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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 keep out these workers or to make work available for workers with expanded border patrols, physical barriers, and deportations. Moreover, it appears that the enforcement of immigration laws will be increasingly difficult and return 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 remain in the Mexican Government in keeping a competent work force at home. It is to the advantage of both Mexico and the United States that the workers return with the wages and savings that results in violations 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. The two countries' economic systems stem from deeply seated economic problems within Mexico and profoundly affects many aspects of American life. It must be tackled jointly by both countries. I have had the opportunity to work closely with Mexico's Ambassador to the United States, Hugo Margo, and have written to President Carter about the suggestion that the Ambassador and I discussed. A major obstacle in our joint effort is the establishment of a binational advisory commission to provide assistance in the development and implementation of a program to allow legal entry for laborers. The new program introduced 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. It 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. Among other things, it provides for the establishment of a binational advisory commission to provide assistance in the development and implementation of the program. The act is signed into law.

As the short title of the bill suggests, this legislation is intended to provide individual retirement account (IRA) tax deduction benefits to employees who do not have access to a pension plan provided for them by their employer. Those familiar with pension legislation and tax deductions associated with retirement savings plans will recognize some of the significant problems in the retirement field:

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

By Mr. CRANSTON: S. 1429. 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. 6378, the IRA-Employer Plan Coordination Act of 1979, which was introduced on January 15 this year by my colleague from California, Representative Jim Coxman, with approximately 50 cosponsors.

As the short title of the bill suggests, this legislation is intended to provide individual retirement account (IRA) tax deduction benefits to employees who do not have access to a pension plan provided for them by their employer.

Those familiar with pension legislation and tax deductions associated with retirement savings plans will recognize some of the significant problems in the retirement field:

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

The employee under these circumstances, of course, does not qualify for an IRA because the employee under a qualified plan 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 1975—4.5 years for men and 2.9 years for women.

Engineering and scientific employees are particularly hard hit. Most of them work in industries with plans vesting after 10 years. But this class of worker typically is employed on a project basis—when the project is completed, the job is also completed.

As a consequence, many engineers and scientific 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 the employee's contributions. Under the law, an "active participant" in a qualified plan can make IRA contributions up to the regular IRA limit as 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 at an ordinary rate. If the plan exceeds the IRA the employee would terminate the IRA and pay taxes at ordinary rates on the 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 retirement feature of the bill is a relatively modest way of accounting for the fact the individual taxpayers had the benefit of a tax-free investment for up to 10 years.
June 27, 1979

CONGRESSIONAL RECORD—SENATE

S. 8681

will benefit not only the people of these nations, but also help to eliminate western hemispheric tensions.

(b) the real cause of illegal migration from Mexico is the lack of reasonable alternatives for economic well-being in Mexico relative to those in the United States.

(3) the benefits of past economic cooperation through legal work programs and investment opportunities, is well documented.

(4) in order to eliminate the present large and uncontrolled influx of undocumented workers, a system of temporary legal admission is needed.

(c) the vast majority of jobs that will be taken by Mexican workers are in the agricultural and construction industries which are not generally in great demand by American workers.

(2) many of the short-term economic needs of Mexicans and the short-term legal needs of American agricultural and service industries can be met by a temporary worker visa program for Mexicans seeking temporary employment in the United States.

(g) the value of Mexican temporary employment to the United States is to provide a temporary labor force for particular industries that require a labor force for a limited time.

(f) temporary worker visas would encourage the existing temporary nature of most Mexican migration into the United States.

(2) in order to reduce our vast labor border with Mexico, the flow of migrants is doomed to failure and only increase the exploitation of undocumented workers.

(i) employer sanctions against the hiring of undocumented workers is a necessary antidote to discrimination against Hispanic American workers and/or in an unspecified national identification system and; (j) (k) it is necessary to establish a legal framework for Mexican labor in the United States in order to minimize the use of illegal workers and save the cost of smuggling and unscrupulous employers.

(1) employer sanctions against the hiring of undocumented workers and the enforcement of wage and hour laws is necessary.

(2) it is necessary to establish a system of temporary labor cooperation between the United States and Mexico.

(3) the Secretary of State is authorized to implement the program established in section 214(e), (f), and (g) of the Immigration and Nationality Act, as added by section 3 of this Act.

(1) the Secretary of State shall be responsible for the implementation of the program.

(2) the Secretary of State shall coordinate with appropriate officials in Mexico in order to establish the system of temporary labor cooperation between the United States and Mexico.

(3) the Secretary of Labor shall be responsible for the implementation of the program.

(4) the Secretary of Commerce shall be responsible for the implementation of the program.

(5) the Secretary of the Treasury shall be responsible for the implementation of the program.

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CONGRESSIONAL RECORD — SENATE

S 8683

MUSEUM SERVICES AMENDMENTS OF 1979

Mr. FELL. 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 American, Art, and Humanities Act of 1965 would be extended 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 a discussion over the proper location of the Institute. Several alternative locations have been suggested.

Since at this time there is no consensus as to 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 Education, and not the new location, will give the Institute, which has only been in existence since 1976, further time to strengthen its programs of museum support.

For the next 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 programs and to 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 views continue 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 have been informed by my colleague from Kansas upon the request of the American Medical Association, and the American Academy of Pediatrics, is today introducing a bill 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 of 1979. The legislation is introduced by my colleague from Connecticut, Senator Ribicoff. My purpose in submitting this legislation is to amend title V is not necessarily to alter or duplicate the act, but to provide alternative or even that legislation at this time is desirable or affordable — but rather to point out that we have an established framework for assisting these groups of people 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 care are necessary.

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,

SHORT TITLE

SEC. 1. This Act may be cited as "The 1979 Amendments to the Maternal and Child Health and Crippled Children's Services Act."

FINDINGS AND DECLARATION OF PURPOSE

Sec. 2(a). The Congress finds that:

1. Each taxpayer bears a part of the cost of providing the care and medical services required to protect the health and well-being of his family and to extend the productive capacity of his Nation.

2. The health program for mothers and infants in title V of the Social Security Act are the base and establish the standards for the prevention of health programs for mothers, infants, children and adolescents in the Nation; the program for crippled children, etc., V of the Social Security Act is the major health system for providing special services unique to children with disabilities who have been excluded from some services for providing comprehensive services for high-risk pregnant women and children living in underserved areas and have had an important part in improving the health of these served. Consequently, programs must be revised and expanded to assure all pregnant women, infants, children, and adolescents the promise of a healthy future.

3. Steps should be taken to insurc the national population that pregnant women and children have access to adequate health services, since:

(a) births to women under sixteen years increased 80 percent between 1960 and 1976;

(b) low birthweight infants are born to women under fifteen twice as often as those over twenty;

(c) twenty-eight percent of pregnant women begin prenatal care after the first trimester or have no care at all;

(d) low birthweight babies are more common among those who receive no care and approximately three hundred thousand severely retarded people require total care at an average cost of $14,000 per year per person.

4. The program authorized by this title should be strengthened through improved organizational steps and through special grants to achieve such desirable objectives as providing health services and information to pregnant women and families of underprivileged children; providing transportation for the unwed pregnant teenage, for neonates born at high risk, and for the coordination of health and education services.

5. In the provision of services for mothers, infants, children, and adolescents, maximum emphasis should be placed on the existing system of health care delivery and the participation of private providers, and new community arrangements should be created as needed to provide services for problems.

6. Special grants should be made available on national, regional, county and local bases.

(b) The purpose of this Act is to make health services available to special groups (49 pregnant women, to mothers and their children, crippled children and the programs for special services, for underserved children and youth, for mothers and children with disabilities, or who are at greater risk and social independence, and for whom the cost of preventing and treating illness may be beyond their reach. Furthermore, health services, including preventive services, shall be made available directly or through arrangements with physicians, other health providers and medical entities, to mothers and children who, for economic reasons, have difficulty in obtaining the services they need, and special grants for projects for delivery of care to other identified groups of mothers and children shall be made available.

Sec. 2(b). Title V of the Social Security Act as amended is hereby further amended to read as follows:

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AUTHORIZATION OF APPROPRIATIONS

Sec. 601. (a) For the purpose of enabling each State to extend and improve—

(1) "services for reducing infant mortality and otherwise promoting the health of mothers, infants, and children:

(2) services to prevent disease and disability and to provide followup services for children who have crippling conditions and to make the necessary conditions which may lead to crippling.

(3) services for locating and identifying mothers, infants, children, and adolescents, and crippled children, and plan:

there are provided special grants to States and subdivision of States for new activities to address the provision of medical services.
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. (c) The amount determined to be appropriated for the purposes of this Act shall be allocated to States in the following year for the purposes of this section on the basis of demonstrated need to carry out the State plan. (d) Payments to States from amounts appropriated pursuant to section 501(b)(1), and allotted pursuant to this section shall be made from amounts allotted pursuant to section 504. (e) The Secretary shall conduct a study of the allocation formula established by the Secretary in accordance with section 1861(t) of the Social Security Act and shall submit a report to the appropriate houses of Congress concerning the most appropriate formula for the distribution of funds along 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. 503 (a) In order to be entitled to payments for allotments to a State under Section 501 for maternal and child health services and for crippled children's services, a State must have a State plan which—

(1) provides for financial participation by the Commonwealth; and

(2) provides for the administration of the State plan by the State health agency; except that the Secretary shall have the authority to waive any or all of the requirements of this subsection (except for purposes of administration) in accordance with paragraph (8) of Section 1861(v) of the Social Security Act for any State that has included in its plan provisions with respect to the operation of the State health agency that the Secretary determines are adequate for the purposes specified in such paragraph.

(b) The plan for a State shall be in effect for the fiscal year ending September 30, 1967, provided for administration (or supervision thereof) of the State plan approved by the Secretary. The plan for a State which is under the supervision of the Secretary shall be in effect for the fiscal year ending September 30, 1967, provided for administration (or supervision thereof) of the State plan approved by the Secretary. The plan for a State which is under the supervision of the Secretary shall be in effect for the fiscal year ending September 30, 1967.

(c) Notwithstanding the provisions of any State plan for the purposes of this section, the amount appropriated for any fiscal year pursuant to this section shall be available for family planning services under projects under sections 507 and 508.

ALLOTMENTS TO STATES

Sec. 502. (a) From the amounts determined to be available to States pursuant to section 501(b) (after application of sections 501(c) and 503(a)), such part as the Secretary shall from time to time authorize 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 according to the number of live births in such State born in the calendar year ending June 30, 1966, except that such amount shall be reduced by the sum of the amounts allotted to States in fiscal year 1967 to provide for the States the amount necessary to carry out the provisions of section 503(c) of this Act;

(B) for the remaining amount appropriated for such purposes, the Secretary shall give priority to States carrying out projects for the prevention of maternal and child deaths.

(2) For crippled children services—

(A) one-half of such amount shall be allotted by the Secretary to each State according to the number of births in such State in the calendar year ending June 30, 1966, except that such amount shall be reduced by the amount allotted to States in fiscal year 1967 to provide for the States the amount necessary to carry out the provisions of section 503(c) of this Act;

(B) for the remaining amount appropriated for such purposes, the Secretary shall give an allotment for each State in proportion to the number of crippled children in such State.

(3) For health services and for medical services for mothers, infants, children, and adolescents—

(A) one-half of such amount shall be allotted by the Secretary to each State according to the number of ambulance rides in such State in the calendar year ending June 30, 1966, except that such amount shall be reduced by the amount allotted to States in fiscal year 1967 to provide for the States the amount necessary to carry out the provisions of section 503(c) of this Act;

(B) for the remaining amount appropriated for such purposes, the Secretary shall give an allotment for each State in proportion to the number of children in such State in need of medical care.

(4) For mental health services—

(A) one-half of such amount shall be allotted by the Secretary to each State in proportion to the number of persons in such State receiving mental health services in the calendar year ending June 30, 1966, except that such amount shall be reduced by the amount allotted to States in fiscal year 1967 to provide for the States the amount necessary to carry out the provisions of section 503(c) of this Act;

(B) for the remaining amount appropriated for such purposes, the Secretary shall give an allotment for each State in proportion to the number of persons in such State in need of mental health services.

(5) For the purposes of this section, the term 'ambulance' means an ambulance ridden by a licensed or properly trained person.

(6) For the purposes of this section, the term 'number of births' means the number of births for which there was delivered a live birth to a woman in a hospital or other medical facility.

(7) For the purposes of this section, the term 'number of ambulance rides' means the number of ambulance rides given to a patient who was transported to a hospital or other medical facility.

(8) For the purposes of this section, the term 'number of children in such State in need of medical care' means the number of children in such State who are in need of medical care.

(9) For the purposes of this section, the term 'number of persons in such State in need of mental health services' means the number of persons in such State who are in need of mental health services.

(10) For the purposes of this section, the term 'number of live births' means the number of live births born in such State in the calendar year ending June 30, 1966, except that such amount shall be reduced by the amount allotted to States in fiscal year 1967 to provide for the States the amount necessary to carry out the provisions of section 503(c) of this Act.