresses the problem of fungibility. Because so often we appropriate funds, whether it is funding for family planning with restrictions against abortion or whether we give economic aid or whether we give military aid. All funds are fungible.

So, in a very serious way, we subsidize and support abortion to any country that participates once we send them funds. This amendment addresses that by striking all these funds which are allocated for population control.

Population control and birth control in many of these nations is a serious personal affront to many of their social mores in these countries. Also, it is an affront to the American taxpayer

because it requires that American taxpayers be forced through their taxing system to subsidize something they consider an egregious procedure. That is abortion. These funds go to paying for IUDs, Depo-Provera, Norplant, spermicides, condoms.

Just recently a study came out that showed that the spermicidal, the nonoxynol-9, is something that is paid for with these funds. Unfortunately, this spermicidal enhances the spread of AIDS. Talk about unintended consequences. Here we are, the other side, who likes this kind of spending, they do it with good intentions; and at the same time, it literally backfires and spreads AIDS inadvertently.

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For this reason, I offer this amendment to strike all these funds because there is no other way to stop the use of these funds once the funds get there, no matter what the restrictions are.

The Mexico City language is something I support and I vote for, and the attempt is very sincere to try to stop the abuse of the way these funds are used. But quite frankly the Mexico City language does not do a whole lot. If the President wants to suspend that language, he can and he takes a penalty of \$12 million, a 3 percent reduction in the amount of money that becomes available for these programs. It goes from \$385 million down to \$373 million and the President can do what he wants. So there is really no prohibition. We as American taxpayers do support these programs. You say, Oh, no, they don't. We put prohibitions. They're not allowed to use it for abortion.

That is not true. I mean, the language is true; but it does not accomplish that. What it accomplishes is that these funds go in for buying birth control pills and condoms, and the money that would have been spent on birth control pills and condoms go and is used to do the abortion. I believe in the fungibility argument in its entirety, not just in the family planning. As soon as you give funds in any way whatsoever to a country such as China that endorses abortion, I mean, we are participants, we are morally bound to say that we are a participant in those acts. Even though we say, I hope you don't do it and you shouldn't do it and we're not authorizing you to do it, we have to remember that funds are fungible and that they can be used

in this manner.

Mr. Chairman, I reserve the balance of my time.

The CHAIRMAN. Does the gentlewoman from New York seek to control the time in opposition?

Mrs. LOWEY. I do, Mr. Chairman.

The CHAIRMAN. The gentlewoman from New York (Mrs. **Lowey**) is recognized for 5 minutes.

The gentleman from New York (Mr. **Gilman**) continues to reserve his point of order.

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

I rise in strong opposition to the Paul amendment which would eliminate all of our international family planning and population programs. The House rightly rejected this amendment last year by a vote of 145-272. I respectfully submit that we do so again with an even larger margin.

Our family planning and population programs work hand in hand towards one very worthy goal, advancing the health and well-being of children and families. Simply put, if you seek healthy children, you must have healthy mothers. There is a strong relationship between educating women on safe motherhood, voluntary family planning and child survival. Planning pregnancies is one of the most powerful and effective child survival tools in existence. Postponing early high-risk pregnancies, giving women's bodies a chance to recover from a previous pregnancy, and helping women to avoid unintended pregnancies and unsafe abortion can prevent at least one in four maternal deaths.

We hear again and again that women die from having children too young, having children too

closely spaced together, and by having more children than their bodies can bear. Getting that message out across to women is an integral part of our population and family planning work because healthier mothers will be better able to care for their children.

Children born to mothers who wait 2 years between births have a much stronger chance of survival than those born to moms whose births fall less than 2 years apart. Giving women this information can save children's lives, can save women's lives. We have to do all we can to encourage and reinforce the messages of voluntary family planning, safe motherhood, child survival. This amendment would absolutely destroy our efforts to help both mother and child. It would destroy the efforts of the barber in this small village in India to be taught while he is cutting the hair of these men how to work with the men and women in teaching them, educating them. That is what family planning is about in the poorest parts of our world.

I strongly urge my colleagues to vote against this amendment.

Mr. Chairman, I yield the balance of my time to the gentlewoman from California (Ms. **Pelosi**).

Ms. PELOSI. Mr. Chairman, I also rise in opposition to the Paul amendment and associate myself with the remarks of the distinguished gentlewoman from New York (Mrs. **Lowey**), who has been a leader on this international family planning issue as has the gentlewoman from New York (Mrs.

Maloney

) and so many others in the House of Representatives. But as a member of our subcommittee, the gentlewoman from New York (Mrs.

Lowey

) has led the way.

This is a hard amendment for me to understand. Maybe we need a lesson in the birds and the bees in this Chamber. We really have to be thinking seriously about what the message is that will come out of this Congress if we vote to eliminate all funding for international family planning. The gentlewoman from New York explained obviously how necessary this is. We all want to reduce the number of abortions that take place. I myself personally consider abortion a failure, a failure of education, of prevention, of opportunity for women to be in control of their lives and control the timing and size of their families. But that is so fundamental.

If you want to reduce the number of abortions, as we all do, does it not make sense, Mr. Chairman, that we would, therefore, try to prevent conception and give people an informed way in which to do that.

So I understand and respect everyone's view on this subject. I understand it more easily in terms of the gag rule, which I do not support, but I understand that. But as a woman, the idea that we would even consider on the 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.

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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.