

The following is a reprint of the amendment offered by Representative Chris Smith (NJ-04) to H.R. 1420 on July 10, 1985 to preserve and codify President Reagan's 1984 Mexico City Policy.

The President's policy required foreign nongovernmental organizations receiving population aid from the United States agree that they would not perform or actively promote abortion.

The amendment passed with 234 votes in favor and 189 in opposition.



United States
of America

Congressional Record

PROCEEDINGS AND DEBATES OF THE 99th CONGRESS, FIRST SESSION

WASHINGTON, WEDNESDAY, July 10, 1985

House of Representatives

**AMENDMENT OFFERED BY MR. SMITH OF NEW JERSEY TO
AMENDMENT OFFERED BY MS. SNOWE AS A SUBSTITUTE FOR THE
AMENDMENT OFFERED BY MR. SMITH OF NEW JERSEY.**

Mr. SMITH of New Jersey. Mr. Chairman, I offer an amendment to the amendment offered as a substitute for the amendment.

The Clerk read as follows:

Amendment offered by Mr. Smith of New Jersey to the amendment offered by Ms. SNOWE as a substitute for the amendment offered by Mr. SMITH of New Jersey:

At the end of the substitute insert the following:

"The President, if he determines that to do so would promote voluntary family planning goals, notwithstanding paragraphs (A) and (B), may deny funds for population planning purposes under this part to a foreign country, an international organization, or a nongovernmental organization, and he may deny or require denial of funds (or goods or services financed by such funds) to any direct or indirect recipient of funds, good, or services from a foreign country, an international organization, or a nongovernmental organization which receives those funds under this part for population planning purposes, because of the types of voluntary and non-coercive family planning programs which it carries out or promotes, or for which it provides funds, goods, or services (directly or through another entity), even if it does so entirely with funds other than the funds made available by the United States under this part.

The result of the vote was announced as above recorded.

PERSONAL EXPLANATION

Mr. SWINDALL. Mr. Chairman, on rollcall No. 214, I was unavoidably detained. Had I been present, I would have voted "no" on the Fасcell amendment.

The CHAIRMAN. The question is on the amendment offered by the gentleman from New Jersey [Mr. SMITH].

The question was taken; and the Chairman announced that the ayes appeared to have it.

RECORDED VOTE

Mr. BADHAM. Mr. Chairman, I demand a recorded vote.

A recorded vote was ordered.

The vote was taken by electronic device, and there were—ayes 239, noes 130, not voting 14, as follows:

[Roll No. 215]

AYES—239

| | | |
|--------------|---------------|-------------|
| Andrews | Dowdy | Kaptur |
| Annuozio | Dreier | Kasich |
| Applegate | Duncan | Kemp |
| Archer | Durbin | Kildee |
| Armey | Dwyer | Kindness |
| Barnard | Dyson | Kleczka |
| Bartlett | Early | Kolter |
| Barton | Eckart (OH) | Kramer |
| Bateman | Eckert (NY) | LaFalce |
| Bennett | Edwards (OK) | Lagomarsino |
| Bentley | Emerson | Latta |
| Bereuter | English | Leath (TX) |
| Bevill | Erdreich | Lent |
| Blaggi | Feighan | Lewis (FL) |
| Billrakis | Fiedler | Lightfoot |
| Bliley | Fields | Lipinski |
| Boggs | Fish | Livingston |
| Boland | Filippo | Lloyd |
| Boner (TN) | Florio | Loeffler |
| Bonior (MI) | Foglietta | Long |
| Bonker | Foley | Lott |
| Borski | Fowler | Lowery (CA) |
| Boucher | Franklin | Lujan |
| Boulter | Fuqua | Lukens |
| Breaux | Gaydos | Lungren |
| Broomfield | Gephardt | Mack |
| Brown (CO) | Gibbons | MacKay |
| Broyhill | Gingrich | Madigan |
| Bruce | Glickman | Manton |
| Burton (IN) | Gonzalez | Marlenee |
| Bustamante | Goodling | Martin (NY) |
| Byron | Gordon | Mavroules |
| Callahan | Gradison | Mazzoli |
| Campbell | Gray (IL) | McCain |
| Carney | Gregg | McCloskey |
| Casper | Groberg | McCollum |
| Carr | Guarini | McDade |
| Chappell | Gunderson | McEwen |
| Chapple | Hall (OH) | McGrath |
| Cheney | Hall, Ralph | McHugh |
| Clinger | Hamilton | McMillan |
| Coats | Hammerschmidt | Meyers |
| Cobey | Hansen | Mica |
| Coble | Hartnett | Michel |
| Coelho | Hatcher | Miller (OH) |
| Coleman (MO) | Hendon | Moakley |
| Combest | Henry | Mollinari |
| Conte | Hertel | Mollohan |
| Cooper | Hiler | Monson |
| Courter | Hillis | Montgomery |
| Coyne | Holt | Moore |
| Craig | Hopkins | Moorhead |
| Crane | Howard | Murphy |
| Dannemeyer | Hubbard | Murtha |
| Darden | Huckaby | Myers |
| Daschle | Hughes | Natcher |
| Daub | Hunter | Neal |
| de la Garza | Hutto | Nelson |
| DeLay | Hyde | Nichols |
| DeWine | Ireland | Nielson |
| Dicks | Jenkins | Nowak |
| DioGuardi | Jones (NC) | O'Brien |
| Donnelly | Jones (OK) | Oskar |
| Dorgan (ND) | Jones (TN) | Oberstar |
| Dornan (CA) | Kanjorski | Olin |

| | | |
|--------------|---------------|-------------|
| Ortiz | Schulte | Tallon |
| Oxley | Schulze | Tauke |
| Packard | Sensenbrenner | Tauzin |
| Parris | Sharp | Taylor |
| Pashayan | Shaw | Thomas (GA) |
| Pease | Shelby | Torricelli |
| Penny | Shumway | Traxler |
| Perkins | Shuster | Valentine |
| Petri | Sikorski | Vander Jagt |
| Price | Siljander | Vento |
| Quillen | Skeen | Volkmmer |
| Rahall | Skeltson | Vucanovich |
| Ray | Slattery | Walgren |
| Regula | Slaughter | Walker |
| Reid | Smith (NE) | Watkins |
| Ridge | Smith (NH) | Weber |
| Rinaldo | Smith (NJ) | Whitehurst |
| Ritter | Smith, Denny | Whitley |
| Roberts | Smith, Robert | Whittaker |
| Robinson | Snyder | Whitten |
| Rodino | Solomon | Williams |
| Roe | Spence | Wise |
| Roemer | Spratt | Wolf |
| Rogers | St Germain | Wortley |
| Rostenkowski | Stagers | Wylie |
| Roth | Stallings | Yatron |
| Rowland (CT) | Stangeland | Young (AK) |
| Rowland (GA) | Stenholm | Young (FL) |
| Rudd | Strang | Young (MO) |
| Russo | Stump | Zschau |
| Saxton | Sundquist | |
| Schaefer | Sweeney | |

NOES—130

| | | |
|--------------|---------------|-------------|
| Ackerman | Frost | Mrazek |
| Addabbo | Gallo | Owens |
| Akaka | Garcia | Panetta |
| Anderson | Gedjenson | Pepper |
| Anthony | Gekas | Pickle |
| Atkins | Gilman | Porter |
| AuCoin | Gray (PA) | Pursell |
| Badham | Green | Rangel |
| Barnes | Hawkins | Richardson |
| Bates | Hayes | Rose |
| Bedell | Horton | Roukema |
| Berman | Hoyer | Sabo |
| Boehrlert | Jacobs | Savage |
| Bosco | Jeffords | Scheuer |
| Boxer | Johnson | Schneider |
| Brooks | Kastenmeier | Schroeder |
| Brown (CA) | Kennelly | Schumer |
| Bryant | Kolbe | Selberling |
| Burton (CA) | Kostmayer | Sisisky |
| Chandler | Lantos | Smith (FL) |
| Clay | Leach (IA) | Smith (IA) |
| Coleman (TX) | Lehman (CA) | Snowe |
| Collins | Lehman (FL) | Stark |
| Conyers | Leland | Stokes |
| Coughlin | Levin (MI) | Stratton |
| Crockett | Crockett | Studds |
| Davis | Lewis (CA) | Swift |
| Dellums | Lowry (WA) | Synar |
| Derrick | Lundine | Thomas (CA) |
| Dickinson | Markey | Towns |
| Dingell | Martin (IL) | Trafcant |
| Dixon | Matsui | Udall |
| Downey | McCandless | Visclosky |
| Dymally | McCurdy | Waxman |
| Edgar | McKernan | Weaver |
| Edwards (CA) | McKinney | Weiss |
| Evans (IA) | Mikulski | West |
| Evans (IL) | Miller (CA) | Wilson |
| Fascell | Miller (WA) | Wirth |
| Fawell | Mineta | Wright |
| Fazio | Mitchell | Wyden |
| Ford (TN) | Moody | Yates |
| Frank | Morrison (CT) | |
| Frenzel | Morrison (WA) | |

NOT VOTING—14

| | | |
|-----------|----------|----------|
| Alexander | Hefner | Solarz |
| Aspin | Hefelt | Swindall |
| Bellenson | Martinez | Torres |
| Daniel | Obey | Wolpe |
| Ford (MI) | Raybal | |

□ 1310

Mr. GUARINI changed his vote from "no" to "aye."

So the amendment was agreed to.

The result of the vote was announced as above recorded.

PERSONAL EXPLANATION

Mr. SWINDALL. Mr. Chairman, on rollcall No. 215, I was unavoidably detained. Had I been present, I would have voted "aye" on the Smith amendment.

AMENDMENT OFFERED BY MR. SMITH OF NEW JERSEY

Mr. SMITH of New Jersey. Mr. Chairman, I offer an amendment. The Clerk read as follows:

Amendment offered by Mr. SMITH of New Jersey: Page 40, strike out line 14 and all that follows through line 6 on page 41; and page 41, line 7, strike out "(5)" and insert in lieu thereof "(4)".

Mr. FASCELL. Mr. Chairman, will the gentleman yield?

Mr. SMITH of New Jersey. I yield to the gentleman from Florida.

Mr. FASCELL. Mr. Chairman, I wanted to ask the gentleman from New Jersey if my understanding is correct that this is the second and the last of his amendments, and this is one we have an agreement on limitation on time?

Mr. SMITH of New Jersey. Yes, we do have an agreement.

Mr. FASCELL. Thirty minutes?

Mr. SMITH of New Jersey. Thirty minutes would be fine.

Mr. FASCELL. Half the time to be controlled by the gentleman and half the time controlled by the gentleman from Pennsylvania.

Mr. Chairman, I ask unanimous consent that the debate on this amendment and all amendments thereto conclude in 30 minutes, half the time to be controlled by the gentleman from New Jersey [Mr. SMITH] and half the time to be controlled by the gentleman from Pennsylvania [Mr. KOSMAYER].

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

There was no objection.

Mr. SMITH of New Jersey. Mr. Chairman, I yield myself such time as I may consume.

Mr. Chairman, last August the United States announced at the U.N. Population Conference in Mexico City, that our Government would no longer provide funds to any foreign nongovernment organization which quote: "performs or actively promotes abortion as a method of family planning."

This policy is consistent with the U.N. World Population Plan of Action adopted at the Mexico City conference which states, and I quote: "Abortion in no case should be promoted as a method of family planning."

Language in H.R. 1555, however, seeks to reverse this policy. My amendment simply strikes that language, and thus would preserve current policy.

Let me cite just a few points in favor of preserving the administration's current policy. First, while it is true that

since 1973 no U.S. funds are permitted to be used directly to fund abortion as a method of family planning, nongovernment organizations have used non-U.S. funds, their own money, to actually perform and promote abortion.

The issue then comes down in part to the seriousness with which we regard abortion. I happen to believe that a growing number of people are recognizing abortion as a form of violence directed at the most vulnerable of human beings—unborn children.

Even a cursory look at the methods of abortion including salt poisoning shots, dismemberment, induced labor with the intent not to save the child causes one to appreciate the seriousness of the issue.

Abortion is violative of an unborn child's right to continue living, and should be rejected as a means of family planning even when paid for with non-U.S. funds by organizations we support and underwrite.

Second, some Members here may argue today that unless the administration's policy is changed, family planning will be damaged in the developing world. Mr. Chairman and Members of the Committee, the facts simply do not substantiate that charge.

Frankly, I wish the leadership of International Planned Parenthood of London cared more about legitimate family planning, instead of rigidly adhering to their proabortion stance.

□ 1320

Most Members in this Chamber are probably not aware of the fact that it was IPPF of London and IPPF only who made the decision not to accept U.S. funds. IPPF of London was offered the money, with one string attached. AID repeatedly asked IPPF to accept the moneys with the condition that they and their affiliates not promote abortion as a method of family planning. Thus far, they have refused.

Let me assure my colleagues that the \$11.5 million in cash that would have gone to that organization will be reprogrammed to other private family planning programs that do not include abortion.

According to the AID population assistance factsheet distributed on the Hill this past May, the reprogrammed funds will be allocated as follows: 50 percent will go to Africa; 17 percent will go to Latin America; 5 percent will go to Asia; and 28 percent will go to private-sector initiatives.

AID also states that most IPPF affiliates will be eligible for AID assistance either directly or through AID cooperating agencies.

So the notion that conditioning funds to NGO's cripples international family planning does not hold water. At best, Mr. Chairman, it is a scare tactic.

Mr. Chairman, some Members may also argue today that the curtailment

of funds will result in increased abortions. That charge has a certain emotional appeal, but as an argument it is indeed weak and flimsy. On this issue I think AID Administrator Peter McPherson perhaps said it best in a letter to me, dated July 8, when he said:

The premise is false. The same volume of resources will be provided to the developing world under current policy as would be under the committee bill. It will not lead to more abortions.

He concludes.

Further, in its May population assistance factsheet, AID states: "We do not believe that this will result in more abortions since after reprogramming the IPPF funds, an even higher percentage"—I repeat, an even higher percentage—"('77 percent) will go for family planning services than would have gone for services via IPPF (68 percent)."

The report goes on to say: "It is the delivery of family planning counseling, contraceptives, and other services that provide an alternative to abortion. We expect service delivery to increase in this case as well."

I am sure some Members will argue that abortion is only a small percentage of IPPF's activity. That may be true. So why are they so unwilling to cease the practice?

Perhaps part of the reason is that IPPF of London crusades for permissive abortion laws in the developing world.

According to Donald P. Warwick of the Harvard Institute for International Development, IPPF has been the single most influential organization in the world in undermining antiabortion laws. Warwick writes: "The International Planned Parenthood Federation of London has been the most outspoken advocate of legal abortion services in developing countries * * *"

This is particularly relevant when you realize that according to a U.N. study, only 5 of 126 less developed nations permit abortion on demand and in only 8 is abortion authorized for socioeconomic reasons.

It seems clear that IPPF of London is, at this time, unwilling to give up its efforts to undermine these antiabortion laws. Bradman Weerakoon, Secretary-General of the International Planned Parenthood Federation, told the U.N. Non-Governmental Organizations [NGO] Population Consultation on March 6 that IPPF could not conform to the administration's policy because the policy would require IPPF to discontinue lobbying for the amendment of ineffective abortion laws.

IPPF's underlying proabortion philosophy is further evidenced by the "Report of the Working Group on Promotion of Family Planning as a Basic Human Right," issued in November 1983. This report was prepared by a committee which included Faye

Wattleton, president of the Planned Parenthood Federation of America. Although recently conveniently repudiated by IPPF, the report was disseminated to IPPF affiliates with the recommendation that both the Federation and individual FPA's [family planning associations] will accept these recommendations and promote them as widely as possible.

Recommendation No. 108 of that document noted that some countries do not allow the right to choose abortion, and urges FPA's to promote abortion as a legal right. Recommendation No. 106 stated:

Family Planning Associations and other non-governmental organizations should not use the absence of a law or the existence of an unfavorable law as an excuse for inaction; action outside the law, and even in violation of it, is part of the process of stimulating change.

Clearly, the goal to IPPF of London is to make abortion available on demand, everywhere, as a method of family planning. In their less-guarded moments, some of the leading critics of the administration's policy have admitted as much.

For example, Werner Fornos, president of the Population Institute, said in a tape-recorded speech to a Planned Parenthood group on March 12:

We need to separate the abortion issue from the family planning issue, when we're dealing with our legislators. Two years from now, I may stand here and advocate something different, and the reality of our times may dictate that. Certainly, if we ever have enough votes, we ought to desperately seek a repeal of the Helms Amendment. The 1973 Helms amendment bars use of funds to directly pay for abortions in population programs.

Daniel Weintraub, vice president for international programs of the Planned Parenthood Federation of America, said:

I know that there are some people in our own country * * * who sincerely believe that we should compromise, we should accept the Administration's policy. And the argument goes that "after all, abortion in our international programs is only a small percentage of our entire program. Strategically we would be better off to try to save family planning by giving up abortion." Well, I tell you that these people are wrong * * * One of the principles of the Planned Parenthood Federation of America is that reproductive freedom is indivisible. * * *

But, Mr. Chairman, I'm happy to say that all family planning agencies are not so attached to abortion. AID informed Congress yesterday that western hemisphere region International Planned Parenthood Federation intends to agree to the administration's no abortion policy and thus become eligible for funding. They are now in line for \$12 million in grant money in fiscal year 1986-87 for family planning programs that exclude abortion.

I would remind my colleagues that when faced with a similar situation in 1983, the Pathfinder fund, a multimillion worldwide family planning organization that aggressively promoted abortion, divested itself from abortion, and thus became eligible for AID funding.

Mr. Chairman, it seems clear to me that the administration's Mexico City policy is a reasonable, measured policy that should be affirmed today by this body and certainly not reversed.

Mr. KOSTMAYER. Mr. Chairman, will the gentleman yield for a question on that point?

Mr. SMITH of New Jersey. On your time I will. I only have 15 minutes.

Mr. Chairman, I urge Members to support my amendment.

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

The CHAIRMAN. The gentleman from New Jersey [Mr. SMITH] has consumed 7 minutes of his 15 minutes allotted time.

The Chair now recognizes the gentleman from Pennsylvania [Mr. KOSTMAYER].

Mr. KOSTMAYER. Mr. Chairman, I yield 1 minute to the distinguished gentleman from Connecticut [Mr. GEJDENSON].

Mr. GEJDENSON. Mr. Chairman, it concerns me that what I believe to be the misguided efforts of my colleague from New Jersey will simply reduce the nonabortion options in this world. Under the standards that the gentleman from New Jersey sets, there would be no population funds available for the United States of America if the same standards were applied. We would not be able to fund alternative family planning methods in this country if the proposal of the gentleman from New Jersey were to be forced on the American people.

Now, what are we talking about so far as the problem in the rest of the world?

In this country we are grappling with 7-percent unemployment, with a population that is relatively stable. In Central America, over the last several decades, the population has doubled. What does that mean for those trying to provide food and clothing, not opportunity and BMW's or college education, but the minimal amount of health care for those people? If we experienced the same growth rate as many of these nations are, we would have doubled our population today with perhaps 500 million, with unemployment running 50 and 60 percent, unable to provide education, food, and clothing for our own citizens.

Mr. KOSTMAYER. Mr. Chairman, I yield such time as she may consume to the gentleman from Maine [Ms. SNOWE].

AMENDMENT OFFERED BY MS. SNOWE AS A SUBSTITUTE FOR THE AMENDMENT OFFERED BY MR. SMITH OF NEW JERSEY

Ms. SNOWE. Mr. Chairman, I offer an amendment as a substitute for the amendment.

The Clerk read as follows:

Amendment offered by Ms. SNOWE as a substitute for the amendment offered by Mr. SMITH of New Jersey:

Page 41, at the end of line 6, insert the following: Nothing in this paragraph shall be construed to allow funds made available to carry out this part to be used to pay for the performance of abortions as a method of family planning or to motivate or coerce any person to practice abortions.

Ms. SNOWE (during the reading). Mr. Chairman, I ask unanimous consent that the amendment be considered as read and printed in the RECORD.

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

There was no objection.

POINT OF ORDER

Mr. SMITH of New Jersey. Mr. Chairman, according to Deschler, chapter 27, section 16.9, "A substitute for a motion to strike out is not in order."

I would appreciate if the Chair would rule on that. I do not think the amendment is in order, and I make the point of order that it is not.

□ 1330

The CHAIRMAN (Mr. AuCoin). The Chair will state that the Smith amendment strikes language from the bill, and the Snowe amendment adds language to the bill as an alternative to the Smith amendment in the same portion of the bill that the Smith language treats.

The Chair rules that the amendment could have been a preferential perfecting amendment to the bill but will be acceptable as a substitute, since the order of voting is not different.

The Chair recognizes the gentleman from Maine [Ms. SNOWE].

Ms. SNOWE. I thank the Chair.

Mr. Chairman, the amendment that I am offering today on behalf of the distinguished chairman of the Foreign Affairs Committee and myself takes in good faith the stated intent of the gentleman from New Jersey in offering his amendment.

The gentleman claims to support U.S. international family assistance programs, saying that he is merely opposed to U.S. support for abortion. The amendment that I am offering here today reinforces the existing prohibitions on using U.S. population aid to fund abortions without threatening the voluntary, nonabortion methods of family planning around the world.

My amendment simply states that nothing in this bill would be construed as allowing U.S. funds to perform or promote abortions as a method of family planning. The Foreign Affairs

Committee considered the amendment offered by the gentleman from New Jersey and it was rejected by a bipartisan, 2-to-1 vote. It is unfortunate that domestic politics is once again endangering international family planning assistance programs. Despite what my colleague from New Jersey has said, his amendment will not reduce abortions around the world.

Let us understand what we are talking about here today. Existing law since 1973 with the enactment of the Helms amendment has prohibited any support for abortions through U.S. population assistance programs. The gentleman's amendment would place restrictions on international family planning programs far more extreme than those placed on domestic organizations. But while his amendment would not reduce abortions worldwide, what it would do is threaten a very fragile, international family planning infrastructure. The inevitable result? It would mean greater deprivation to the already overpopulated countries of this world, and yes, even more abortions.

If the gentleman's amendment were to restate the existing prohibition on our support for abortions, then I would join the gentleman in adoption of that amendment. Despite the innocuous language in his amendment, the effect of his amendment would be to overturn the policy of four administrations, three Republicans and one Democrat, including the first term of the Reagan administration.

What we need to understand is the historical evolution of our role and our commitment to international family planning programs. In 1984, at the World Population Conference in Mexico City, for the first time we retreated from a bipartisan commitment of support for international family planning programs. Our delegation announced that we would suspend all assistance to private international organizations if they use non-U.S. funds for abortions, even funds from their own national governments. They could not use funds, not U.S. funds, for counseling services, referral services, and they could not mention abortion's legal availability within a specific country.

The International Planned Parenthood Federation has not violated U.S. law. Our funds have never been used for abortion or abortion-related activities in any country. The administration and others like the gentleman from New Jersey, has chosen to reinterpret policy that has had the bipartisan support for the last 20 years. That is what we are talking about here, ladies and gentlemen. It is a retreat from policy that has been heretofore unacceptable in this country.

In 1974 at the World Population Conference in Bucharest, our U.S. del-

egation, headed by Caspar Weinberger, worked very hard to convince developing nations that unprecedented population growth rates would affect their economic development and their economic progress. In the intervening time, between the World Population Conference in 1974 and the World Population Conference in 1984, a reversal of outlook took place on the part of these developing nations. They recognize that, yes, accelerated population growth rates would outstrip economic development. In Africa alone, per capita production has fallen off in light of projected increases in population which is expected to double by the turn of the century and beyond.

Last summer, a delegate from Nigeria was quoted as saying at the World Population Conference, and I quote:

In the early 70's population growth was not considered to be a matter of concern. It is now evident that the view has to be reappraised.

Mr. Chairman, now, just as the prospect for bringing down dangerously high population growth rates in the poorest parts of the world, we should be renewing our commitment to international family planning programs, not retreating into the morass of crippling amendments such as the one offered by the gentleman from New Jersey.

There is one other issue I would like to address here today and that is the issue of fungibility. The gentleman from New Jersey has said that population assistance is fungible. That is to say he argues that if we provide population assistance to countries that allow abortions, the, somehow, we are indirectly funding those activities that are funded by other sources. Well, if we apply that argument to population assistance, then indeed we should apply that same argument to all foreign aid. We might as well discontinue our support for emergency food measures we give to Bangladesh for fear they would spend more on abortion and less on food purchases.

We might as well not give money to UNICEF because they have a \$50-million program in China or they have immunization programs in developing nations where abortions are legal. The argument is ludicrous. But no less extreme is the amendment of the gentleman from New Jersey. It would be catastrophic because it is the beginning of unraveling U.S. support for international family planning assistance. They have targeted the U.N. Fund for Population Activities; their target is now the International Planned Parenthood Federation. This antiabortion crusade has now become an antifamily planning crusade and those who suggest this course of action must also assume the consequences of more famine, more deprivation, more starvation, and yes, more abortions.

One other point: We are setting a double standard. This is a new bifurcated policy, one in which we treat the private organizations in other countries differently from the governments in those countries. We will continue to provide family planning assistance to governments which permit abortions, but we will deny it to the private organizations that are the most effective, the most efficient, and cost half the price of government-operated programs.

Yet, there are very few in fact, only 30, bilateral programs which we have engaged in with other nations. So the gentleman is arguing that we are going to reprogram this money, and yet, there aren't any organizations which will accept reprogrammed funds. More than 50 percent of the funds have not been reprogrammed. That is a fact, and these international planning organizations such as IPPF have been the most effective in providing family planning services in the less developed areas of the world.

Mr. KOSTMAYER. Mr. Chairman, will the gentleman yield?

Ms. SNOWE. I yield to the gentleman.

Mr. KOSTMAYER. I thank the gentleman.

Mr. Chairman, we just got off the telephone with the AID office; not one single cent of this money, as of today at 1 o'clock, has been reprogrammed. Not one single other group has been willing to sign those restrictive covenants which would permit them to expend these funds.

When the gentleman from New Jersey said it, and I know he did not do it deliberately, he seriously misled the Congress. The money has not been reprogrammed.

Ms. SNOWE. I thank the gentleman for making that point. Mr. Chairman, I say to the Members please support the amendment that I have offered here today because what we are talking about is antifamily planning. This is not an antiabortion issue as the gentleman would suggest.

The CHAIRMAN. The gentleman from Pennsylvania [Mr. KOSTMAYER] has consumed 10 minutes and the gentleman from New Jersey [Mr. SMITH] has consumed 7 minutes.

The Chair recognizes the gentleman from New Jersey [Mr. SMITH].

Mr. SMITH of New Jersey. Mr. Chairman, I yield myself such time as I may consume.

Mr. Chairman, I just want to respond to the point the gentleman just raised. I pointed out that money is in the process of being reprogrammed and that International Planned Parenthood of the Western Hemisphere region is in the process of accepting the terms, and congressional notification is already in the process of occurring. It does take time, but it is in the process of occurring.

Mr. Chairman, I yield 2 minutes to the gentleman from Illinois [Mr. HYDE].

□ 1340

Mr. HYDE. I thank the gentleman for yielding this time to me.

Mr. Chairman, of course no money is reprogrammed. They are waiting to see how this issue comes out, and the minute it is decided what Congress is going to do, we will see the reprogramming.

There are organizations that will accept this money who are not in the business of performing abortions or advocating them. This is not antifamily planning unless you inextricably link abortion with family planning. The policy of this administration, which the Smith amendment seeks to enforce, is to say yes to family planning, no to abortion.

There are organizations willing to accept that once Congress decides. I do not understand why we have to assume that organizations that perform or support abortions have a claim on tax dollars of this country. There are such organizations, ready to take these funds, and no money will be withheld from them. This is not antifamily planning; it is antikilling unborn children.

Mr. SMITH of New Jersey. Mr. Chairman, I reserve the balance of my time.

The CHAIRMAN. The gentleman from New Jersey [Mr. SMITH] has 6½ minutes remaining and the gentleman from Pennsylvania [Mr. KOSTMAYER] has 5 minutes remaining. The gentleman from Pennsylvania [Mr. KOSTMAYER] does have the right to close.

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

Mr. Chairman, the issue here is fairly simple. The United States provides one-third of the budget to IPPF. Their budget is about \$51 million annually. We provide about \$17 million of that. Of that \$51 million, approximately \$300,000, or less than 1 percent, is used for abortion-related activities. That includes life-supporting medical care for women who have had botched abortions, for example.

What the House is hopefully about not to do is to end our 20-year bipartisan commitment under five Presidents of both parties to the International Planned Parenthood Federation, because they have used less than 1 percent or \$300,000 for septic abortions.

None of this money has to date been reprogrammed. We have documentation from those groups who would be the recipients of these funds, if they were to be reprogrammed, that it is not their intention to accept these funds. The Snowe amendment provides that no U.S. dollars will be spent

on abortion. It reaffirms and recommends American policy to this position.

It would be a tragedy, Mr. Chairman, a tragedy, ladies and gentlemen, to end our country's 20-year bipartisan commitment to voluntary family planning by adopting the amendment offered by the gentleman from New Jersey. I urge its rejection.

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

Mr. SMITH of New Jersey. Mr. Chairman, I reserve the balance of my time.

The CHAIRMAN. The Chair will state to the gentleman from New Jersey [Mr. SMITH] that the gentleman from Pennsylvania [Mr. KOSMAYER] has the right to close debate, so the Chair does now recognize the gentleman from New Jersey.

Mr. SMITH of New Jersey. Mr. Chairman, I yield 1 minute to the gentleman from Ohio [Mr. DEWINE].

Mr. DEWINE. I thank the gentleman for yielding this time to me.

Mr. Chairman, in 1 minute let me try to summarize what the issue is. The issue is not about family planning. Every single penny is going to be spent for family planning. So whether you are for family planning or against it, that is not the issue today.

The issue is abortion. The issue is whether or not, and I will read directly the quote, are we going to deny, and here is the issue, not family planning, the issue is are we going to "deny funds to private foreign organizations which perform or actively promote abortion as a method of family planning." That is the issue we are going to be voting on in just a moment.

Our argument about fungibility does make sense. As I pointed out earlier, that is the argument your side of the aisle always makes in the Grove City example, that if you discriminate in a college, we should completely cut off all funds. That has been the argument, and it is an argument that certainly has some merit. Why doesn't your side accept that argument in regard to this issue, where the clear goal of some organizations is to integrate abortion and family planning. That is what these organizations are actually doing.

What we are trying to do is to separate these issues. You can be in favor of family planning and against abortion, and that is what this issue is about.

AMENDMENT OFFERED BY MR. SMITH OF NEW JERSEY TO THE AMENDMENT OFFERED BY MS. SNOWE AS A SUBSTITUTE FOR THE AMENDMENT OFFERED BY MR. SMITH OF NEW JERSEY

Mr. SMITH of New Jersey. Mr. Chairman, I offer an amendment to the amendment offered as a substitute for the amendment.

The Clerk read as follows:

Amendment offered by Mr. SMITH of New Jersey to the amendment offered by Ms. SNOWE as a substitute for the amendment

offered by Mr. SMITH of New Jersey: At the end of the substitute insert the following:

"The President, if he determines that to do so would promote voluntary family planning goals, notwithstanding paragraphs (A) and (B), may deny funds for population planning purposes under this part to a foreign country, an international organization, or a nongovernmental organization, and he may deny or require denial of funds (or goods or services financed with such funds) to any direct or indirect recipient of funds, goods, or services from a foreign country, an international organization, or a nongovernmental organization which receives those funds under this part for population planning purposes,

because of the types of voluntary and non-coercive family planning programs which it carries out or promotes, or for which it provides funds, goods, or services (directly or through another entity), even if it does so entirely with funds other than the funds made available by the United States under this part.

Mr. SMITH of New Jersey (during the reading). Mr. Chairman, I ask unanimous consent that the amendment be considered as read and printed in the RECORD.

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

Mr. FASCELL. Mr. Chairman, I object.

The CHAIRMAN. Objection is heard.

Mr. FASCELL. Mr. Chairman, I think it would be real nice if we had a copy of the amendment, and I reserve a point of order against the amendment.

The CHAIRMAN. The gentleman reserves a point of order against the amendment.

The Clerk will continue reading the amendment.

The Clerk concluded the reading of the amendment.

The CHAIRMAN. The gentleman from New Jersey [Mr. SMITH] is recognized in support of his amendment. The gentleman is still operating under the time limitation, and he has 5½ minutes remaining.

PARLIAMENTARY INQUIRY

Mr. FASCELL. Mr. Chairman, I have a parliamentary inquiry.

The CHAIRMAN. The gentleman will state his parliamentary inquiry.

Mr. FASCELL. Mr. Chairman, I just want to be sure what the procedural position is that we are in here right now, having reserved a point of order. But as I understand it, there is a primary amendment, then there is an amendment in the nature of a substitute. I am trying to find out what this latest offering is.

The CHAIRMAN. The Chair will state that before the committee now is a perfecting amendment by the gentleman from New Jersey [Mr. SMITH] to the substitute amendment offered by the gentleman from Maine [Ms. SNOWE].

The Chair will further state that the first vote, then, will come on the

Smith perfecting amendment, the second vote on the Snowe substitute, and the third vote on the Smith amendment.

Mr. FASCELL. On this tree, Mr. Chairman, that we have been presented with, is there anything hanging on the primary amendment?

The CHAIRMAN. The Chair will state that no perfecting amendment has been offered to the amendment.

Mr. FASCELL. I thank the Chair.

The CHAIRMAN. The Chair recognizes the gentleman from New Jersey [Mr. SMITH] and he has 5½ minutes.

Mr. SMITH of New Jersey. Mr. Chairman, I will keep it very brief.

This amendment simple restates my original goal, and that is to preserve the President's Mexico City policy which is now current policy. This amendment will give the Congress an affirmative opportunity to vote in favor of that policy, which requires that nongovernment foreign-based organizations receiving U.S. funds not perform or actually promote abortion. Our money will be conditioned upon whether or not they provide abortions out of it with their own money or ours.

Mr. KEMP. Mr. Chairman, will the gentleman yield?

Mr. SMITH of New Jersey. I would be happy to yield to the gentleman from New York.

Mr. KEMP. I thank the gentleman for yielding.

Mr. Chairman, I rise in strong support of the Smith amendment, as I did for the previous Smith amendment. It was not only the position of the United States at the Mexico City conference to deny funds to any private foreign organization which performed or actively promoted abortion as a method of family planning; that policy was consistent with the world population plan of action which was adopted at that conference which also states that abortion "in no case should be promoted as a method of family planning."

□ 1350

The issue, I would say to my distinguished colleagues, is not family planning versus no family planning. The Smith amendment will not decrease funding for family planning programs by 1 cent. I favor a continuing commitment to these programs. But it should not be our policy to include the use of abortion as a method of family planning and it seems to me that is very clear that most of the Members agree. They will get their best chance to restate how they view family planning and the issue of abortion by their vote on the Smith amendment.

Mr. GEJDENSON. Mr. Chairman, will the gentleman yield?

Mr. KEMP. Mr. Chairman, first I want to quote for my dear colleague,

the gentlewoman from Maine, with whom I have a fond relationship, a Third World economist who told us that the very best way to lead to economic development is to promote smaller families. Indira Gandhi in 1984, I would say to the gentlewoman from Maine [Ms. SNOWE], said:

The very best way of inducing people to have smaller families is more economic development. Where we have highly industrialized areas and better education and better agriculture, we find automatically families tend to grow smaller.

Now, the question is really—and I do not mean to be controversial—does economic development precede or follow family planning? I happen to believe, as I stand here on the floor today, that one thing this Nation must do is promote the Third World economic development that is so necessary, not only for their own markets but to help them deal with the possibility of having fewer children. I would like to see that as a natural course of events, and it seems to me the Smith amendment simply states that a child is not just a mouth, he or she is also two hands and a mind with a potential to contribute to his or her country, to the family, and to the world, and abortion is outside the realm of this policy.

Mr. PORTER. Mr. Chairman, will the gentleman yield?

Mr. KEMP. I will yield. I do want to yield to the gentleman from Illinois.

The CHAIRMAN. The gentleman will suspend. The Chair will state that the gentleman from New Jersey [Mr. SMITH] controls the time. He had yielded to the gentleman from New York without designating a fixed amount of time.

Mr. KEMP. I am sorry, Mr. Chairman.

I just wanted to point out, Mr. Chairman, that there are those of us who really believe that people are a resource in and of themselves and that family planning is necessary, but it is not only a result of some of the good work that is done by some of the international agencies, it is also a result of families being able to cope with their economic problems, and we should be promoting both, but not abortion. That is what our Mexico City plan said, and I cannot understand why anyone would disagree with that.

Mr. PORTER. Mr. Chairman, will the gentleman from New Jersey yield?

Mr. SMITH of New Jersey. I yield very briefly to the gentleman from Illinois.

Mr. PORTER. Mr. Chairman, I have a very brief question.

The gentleman has said he favors this policy as applied overseas. Does the gentleman also favor this policy applied domestically so that any hospital performing a legal abortion in the United States would have its voluntary family planning clinic closed?

Mr. KEMP. No.

Mr. SMITH of New Jersey. Mr. Chairman, I will reclaim my time.

Mr. PORTER. Do you want to answer the question? Would the gentleman answer the question?

Mr. KEMP. Mr. Chairman, I do not agree with the gentleman on the issue.

Mr. SMITH of New Jersey. I yield to the gentleman from New York.

Mr. KEMP. Mr. Chairman, I do not agree with the gentleman from Illinois on his approach to this issue either domestically or internationally, but that is an honest disagreement. We are for family planning, but this issue is whether or not family planning should include abortion. We do not want to be characterized by the gentleman and some of his colleagues as being against family planning because we are willing to support a healthy budget for family planning, without abortion.

Mr. Chairman, for the record I also want to express the reasons for my support for the amendment earlier adopted by the House to end U.S. taxpayer support for organizations that refuse to disassociate themselves from the brutal practices of coerced abortion and forced sterilization that are used in the People's Republic of China to enforce a one child per family mandate and policy that often results in female infanticide. This amendment would not in any way reduce U.S. funds for voluntary population programs overseas—it would only require that those funds be spent in programs which uphold the human rights of their participants.

There is absolutely no question about the validity of the many independent reports, from diverse sources, which show that the People's Republic of China's one child per family policy is enforced through coerced abortion, forced sterilization, and often results in the infanticide of innocent newborn girls.

Let me quote for my colleagues the words of Qian Xinzong, former family planning minister of the People's Republic of China:

Births are a matter of state planning, just like other economic and social activities. . . . A couple cannot have a baby just because it wants to.

Imagine that—a couple cannot have a baby because it wants to. I ask my colleagues to reflect for a moment on the implications of that statement.

Now let me share with my colleagues another quote from family planning minister Qian—a statement which is very relevant to today's debate. In his book "The Crowded Earth" (Norton, 1984), which was funded in part by a UNFPA grant, former New York Times correspondent Pranay Gupte reported on the reaction of PRC family planning minister Qian to the news that the U.N. had given him its first ever award for "the most outstanding contribution to the aware-

ness of population questions." Qian "immediately launched into an appreciation of what the United Nations award meant to him and the Chinese. The award had, Qian said, put the imprimatur of the world body on China's efforts." By the way, Nobel laureate economist Theodore Schultz resigned from the U.N. award advisory committee in protest over this award to the PRC.

Mr. Chairman, the Washington Post ran an excellent series and editorial on this issue in January. I'd like to quote a portion of that article for my colleagues:

This story offers a glimpse of China usually hidden from foreigners but painfully familiar to most Chinese—a world of government sanctioned infanticide, of strongarm sterilizations, and of abortions performed at a rate as high as 800,000 per year in a single province. It is a harsh milieu, in which houses are razed and valuables seized as the penalty for birth control violations . . . abortion poses scoured the countryside in the spring of 1981, rounding up women in rice paddies and thatched roof houses. Expectant mothers, including many in their last trimester, were trussed, handcuffed, herded into hog cages and delivered by the truckload to the operating tables of rural clinics according to eyewitness accounts.

These practices are repugnant to Americans and to all people who respect human rights. So the question raised by the Smith amendment is not whether the United States should fund programs that participate in these brutal practices—clearly we should not. The real question is why an organization such as the UNFPA wants to associate itself in any way with these practices?

Does the UNFPA share responsibility for the human rights abuses which are a pervasive part of the PRC's population program? Or, is the UNFPA an innocent bystander? Or, as some have asserted, is the UNFPA actually a restraining influence on the Government of the PRC?

I would like to believe that the UNFPA is not implicated in the program's pervasive coercion. But the evidence is overwhelmingly to the contrary. Therefore, I support the Smith amendment.

Mr. SMITH of New Jersey. Mr. Chairman, I will reclaim my time and remind my colleagues, particularly those viewing this back in their offices, that there are organizations like the Pathfinder Fund which was very much involved in the promotion of abortions that dropped it or divested from its abortion component and now is fully eligible to receive funds. As I pointed out before, the International Planned Parenthood Federation, Western Hemisphere Region, has also given strong indications that they are in the process of —

Mr. GEJDENSON. Mr. Chairman, will the gentleman yield? The gentleman is incorrect.

Mr. SMITH of New Jersey. Mr. Chairman, I ask the gentleman to cease because I have the time.

The CHAIRMAN. The gentleman from New Jersey [Mr. SMITH] has the time.

Mr. SMITH of New Jersey. Mr. Chairman, I would point out that they are in the process of agreeing to the conditions that have been placed upon them, and that concluding document shall be forthcoming in the near future. IPPF affiliates would also be eligible again.

The CHAIRMAN. The time of the gentleman from New Jersey [Mr. SMITH] has expired.

The Chair now recognizes the gentleman from Pennsylvania [Mr. KOSTMAYER], who has 3½ minutes remaining.

Mr. KOSTMAYER. Mr. Chairman, I yield 15 seconds to the gentleman from Connecticut [Mr. GEJDENSON].

Mr. GEJDENSON. Mr. Chairman, the gentleman from New Jersey is incorrect. There is a proposal by our AID people. It has not been accepted and there are presently no plans for their acceptance.

Mr. SMITH of New Jersey. Mr. Chairman, will the gentleman yield? The gentleman is incorrect.

The CHAIRMAN. The gentleman is out of order. The Chair will state that the gentleman has not yielded.

The time of the gentleman from Connecticut [Mr. GEJDENSON] has now expired and the Chair recognizes the gentleman from Pennsylvania [Mr. KOSTMAYER].

Mr. KOSTMAYER. Mr. Chairman, I yield 1 minute to the gentleman from Illinois [Mr. PORTER].

Mr. PORTER. Mr. Chairman, it seems to me that there is a bit of hypocrisy here in taking one position overseas and another position at home. What we are saying to the non-governmental organizations overseas is that if there are any funds of their own spent on anything related to abortion, the United States is going to cutoff our support for that organization's voluntary family planning program. We do not say that at home. I would think that the gentleman from New Jersey [Mr. SMITH] might be prepared at some point to offer some such amendment to apply his policy here at home as well.

Mr. SMITH of New Jersey. Mr. Chairman, will the gentleman yield?

Mr. PORTER. What would that mean? It would mean that every hospital in the United States and every clinic in the United States that performs a legal abortion that has, as part of its health services, family planning services will have the funding for those family planning services cutoff. That is the very policy we are going to apply overseas even though they are using money that is not money of the United States. There has never been

\$1 of American money ever spent for abortions anywhere in the world, nor should there be.

The CHAIRMAN. The time of the gentleman from Illinois [Mr. PORTER] has expired.

The Chair recognizes the gentleman from Pennsylvania [Mr. KOSTMAYER].

Mr. KOSTMAYER. Mr. Chairman, I yield 1 minute to the gentlewoman from Colorado [Mrs. SCHROEDER].

Mrs. SCHROEDER. Mr. Chairman, I rise in support of the Snowe substitute and in opposition to the Smith amendment which would cut off the entire U.S. contribution to a number of international organizations in the population assistance field, including the International Planned Parenthood Federation.

The Smith amendment would codify the Reagan administration's Mexico City policy, designed to place restrictions on our international family planning programs far more extreme than those which we accept for our domestic programs.

I attended the U.N. Conference as part of an unofficial group of observers from the House of Representatives. For reasons best explained by the Reagan administration, no Members of Congress, Republican or Democratic, were appointed to the official delegation itself. Moreover, the delegation was all male, with the exception of one female alternate, and led by a prominent abortion foe, James Buckley.

Buckley briefed our congressional group in Mexico City and denied that the delegation was advocating any change in U.S. policy. The fact is the Buckley delegation intended to move for a complete cutoff of foreign aid to any public or private groups that use private moneys from other sources for abortion services of any kind, including routine counseling on family planning options. Just mentioning the word "abortion" would be abortion promotion, according to the new policy.

The Smith amendment reaffirms and codifies this change in U.S. policy.

In Mexico City, we asked Buckley and the other official delegates why U.S. policy had changed and how they could justify that change. We pointed out that there was no evidence that the 1974 Helms amendment, which prohibits the use of U.S. foreign aid money to pay for abortions, was not being adhered to. Nor had Congress authorized any change.

Finally, one delegate burst out the confession: This was Ronald Reagan's personal opinion.

Mr. Chairman, I don't find that as justification to deny family planning programs to developing countries.

I would like to remind my colleagues that 10 years ago, when the first U.N. family planning conference was held in Bucharest, the United States was

one of the few countries advocating family planning. It was during a Republican administration and Caspar Weinberger, then Secretary of Health, Education, and Welfare, went to the conference to tell participating countries that it made no sense to pump development into countries unless they had family planning.

The Smith amendment would curtail legitimate family planning. It goes against the worldwide consensus that has emerged on two points: The right of families to choose the number and spacing of children, and the need for governments and organizations to provide families with the capability to plan family size, as part of sound policy for economic development.

The Smith amendment is a form of cultural imperialism where the United States dictates that abortions cannot even be mentioned worldwide, when they are already legal in 85 percent of the world, including the United States. I urge my colleagues to vote against it.

The CHAIRMAN. The Chair now recognizes the gentleman from Pennsylvania [Mr. KOSTMAYER], who has 1 minute and 15 seconds remaining.

Mr. KOSTMAYER. Mr. Chairman, I yield 1 minute to the gentleman from Michigan [Mr. LEVIN].

Mr. LEVIN of Michigan. Mr. Chairman, this is not a prolife amendment. It is, in effect an antifamily planning amendment, and let me explain why I say that.

Let us be clear about the Smith amendment. It does not say that no money shall go to an organization which provides any abortion-related assistance. What it says is that no money shall go to any organization which in turn gives any money or has anything to do with any organization which has abortion-related activities.

So the Grove City example cited by the gentleman from Ohio is a poor one. If what we would be doing under Smith were to be followed in a Grove City situation, this would be the result: No money could go to a university which in turn does business of any kind with anybody who fails to follow prescribed practices. Their type of result does not make any sense for AID's population assistance, is unnecessary and unworkable.

The gentleman from New York has said that economic development should come before family planning. There have been arguments for years which comes first, and I say: A pox on both houses that claim one or the other comes first. Economic development is interrelated with population growth rates. Both are needed—economic development and family planning.

Mr. Chairman, I urge that we defeat the Smith amendment.

The CHAIRMAN. The time of the gentleman from Michigan [Mr. LEVIN] has expired.

The Chair recognizes the gentleman from Pennsylvania [Mr. KOSTMAYER], who has 15 seconds remaining.

Mr. KOSTMAYER. Mr. Chairman, I yield myself the balance of the time remaining.

Mr. Chairman, the Smith amendment will reduce voluntary family planning money in the developing world. If we deny family planning to the poor women of the Third World, many will never-the-less become pregnant, there will be more abortions, and in fact the Smith amendment will increase dramatically the number of abortions in the Third World.

Mr. Chairman, I ask the Members to oppose the Smith amendment and to preserve our national commitment to voluntary family planning.

The CHAIRMAN. The time of the gentleman from Pennsylvania [Mr. KOSTMAYER] has expired. All time has expired.

If the Chair may have the attention of the chairman of the committee, the Chair will inquire of the gentleman from Florida whether he intends to insist on his point of order.

Mr. FASCELL. Mr. Chairman, I withdraw my point of order.

The CHAIRMAN. The gentleman from Florida [Mr. FASCELL] withdraws his point of order, and all time has expired.

The Chair now will state the order of votes on the three pending amendments. The first vote will be on the Smith amendment to the Snowe substitute; the second vote will be on the Snowe substitute; and the third vote will be on the Smith amendment.

For what purpose does the gentleman from Pennsylvania [Mr. KOSTMAYER] rise?

Mr. KOSTMAYER. Mr. Chairman, I had difficulty hearing the Chair's announcement. I wonder if the Chair would repeat the order of the votes.

□ 1400

The CHAIRMAN. The Chair will state again the sequence of votes on the pending three amendments.

The first vote will be on the amendment offered by the gentleman from New Jersey [Mr. SMITH] to the amendment offered by the gentlewoman from Maine [Ms. SNOWE] as a substitute for the amendment offered by the gentleman from New Jersey [Mr. SMITH].

The second vote will be on the amendment offered by the gentlewoman from Maine [Ms. SNOWE] as a substitute for the amendment offered by the gentleman from New Jersey [Mr. SMITH].

The third vote will be on the amendment offered by the gentleman from New Jersey [Mr. SMITH], as or as not amended.

Mr. KOSTMAYER. Mr. Chairman, I ask unanimous consent that the second and third votes be 5-minute votes, if there is a rollcall vote on the amendment offered by the gentleman from New Jersey [Mr. SMITH].

The CHAIRMAN. The Chair will not entertain that request, because Members have not have adequate and proper notice.

The question is on the amendment offered by the gentleman from New Jersey [Mr. SMITH] to the amendment offered by the gentlewoman from Maine [Ms. SNOWE] as a substitute for the amendment offered by the gentleman from New Jersey [Mr. SMITH].

The question was taken; and the chairman announced that the noes appeared to have it.

RECORDED VOTE

Mr. SMITH of New Jersey. Mr. Chairman, I demand a recorded vote.

A recorded vote was ordered.

The vote was taken by electronic device, and there were—ayes 234, noes 189, not voting 10, as follows:

[Roll No. 216]

AYES—234

| | | |
|--------------|---------------|-------------|
| Annunzio | Emerson | Long |
| Applegate | English | Lott |
| Archer | Evans (IA) | Lowery (CA) |
| Armey | Flelds | Lujan |
| Barnard | Flippo | Lukens |
| Bartlett | Florio | Lungren |
| Barton | Franklin | Madigan |
| Bateman | Fuqua | Manton |
| Bennett | Gaydos | Marlenee |
| Bereuter | Gibbons | Martin (NY) |
| Bevil | Gingrich | Mavroules |
| Blaggi | Goodling | Mazzoli |
| Billakis | Gradison | McCain |
| Billie | Gray (IL) | McCandless |
| Boggs | Grothberg | McCloskey |
| Boland | Gunderson | McCollum |
| Boner (TN) | Hall (OH) | McDade |
| Bonior (MI) | Hall, Ralph | McEwen |
| Boulter | Hamilton | McGrath |
| Breaux | Hammerschmidt | McMillan |
| Broomfield | Hansen | Michel |
| Burton (IN) | Hartnett | Miller (OH) |
| Byron | Hendon | Moakley |
| Callahan | Henry | Mollinari |
| Campbell | Hertel | Monson |
| Carney | Hill | Montgomery |
| Chappell | Hillis | Moorhead |
| Cheney | Holt | Murphy |
| Clinger | Hopkins | Murths |
| Coats | Hubbard | Myers |
| Cobey | Huckaby | Natcher |
| Coble | Hutto | Nelson |
| Coleman (MO) | Hyde | Nichols |
| Combest | Ireland | Nowak |
| Conte | Jenkins | O'Brien |
| Cooper | Jones (TN) | Oakar |
| Courter | Kanjorski | Oberstar |
| Coyne | Kaptur | Ortiz |
| Craig | Kasich | Oxley |
| Crane | Kemp | Packard |
| Dannemeyer | Kildee | Parris |
| Darden | Kindness | Pashayan |
| Daub | Kleczka | Pepper |
| Davis | Kolter | Perkins |
| DeLoay | Kramer | Petri |
| DeWine | LaFalce | Price |
| DioGuardi | Lagomarsino | Quillen |
| Donnelly | Latta | Rahall |
| Dorman (CA) | Leath (TX) | Ray |
| Dowdy | Lent | Regula |
| Dreier | Lewis (CA) | Reid |
| Duncan | Lightfoot | Ridge |
| Dyson | Lipinski | Rinaldo |
| Early | Livingson | |
| Eckert (NY) | Loeffler | |
| Edwards (OK) | | |

| | |
|---------------|---------------|
| Ritter | Siljander |
| Roberts | Skeen |
| Robinson | Skelton |
| Roe | Slaughter |
| Roemer | Smith (NE) |
| Rogers | Smith (NH) |
| Rostenkowski | Smith (NJ) |
| Roth | Smith, Denny |
| Rowland (CT) | Smith, Robert |
| Rudd | Snyder |
| Russo | Solomon |
| Saxton | Spence |
| Schaefer | St Germain |
| Schuetz | Stagers |
| Schulze | Schuetz |
| Sensenbrenner | Stallings |
| Shaw | Stangeland |
| Shelby | Stenholm |
| Shumway | Stump |
| Shuster | Sundquist |
| Sikorski | Sweeney |
| | Swindall |

NOES—189

| | | |
|--------------|---------------|--------------|
| Ackerman | Ford (MI) | Neal |
| Addabbo | Ford (TN) | Obey |
| Akaka | Fowler | Olin |
| Alexander | Frank | Owens |
| Anderson | Frenzel | Panetta |
| Andrews | Frost | Pessie |
| Anthony | Gallo | Penny |
| Aspin | Garcia | Pickle |
| Atkins | Gejdenson | Porter |
| AuCoin | Gekas | Pursell |
| Badham | Gephardt | Rangel |
| Barnes | Gillman | Richardson |
| Bates | Glickman | Rodino |
| Bedell | Gonzalez | Rose |
| Berman | Gordon | Roukema |
| Boehlert | Gray (PA) | Rowland (GA) |
| Bonker | Green | Roybal |
| Borski | Gregg | Sabo |
| Bosco | Guarini | Savage |
| Boucher | Hatcher | Scheuer |
| Boxer | Hawkins | Schneider |
| Brooks | Hayes | Schroeder |
| Mack | Brown (CA) | Schumer |
| Brown (CO) | Howard | Selberling |
| Broyhill | Hoyer | Sharp |
| Bruce | Hughes | Slattery |
| Bryant | Jacobs | Smith (FL) |
| Burton (CA) | Jeffords | Smith (IA) |
| Bustamante | Johnson | Snowe |
| Carper | Jones (NC) | Solarz |
| Carr | Jones (OK) | Spratt |
| Chandler | Kastenmeier | Stark |
| Clay | Kennelly | Stokes |
| Coe | Kolbe | Strang |
| Coleman (TX) | Kostmayer | Stratton |
| Collins | Lantos | Studds |
| Conyers | Leach (IA) | Synar |
| Coughlin | Lehman (FL) | Thomas (CA) |
| Crockett | Leland | Thomas (GA) |
| Daschle | Levin (MI) | Torres |
| Dellums | Levine (CA) | Torricelli |
| Dickinson | Lewis (FL) | Towns |
| Dicks | Lowry (WA) | Traficant |
| Dingell | Lundine | Udall |
| Dixon | MacKay | Valentine |
| Dorgan (ND) | Markey | Vento |
| Downey | Martin (IL) | Visclosky |
| Durbin | Matsul | Walgren |
| Dwyer | McCurdy | Waxman |
| Dymally | McHugh | Weaver |
| Eckart (OH) | McKernan | Weiss |
| Edgar | McKinney | Whelan |
| Edwards (CA) | Meyers | Whitley |
| Erdreich | Mica | Whitaker |
| Evans (IL) | Mikulski | Wilson |
| Fasell | Miller (CA) | Wirth |
| Fawell | Miller (WA) | Wise |
| Fazio | Mineta | Wolpe |
| Felgahn | Mitchell | Wyden |
| Fiedler | Moody | Yates |
| Fish | Morrison (CT) | Zschau |
| Foglietta | Morrison (WA) | |
| Foley | Mrazek | |

NOT VOTING—10

| | | |
|-------------|-------------|----------|
| Beilenson | Derrick | Martinez |
| Bentley | Hefner | Wright |
| Daniel | Heftel | |
| de la Garza | Lehman (CA) | |

□ 1410

Mr. KASTENMEIER changed his vote from "aye" to "no."

Mr. NOWAK changed his vote from "no" to "aye."

So the amendment to the amendment offered as a substitute for the amendment was agreed to.

The result of the vote was announced as above recorded.

The CHAIRMAN. The question is on the amendment, as amended, offered by the gentlewoman from Maine [Ms. SNOWE] as a substitute for the amendment offered by the gentleman from New Jersey [Mr. SMITH].

The amendment, as amended, offered as a substitute for the amendment was agreed to.

□ 1420

The CHAIRMAN. The question is on the amendment offered by the gentleman from New Jersey [Mr. SMITH] as amended.

The amendment, as amended, was agreed to.

The CHAIRMAN. Are there further amendments to title III?

If not, the Clerk will designate title IV.

The text of title IV is as follows:

TITLE IV—OTHER FOREIGN ASSISTANCE ACT PROGRAMS

SEC. 401. AMERICAN SCHOOLS AND HOSPITALS ABROAD.

Section 214(c) of the Foreign Assistance Act of 1961 is amended to read as follows:

"(c)(1) To carry out the purposes of this section, there are authorized to be appropriated to the President \$40,000,000 for fiscal year 1986 and \$40,000,000 for fiscal year 1987.

"(2) Amounts appropriated under paragraph (1) are authorized to remain available until expended."

SEC. 402. VOLUNTARY CONTRIBUTIONS TO INTERNATIONAL ORGANIZATIONS AND PROGRAMS.

Section 302(a)(1) of the Foreign Assistance Act of 1961 is amended to read as follows:

"(a)(1) There are authorized to be appropriated to the President \$284,904,000 for fiscal year 1986 and \$284,904,000 for fiscal year 1987 for grants to carry out the purposes of this chapter, in addition to funds available under other Acts for such purposes. Of these amounts—

"(A) \$170,000,000 for fiscal year 1986 and \$170,000,000 for fiscal year 1987 shall be for the United Nations Development Program;

"(B) \$55,000,000 for fiscal year 1986 and \$55,000,000 for fiscal year 1987 shall be for the United Nations Children's Fund;

"(C) \$20,500,000 for fiscal year 1986 and \$20,500,000 for fiscal year 1987 shall be for the International Atomic Energy Agency, except that these funds may be contributed to that Agency only if the Secretary of State determines (and so reports to the Congress) that Israel is not being denied its right to participate in the activities of that Agency;

"(D) \$15,500,000 for fiscal year 1986 and \$15,500,000 for fiscal year 1987 shall be for Organization of American States development assistance programs;

"(E) \$10,000,000 for fiscal year 1986 and \$10,000,000 for fiscal year 1987 shall be for the United Nations Environment Program;

"(F) \$2,000,000 for fiscal year 1986 and \$2,000,000 for fiscal year 1987 shall be for the World Meteorological Organization;

"(G) \$2,000,000 for fiscal year 1986 and \$2,000,000 for fiscal year 1987 shall be for the United Nations Capital Development Fund;

"(H) \$1,000,000 for fiscal year 1986 and \$1,000,000 for fiscal year 1987 shall be for the United Nations Education and Training Program for Southern Africa;

"(I) \$500,000 for fiscal year 1986 and \$500,000 for fiscal year 1987 shall be for the United Nations Voluntary Fund for the Decade for Women;

"(J) \$200,000 for fiscal year 1986 and \$200,000 for fiscal year 1987 shall be for the Convention on International Trade in Endangered Species;

"(K) \$2,000,000 for fiscal year 1986 and \$2,000,000 for fiscal year 1987 shall be for the World Food Program;

"(L) \$500,000 for fiscal year 1986 and \$500,000 for fiscal year 1987 shall be for the United Nations Institute for Namibia;

"(M) \$343,000 for fiscal year 1986 and \$343,000 for fiscal year 1987 shall be for the United Nations Trust Fund for South Africa;

"(N) \$100,000 for fiscal year 1986 and \$100,000 for fiscal year 1987 shall be for the United Nations Voluntary Fund for Victims of Torture;

"(O) \$200,000 for fiscal year 1986 and \$200,000 for fiscal year 1987 shall be for the United Nations Industrial Development Organization;

"(P) \$1,561,000 for fiscal year 1986 and \$1,561,000 for fiscal year 1987 shall be for the United Nations Development Program Trust Fund to Combat Poverty and Hunger in Africa;

"(Q) \$2,750,000 for fiscal year 1986 and \$2,750,000 for fiscal year 1987 shall be for contributions to international conventions and scientific organizations;

"(R) \$500,000 for fiscal year 1986 and \$500,000 for fiscal year 1987 for the United Nations Centre on Human Settlements (Habitat); and

"(S) \$250,000 for fiscal year 1986 and \$250,000 for fiscal year 1987 for the World Heritage Fund."

SEC. 403. PALESTINE LIBERATION ORGANIZATION.

Chapter 3 of part I of the Foreign Assistance Act of 1961 is amended by adding at the end thereof the following new section:

"SEC. 307. PALESTINE LIBERATION ORGANIZATION.

"(a) PROHIBITION ON FUNDING.—Funds authorized to be appropriated by this chapter may not be made available for the United States proportionate share for programs for the Palestine Liberation Organization or for projects whose primary purpose is to provide benefits to the Palestine Liberation Organization or entities associated with it.

"(b) ANNUAL REVIEW.—The Secretary of State—

"(1) shall review, at least annually, the budgets and accounts of all international organizations receiving payments of any such funds; and

"(2) shall report to the appropriate committees of the Congress the amounts of funds expended by each such organization for the purposes described in subsection (a) and the amount contributed by the United States to each such organization."

SEC. 404. SOUTH-WEST AFRICA PEOPLE'S ORGANIZATION.

Chapter 3 of part I of the Foreign Assistance Act of 1961 is further amended by adding at the end thereof the following new section:

"SEC. 308. SOUTH-WEST AFRICA PEOPLE'S ORGANIZATION.

"(a) LIMITATION ON FUNDING.—Funds authorized to be appropriated by this chapter may not be made available for the United States proportionate share for programs for the South-West Africa People's Organization, except that funds may be made available for the United States proportionate share of programs for the South-West Africa People's Organization if the President certifies to the Congress that such funds would not be used to support the military or paramilitary activities of the South-West Africa People's Organization.

"(b) ANNUAL REVIEW.—The Secretary of State—

"(1) shall review, at least annually, the budgets and accounts of all international organizations receiving payments of any such funds; and

"(2) shall report to the appropriate committees of the Congress the amounts of funds expended by each such organization for the purposes described in subsection (a) and the amount contributed by the United States to each such organization."

SEC. 405. INTERNATIONAL DISASTER ASSISTANCE.

The first sentence of section 492(a) of the Foreign Assistance Act of 1961 is amended to read as follows: "There are authorized to be appropriated to the President to carry out section 491, \$25,000,000 for fiscal year 1986 and \$25,000,000 for fiscal year 1987."

SEC. 406. ANTI-TERRORISM ASSISTANCE PROGRAM.

(a) AUTHORIZATIONS.—Section 575 of the Foreign Assistance Act of 1961 is amended to read as follows:

"SEC. 575. AUTHORIZATIONS OF APPROPRIATIONS.

"(a) AUTHORIZATIONS.—There are authorized to be appropriated to the President to carry out this chapter \$5,000,000 for fiscal year 1986 and \$5,000,000 for fiscal year 1987.

"(b) EXTENDED OBLIGATIONAL AVAILABILITY.—Amounts appropriated under this section are authorized to remain available until expended."

(c) ITEMS ON THE MUNITIONS LIST.—Section 573(d)(4) of such Act is amended to read as follows:

"(4)(A) Except as provided in subparagraph (B), articles on the United States Munitions List established pursuant to the Arms Export Control Act may not be made available under this chapter.

"(B) For fiscal years 1986 and 1987, articles on the United States Munitions List may be made available under this chapter if—

"(i) they are small arms in category I (relating to firearms), ammunition in category III (relating to ammunition) for small arms in category I, or articles in category X (relating to protective personnel equipment), and they are directly related to anti-terrorism training being provided under this chapter;

"(ii) the recipient country is not prohibited by law from receiving assistance under one or more of the following provisions: chapter 2 of this part, chapter 5 of this part, or the Arms Export Control Act; and

"(iii) at least 15 days before the articles are made available to the foreign country, the President notifies the Committee on Foreign Affairs of the House of Representatives and the Committee on Foreign Relations of the Senate of the proposed transfer, in accordance with the procedures applicable to reprogramming notifications pursuant to section 634A of this Act.

"(C) The value (in terms of original acquisition cost) of all equipment and commod-