sufficient to maintain this pattern, and undocumented workers have taken the place of the immigrants.

This new group of workers from Mexico does not want to stay in our country permanently. The members of this group have a short-term need to supplement their incomes, and, as long as jobs are available to them, they will continue to find a way into the United States to fill those jobs. It has proved futile to attempt to stop the flow of alien workers with expanded border patrols, physical, barriers, and deportations. Moreover, it appears that the enforcement of the laws designed to stop this activity results in violation of basic human rights. The situation can only be dealt with by the establishment of legal channels for the temporary migration of Mexican workers in a way which will prove beneficial to both Mexico and the United States.

For too many years we have treated our neighbor to the south with neglect. This has produced economic problems stems from deeply seated economic problems within Mexico and profoundly affects many aspects of American life. It must be tackled jointly by both countries.

I believe that the move which was made within the United States to establish a binational commission to provide assistance in the development and implementation of a program to allow legal entry for laborers should be encouraged. This move incorporates my suggestion for a binational commission. I believe that Mexico's assistance is vital to the success of any solution that will benefit both countries.

The Mexican-American Good Neighbor Act amends the Immigration and Nationality Act with the establishment of a temporary worker's visa program between the United States and Mexico. This program instructs the Attorney General to develop regulations for the issuance of visas to admit laborers into the United States for a period not to exceed 6 months in a given year. It also has the effect of the fact that the great majority of Mexican migrant workers seek only temporary work in our country. They do not want to settle here permanently, but desire to return to their homes and families where they have reluctantly left behind.

This legislation includes a provision to allow the Attorney General, upon the request of the Secretary of Labor, to place restrictions on the employment of temporary alien workers at a specific business location if it can be demonstrated that such temporary workers will displace skilled and qualified domestic workers. This provision protects the opportunities for domestic labor and prevents the employment of aliens at the expense of American workers.

Ambassador Margain and I discussed another point which I believe should be used in connection with this legislation. The Mexican-American Good Neighbor Act could be strengthened by the addition of a monetary deposit pro-

gram administered by the Mexican Government. Under such a program, workers' visas would be issued in conjunction with a good will deposit made by each visa holder. The deposits would be held by the Commissioner of Immigration and returned with interest when the workers returned home. A program of this nature would provide a strong financial incentive for the Mexican worker to return to his country and to aid in the Mexican Government in keeping a competent workforce at home. It is to the advantage of both Mexico and the United States that the workers return with the wages and benefits which they have earned in the United States. Nevertheless, I will bring up the possibility of such a program when hearings are held on this legislation, and, upon passage, I will actively advise the Secretary of State to help develop such a program.

What can be accomplished by the legislation we are introducing? First of all, it will change the "illegal alien" into a legal worker. Mexican men and women with the proper visa can demand the minimum wage, and complain when required to work under harsh and improper conditions. It also means that they will not be cut off from jobs by employers who would rather hire cheap, illegal workers. For farmers and businessmen who are truly unable to find the workers they need, it will mean the necessity of raising wages and sometimes the fear of raids by immigration authorities. Most importantly, this bill will encourage the President to continue discussions with Mexico and other countries may seek to resolve our problems jointly.

By Mr. CRANSTON:

S. 1428. A bill to amend the Internal Revenue Code of 1954 to allow certain individuals who are participants in employer pension plans a deduction for their contributions to such plans or for their contributions to individual retirement savings plans; to the Committee on Finance.

IRA-EMPLOYER PLAN COORDINATION ACT OF 1979

Mr. CRANSTON. Mr. President, I am introducing today companion legislation to H.R. 6382, the IRA-Employer Plan Coordination Act of 1979, which was introduced on January 15 this year by my colleague from California, Representative JIM CORMAN, with approximately 50 cosponsors.

As the short title of the bill suggests, this legislation is intended to provide individual retirement accounts (IRA) tax deduction benefits to employees who do not have a pension plan. They are not eligible for a pension plan provision for them. Those familiar with pension legislation know that deductions associated with retirement savings have presented significant problems in the retirement field:

First, the problem of the mobile employee who changes jobs frequently, and therefore, never gets under a qualified pension plan and yet never qualifies for an individual retirement account (IRA).

Those employees under these circumstances, of course, do not qualify for an IRA because the employee never pays "required contributions" in a pension plan and is disqualified from contributing to an IRA.

As the law would have it, the employee under these circumstances gets no retirement benefit at all.

A surprisingly large number of employees fall into this category. The job tenure of American workers averaged 3.6 years in 1979-8 years for men and 2 years for women.

Engineering and scientific employees are particularly hard hit. Most of them are hired with both plans with vesting after 10 years. But this class of work typically is employed on a project basis—when the project is completed, the job is over. As a consequence, many engineers and scientists personnel who have worked steadily but never have earned vested pension rights.

The IRA Employer Plan Coordination Act is designed specifically with this group of employees in mind.

Second, the bill meets the needs of an employee who manages to vest in a plan but vests in a benefit considerably less than his or her contribution to the plan. This employee will not receive the full benefit. Under the bill, an "active participant" in a qualified plan can make IRA contributions up to the regular IRA limit so long as the employee is not 100 percent vested.

When the employee becomes vested in a benefit, he or she would choose the greater amount—the IRA or the plan. If the IRA exceeds the plan, he or she would disgorge from the IRA an amount equal to the plan and pay taxes on it at ordinary rates. If the plan exceeds the IRA the employee would terminate the IRA and keep the excess. The IRA amounts disgorge at ordinary rates.

If the current value of a year's accrual under the plan is less than the IRA limit, then the employee may continue, after 100 percent vesting, to contribute the difference to an IRA on a tax-deferred basis.

The disadvantage of the bill is a relatively modest way of accounting for the fact the individual taxpayer has had the benefit of a tax-free investment for up to 10 years.

I am informed that the revenue loss associated with the bill is estimated at $500 million annually.

This is a small cost to pay for closing a major gap in our retirement income system. The problem is not solved through tax deductions and deferrals.

I ask the support of my colleagues for this very modest proposal. A broader approach may have much to commend but this bill, I am convinced, can be enacted and should be enacted. Every month of delay means that thousands of employees are being denied a fair opportunity to provide for their retirement. It is simply unfair to promote savings and capital formation. I will have proposals to offer at a later date in these areas. IRA-Employer Plan Coordination Act of 1979 is consistent with encouragement of savings and capital formation. It is only one step but it is a step which does right by employees who now cannot participate in tax-encouraged retirement income plans.

By Mr. PELL:

S. 1429. A bill to extend the Museum Services Act for 2 years, and for other purposes, to the Committee on Labor and Human Resources.
June 27, 1979
CONGRESSIONAL RECORD—SENATE S 8861

will benefit not only the people of these states but also help to eliminate
western hemispheric tensions;
(b) the real cause of illegal migration from those same states is the lack of reasonable alternatives for economic
well-being, in Mexico relative to those in the United
States;
(c) the best way to benefit past economic cooperation through legal work programs and investment opportunities, is well docu-
mented.
(d) to eliminate the present large and uncontrolled influx of undocumented workers a system of temporary legal admis-
sion should be established;
(e) the vast majority of jobs that will be taken by Mexicans are in the agricultural and food industries, where jobs are not now greatly in demand by American workers;
(f) many of the short-term economic needs of Mexicans and the short-term economic needs of American agricultural and service industries can be met by a temporary work-

CONGRESSIONAL RECORO—SENATE

Sec. 6. Section 245(c) of the Immigration and
Nationality Act is amended—
(1) by striking out "or," and inserting in its place after "section
212(d) (4) (C)" a semicolon and the following: "or (5) any alien described in
section 101 (a) (15) (M)";
(2) by inserting after the semicolon at the end of paragraph (16) a comma and the following: "except that the Attorney General shall not consent to the expelling or repatriating an alien described in section 101 (a) (15) (M)".

REPRESENTATION OF STATES
Sec. 6. A state of the United States established by

June 27, 1979
CONGRESSIONAL RECORD—SENATE

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REPRESENTATION OF STATES
Sec. 6. A state of the United States established by

6. The Attorney General shall report semimonthly to the Congress on the tempo-

BILATERAL ADVISORY COMMISSION
Sec. 6. (6) It is the sense of the Congress that the
President should negotiate with the approp-

AUTHORIZED
Sec. 10. There are authorized to be appro-
priated such sums as are necessary to carry out the provisions of this Act.

Mr. HAYAKAWA. Mr. President, Senator
SCHMITT and I are introducing legislation
today which will relieve the problem of illegal aliens entering our coun-
try from Mexico. Our programs will replace the current large number of undocumented workers into our country with a system of temporary legal admissions. It is entitled the Mexican-American Good Neighbor Act of 1979, and will provide a mechanism for the United States to work together to meet our country's need for labor, and the need of many Mexican citizens to find jobs.

The same time, they are earning money to support their families, which are often left behind in Mexico.

The American labor market needs this supply of foreign workers who are willing to accept jobs demanding heavy physical labor. The United States, like many advanced industrial nations, has difficulty in finding people willing to take physically demanding jobs with low social stigma. In the past, undocumented workers have been hired for advancement. At an earlier time in our history, each new immigrant group arriving in the United States filled these jobs. They eventually moved on to better positions, but the once enormous flow of immigrants is now no longer
Mr. PELL. Mr. President, today I am introducing the Museum Services Amendments of 1979. This bill would extend the Museum Services Act for 2 years and, at the same time, would insure that the Museum Services Act, and no other agency, would be responsible for establishing a proper system of grant application review.

Last week I introduced legislation extending the National Foundation on the Arts and Humanities Act of 1965 for 5 years. Included in this legislation was a 5-year extension of the Institute of Museum Services. However, since that time, there has been much discussion over the proper location of the Institute. Several alternative locations have been suggested.

Since at this time there is no consensus on the proper location of the Institute, I am suggesting with the legislation I introduced today that the Institute, in its present location in the Department of Health, Education, and Welfare, be extended for 2 years, but that it be given the Institute, which has only been in existence since 1976, further time to strengthen its programs of museum support.

During this 2-year period, our Subcommittee on Education, Arts, and Humanities plans to conduct extensive oversight into all Federal museum programs, to determine whether there is any overlap in existing programs and explore options for the best Federal role in aiding our Nation's museums. As part of this oversight process, I intend to continue discussions with the Federal officials involved in museum programs and to solicit their views on the proper location and role for the Institute. My own view continues to be that the Smithsonian Institution, which already has the responsibility for carrying out the provisions of the National Museum Act of 1966, and the Institute of Museum Services should join together with the result that the Smithsonian Institution would become the Nation's museums' museum, helping museums across our Nation with conservation, exhibitions, museumology and fundraising techniques.

By Mr. DOLE:

S. 1430. A bill to extend and improve title V of the Social Security Act; to the Committee on Finance.

MATERIAL AND CHILD HEALTH AND CRIPPLED CHILDREN'S SERVICES ACT

Mr. DOLE. Mr. President, in anticipation of further discussion by the Finance Health Subcommittees on Maternal and Child Health Care Services, I take this opportunity to extend and improve maternal and child health and crippled children's services under title V of the Social Security Act. As ranking minority member of the Finance Health Subcommittee, I have had a good deal of interest in this area and feel that, at the very least, the 43-year-old program is deserving of our consideration as a basis for any new attention which might be given to this category of beneficiaries.

I think most Senators are aware of the administration's objectives with respect to children, mothers, and prospective mothers in their proposed Child Health and Prevention Programs Act, introduced by my colleague from Connecticut, Senator Ribicove. My purpose in submitting this legislation to amend title V is not necessarily to change the subject but to reinforce or to champion—or even that legislation at this time is desirable or affordable—rather to point out that we have an established framework for assisting these areas and that maybe we should take a look at it.

This bill would provide the means for just such a review, Mr. President. It is the product of a very careful, objective, indepth, 3-year evaluation of the problems of our Nation's youth by the American Academy of Pediatrics—and will, I hope, stimulate an appropriate response among all Senators who are concerned about our efforts to make health services available to those mothers, infants, and youth for whom both prevention and treatment are essential.

Mr. President, I ask unanimous consent that there be printed in the Record a brief summary of this proposal highlighting its goal, funding, State accountability requirements, national oversight role, organizational perspective and effectiveness assurance mechanisms, together with the text of the bill.

There being no objection, the bill and summary are ordered to be printed in the Record, as follows:

S. 1430

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SEC. 1. Short title.

This Act may be cited as "The 1979 Amendments to the Maternal and Child Health and Crippled Children's Services Act."


(a) Increased grants for maternal and child health services for mothers, infants, and children under age 19 in the Nation;
(b) Medical care for infants and children, including hospital and other medical care services, to prevent births to mothers under age 15;
(c) Crippled children who have been born to mothers under 15 years of age are born to mothers under age 15 the second birth, even where the first has a normal birth weight.

Mr. President, the Social Security Act was enacted in 1935 and reenacted in 1939, 1944, 1950, 1957, 1965 and 1979. The purpose of the Act is to make health services available to special groups (40 pregnant women, to mothers and their children; children under age 6; children under age 18). In 1965, the Act was expanded to include special services, for underserved children and youth, for mothers and children of low income (who are at high risk and who need other health services) for whom both prevention and treatment are essential.

This bill would be the 28th amendment to the Social Security Act. As amended it is hereby further amended to read as follows:

SEC. 1. Title V of the Social Security Act as amended is hereby further amended to read as follows:

Short title.

This Act may be cited as "The 1979 Amendments to the Maternal and Child Health and Crippled Children's Services Act."
for health problems; grants for training of personnel; and grants for research projects related to the delivery of health services for mothers, infants, children, and adolescents.

(2) Funds allotted to States which remain unused at the close of a fiscal year shall be available to the Secretary for re-

allocation to States in the following year for the purposes of this Act for the purpose of this section on the basis of demonstrated need to carry out the State plan.

(3) Payments to States from amounts appropriated pursuant to section 501(b)(1), and allotted pursuant to this section shall be made in accordance with a formula established by the Secretary, which shall submit a report to the appropriate houses of Congress concerning the most ap- propriate and equitable formula for the distribution of funds in accordance with such recommendation for changes in the formula in order to insure the most equitable distribution of funds to the States.

APPROVAL OF STATE PLANS

Sec. 500. (a) In order to be entitled to payments to allotments to States under Section 501 for hospital and health services and for crippled children's services, a State must have a State plan which—

(1) provides for financial participation by the United States and compensating for the number of children within such State who are in need and for the number of programs and services for crippled children in such State.

(2) For the fiscal year ending September 30, 1980, and each fiscal year thereafter, $31,750,000 for maternal and child health services, and $52,500,000 for crippled children's services for which provision is made under this subsection for the first time in such fiscal year and all subsequent fiscal years.

(3) The Secretary shall conduct a study of the allocation formula established by the Secretary, and shall submit a report to the appropriate houses of Congress concerning the most appropriate and equitable formula for the distribution of funds in accordance with such recommendation for changes in the formula in order to insure the most equitable distribution of funds to the States.

Sec. 502. (a) From the amounts determined to be available to States pursuant to section 501(b) (after application of sections 501(b)(1) and 501(b)(2)) shall be made on the following basis:

(1) For maternal and child health services:

(A) One-half of such amount shall be allotted by the Secretary to each State $70,000 plus such remainder of such one-half as the Secretary finds to be equitable to such State based on the number of live births in such State for the calendar year and the total number of live births in the United States in the calendar year for which there are statistics.

(B) The remaining one-half of such amount shall be allotted by the Secretary, after taking into consideration the number of the number of live births in each State.

(b) For crippled children's services:

(A) One-half of such amount shall be allotted by the Secretary to each State $70,000 and an additional amount shall be allocated to each State from the remainder of such one-half according to the need of each State as determined by the Secretary after taking into consideration the number of crippled children in such State.

(c) The remaining one-half of such amount shall be allotted to the allotments to the States under paragraph (A) be made on a formula determined by the Secretary after taking into consideration the number of programs and services for crippled children in such State.

(d) Funds allotted to States which remain unused at the close of a fiscal year shall be available to the Secretary for re-