

UNITED STATES

Congress, 1975



OF AMERICA

Congressional Record

PROCEEDINGS AND DEBATES OF THE 94th CONGRESS
FIRST SESSION

VOLUME 121—PART 31

DECEMBER 11, 1975 TO DECEMBER 16, 1975

(PAGES 39861 TO 41102)

Political Caucus, a year old, had established strength in each state delegation.

Women caucus leaders from Tennessee ("the Magnolia Mafia"), from North Carolina, from all the other states rounded up 420 votes for Farenthold against Presidential candidate George McGovern's choice, Senator Thomas Eagleton, of Missouri. At this point Sissy withdrew, making the vote for Eagleton unanimous. But that roll call did three things. It proved that women could make their mark; it showed George McGovern, considered the most pro-feminist of the candidates, that even he was not immune to the challenges of women; and it made Sissy Farenthold a national role model for political women. In February, 1973, the National Women's Political Caucus elected her its first chairperson at its national convention in Houston.

What does Sissy Farenthold think about the Presidency—is it so impossible a job? "I don't think many of us know all that's involved," she says. "Right now I'm writing a book on the CIA and the whole intelligence area. I am appalled at what I am learning—how our intelligence operations are used as alternatives to diplomacy. Do we even know what a President knows of covert operations? Maybe we're going through a kind of charade in this country."

If she became President, what legacy would she like to leave? "To finish the civil rights program Lyndon Johnson started. To restore our natural environment, and with it the human spirit. To establish a Department of Peace."

ANNE L. ARMSTRONG

Former Co-Chairman, Republican National Committee; 47 years old; Republican.

In "the kind of country where the rattlesnakes back out," as folklorist J. Frank Dobie once described it, along the Texas gulf coast, amid unrelieved miles of lacy, thorny mesquite trees, is the small oasis around the century-old ranch house where Anne Armstrong lives.

This is silent land. But inside the house the incessantly ringing telephone breaks the stillness. Here in this remote spot Anne Armstrong is busy. The former Co-Chairman of the Republican National Committee, the former Counselor to President Nixon with Cabinet rank, remains a bright star in the G.O.P. hierarchy. The White House, the Vice-President's office, Cabinet members, newspaper editors, corporate executives, still track her down for speeches, for advice, for service on commissions. She sits on two corporate boards of directors, American Express and Union Carbide.

At 22 Anne Legendre, a pretty girl from New Orleans, arrived in Texas to visit friends and wound up marrying Tobin Armstrong, the best-looking man in the state. The Armstrongs had five children in five years and kept busy running their 50,000-acre ranch.

What has influenced her life? "I became very interested in politics and world events when I attended Vassar, particularly in the United Federalist Movement. Working in the summer for a New Orleans newspaper—I loved that! Then coming here to this ranch. Ranch life has given me something I could have got no other way—a real closeness with family.

"As for politics, I have lived mine on a very local level. There are a handful of Republicans, maybe twenty, in this county. The Republicans in Texas needed every warm body they could get, so it was a good place to move ahead fast."

She did just that—as National Committeewoman from Texas and then up the ladder to become Co-Chairman of the party with Senator Robert Dole of Kansas. In 1973 her efficiency and wide popularity in the Republican party led President Nixon to appoint her to the White House, give her

Cabinet status and wide responsibilities for issues relating to women and minorities. When the Watergate story began to unfold, she forthrightly criticized the President for taping conversations but at the time saw no impeachable offense committed. Most Washington reporters credit her with weathering Watergate with clean skirts, but it must have been deeply disappointing to one who had worked so diligently for her party through the years.

She is fascinated by—and knowledgeable about—foreign policy. "There is just no way we can withdraw to Fortress America. There is an unfortunate but natural inclination now just to attend to our business here, but that wouldn't work out. I think we need to understand long-range economics better. We plan for short-range problems but we need long-range answers."

If she were President, what legacy would she most like to leave? "We've been through a period when Americans felt ill at ease with themselves. We do not know quite where our moorings are. I would like to have restored a sense of confidence in ourselves."

SENATOR MONDALE ON REGIONAL PRIMARIES

Mr. HUMPHREY. Mr. President, last week my colleague from Minnesota (Mr. MONDALE) introduced a bill to establish a system of regional presidential primaries to replace what he called our present "chaotic" means of nominating Presidential candidates. Senator MONDALE said that he was introducing his bill "in the interest of contributing to a national debate" on this important question.

I am pleased to report that, in response to his initiative, such a debate already has begun. A number of columnists and editorial writers have commented on Senator MONDALE's proposal, and I would like to share them with my colleagues.

Mr. President, I ask unanimous consent that the following commentaries be printed in the RECORD.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

[From the St. Paul (Minn.) Pioneer Press, Dec 10, 1975]

THE MONDALE PLAN

Sen. Walter Mondale has proposed a plan to bring some order out of the chaotic process of selecting candidates for the American presidency. His proposal for a nationwide regional presidential primary system is unquestionably a first-rate contribution to political science in an area heretofore lamentably neglected.

It is a plan which may have little chance of adoption. It is by no means a perfect plan, and Mondale is the first to admit that. It may not even be a workable plan. But what he proposes is far and away better than the formless, slipshod and basically unfair process by which we now select the delegates to the presidential nominating conventions.

Indeed, to call the way in which these delegates are now chosen a "process" is to dignify anarchy. No other free nation goes about selecting the candidates for its highest office in so haphazard a manner or puts such restraints upon free selection. Every one of the states and the District of Columbia goes its independent way in the free-for-all scramble.

As Mondale said in his Senate speech, "It's often a mindless process from the candidates' perspective, too often a self-defeating one

for the parties, and frequently an ineffective one for the nation."

Mondale tells what we ought to have known all along but have scarcely admitted to ourselves, that choosing presidential candidates is a "national process that deserves a national design."

Some of those who have given thought to the problem have suggested a national primary, an all-on-the-same-day nationwide election. But this, in Mondale's view, weakens if it does not destroy the function of the national nominating conventions, which he sees as instruments necessary to reconciliation of regional differences and establishment of party unity. A national primary would, in addition, offer a built-in advantage to those candidates already well-known or with the most extensive organizational and financial backing.

Mondale's answer, embodied in a bill he introduced in the Senate Thursday, is regional primaries. It would divide the country into six regions. In each region those states choosing to hold primaries would all hold them the same day. Each of the six regions would be assigned an election day to be determined by lot. The six election dates would be separated by two-week intervals.

The plan, Mondale says, would meet his six criteria for a rational delegate selection process: It would retain the national conventions; offer the broadest possible range of candidates, including those not blessed with wealth or name recognition; encourage broad party participation but limit the participation to those affiliated with the parties; permit candidates to conduct coherent campaigns in each region; provide a measure of candidates' appeal to all sections, and be of national design, giving undue weight to no one state or area.

In introducing his regional primary plan, Mondale also said he "would like to see" President Ford, "first occupant of the White House whose presidency has not been the product of the existing nominating process," appoint a special commission to analyze that process and evaluate alternatives.

Perhaps Mondale would be satisfied if such a study is all that comes of his proposals. In any case, by placing his regional primary plan before the Congress and the country, he has made an invaluable contribution. He has forced us to take a more serious look at a situation which badly needs, at the very least, clarification.

[From the New York Times, Dec. 5, 1975]

CHEER UP! THINGS ARE TERRIBLE

(By James Reston)

WASHINGTON, December 4—The only happy thought around here these days is that so many things are going wrong that maybe something will finally be done about them. But only maybe.

It's a well-known rule in Washington that nothing compels reform like some imminent disaster, or spectacular stupidity, and we now have so much of both on the national agenda that you have to have some hope.

Each day's horror stories about the past crimes of the F.B.I. and the C.I.A., for example, add to the prospect that the Congress will finally take these secret agencies by the throat.

The news from the political front, with thirty Presidential primary elections, is fast becoming a national joke and actually forcing a little serious thought about fundamental electoral reform.

This may not be the best way to run a democracy, but the record suggests that nothing succeeds like failure. New York City had to go broke before we got fiscal reform. It took Vietnam to bring the military under some kind of control, and Watergate to get rid of Richard Nixon. The price was high but some lessons were learned.

Not many years ago, when Uncle Sam was

the only cop on the block, he didn't hesitate to plunge into the Congo or Lebanon, but he is not intervening now in Angola or Lebanon, though the situation in both places is a little scary.

So there is a chance that we will make similar progress in other fields. We are gradually getting some fiscal reform, welfare reform, even some, but not much Congressional reform; but election reform will be the slowest and the toughest because it is in the hands of the pols who got where they are under the old system.

Nevertheless, Senator Walter Mondale of Minnesota has come forward with a bill to improve, if not correct, what he calls the present mindless irrational and chaotic Presidential primary system.

He rejects the notions of a single national primary election, on the grounds that it would undermine the national conventions, give the well-known and well-heeled candidates an unfair advantage, and risk too much on a single roll of the dice.

He proposes instead that the states and territories be divided into six regions, each of which would hold its Presidential primaries on one of six designated Tuesdays between late March and mid-June of Presidential years.

The six primary election dates, two weeks apart, would be assigned by lot to the six regions by the Federal Elections Commission five months before the first primary, and Mr. Mondale suggests a few simple rules.

"States," he says, "could retain the right to determine the particular type of primary [they wish] to have, how candidates qualify for inclusion on the ballot. But," he adds, "voters in state Presidential primaries would only be allowed to participate in the party of their register affiliation, and states would be prohibited from listing the names of delegate candidates on the primary ballot without indicating which Presidential candidate, if any, he or she is pledged to support."

Unfortunately, he sees no chance of any reform before next year's primaries. He is urging President Ford to establish an elections commission to study the whole problem, and bring its recommendations to the Congress before the end of the Bicentennial year.

There will obviously be objections to the states he has put in the six regions, some of them strikingly different from others—New York with New England, for example. But he is trying to start a debate, and the chances are that after the confusion of next year's primaries, the disaster level will have risen high enough to force some changes.

No present candidate, with the possible exception of Jimmy Carter of Georgia, defends the present system of cross-voting and selective testing of candidates' popularity. As The New York Times observed recently:

"It is fatuous to describe as participatory democracy a nominating system that involves a wretchedly small proportion of the electorate, that in some states encourages Democrats to help choose Republican candidates and vice versa, that grossly distorts the significance of the first few primary contests in an election year, and rewards with money and inordinate publicity the states that hold them...."

The only hope is that next year's thirty primaries will be such a silly scramble that, as in other fields, they will force the long overdue reforms.

[From the Minneapolis Star, Dec. 8, 1975]

MONDALE'S CURE FOR CHAOS

Basic political reform is not a pursuit for the short-winded.

In fact, reformers and proponents of structural reforms have, by and large, become frustrated, even cynical, about the slow results of "good government" reform.

Yet here comes Sen. Walter M. Mondale with a bill for a system of six regional pres-

idential primaries that would revolutionize the way we choose delegates to the national conventions that nominate "the people's choice."

The bill would set up six regions (ours: Montana, the Dakotas, Iowa, Minnesota, Wisconsin, Illinois) each to hold a presidential primary on one of six designated Tuesdays between late March and mid-June. The dates, at two-week intervals, would be picked by drawing lots. A state (like Minnesota) wouldn't have to have a presidential primary. But, if it had one, it would have to fit into the grand design.

Mondale, who learned about presidential primaries the hard way during his year of wandering in the primary wilderness, is fully aware that his bill won't be rushed to a vote.

But isn't it time that we restored some faith in the reform approach to politics?

Mondale's proposal ought to be taken seriously even though—indeed, because—a long educational campaign will be needed before the country is ready for so dramatic a change.

The process could be quickened if President Ford grasps an opportunity he could link to the bicentennial. It is the appointment, on his own motion, of a bipartisan White House commission for a stem-to-stern review of the nomination system. Mondale put this in his bill, but Ford could do it on his own. We think Ford would be roundly applauded.

Furthermore, there will be a limited regional experiment next year. This is the result of an agreement among Oregon, Idaho and Nevada to set May 25 as a common primary election date. Even if Mondale's grand design bill dies, the principle could be achieved pragmatically by grassroots interstate cooperation along that line. The Mondale bill could encourage that.

What we have now, as Mondale said, is chaos, disorder and irrationality. In truth, the show biz side of politics at its worst.

With reason, he asked, for instance, why New Hampshire should cast such an inordinate influence just because of the date of its primary. We have a mindless process for candidates, a self-defeating one for parties, and an ineffectual one for the nation, as he put it. We will wait with interest to see what happens, with the optimism of the old-time good government reformers we'd make the judgement that the bill could be a kind of time bomb.

[From the Christian Science Monitor, Dec. 9, 1975]

HAS TIME COME FOR CHANGING THE U.S. PRIMARY SYSTEM?

(By Richard L. Strout)

WASHINGTON.—When the football season is over, when the hockey season is fading, when the days begin to lengthen, the U.S. presidential primary contest starts in earnest.

The race is for the most powerful job on earth. The first test match, in New Hampshire on Feb. 24, is less than three months off, and is already bringing hopefuls through the snow. And William Loeb, the angry publisher of the Manchester Union Leader, is already calling them names.

Sen. Walter F. Mondale (D) of Minnesota, who dropped out of the race after a year's trying, calls the whole system bunk. What a way to pick the President of the United States! he exclaims.

The 30 or so primaries form a trip wire obstacle course for ambitious politicians. Frequently they occur simultaneously in different parts of the country, making it impossible for one candidate to be at all of them.

It's irrational, it's preposterous, says Mr. Mondale.

"The system has evolved over nearly 200 years without design, structure, or purpose

into a complex maze of state laws, party regulations, and unwritten traditions.

"No other major nation chooses its leaders in such a chaotic manner and the question is whether we should continue to do so."

Mr. Mondale's answer to his own question is "no." But, in the meantime, he thinks maybe it would help to group primaries by regions into six areas and at least give candidates a chance to roam contiguous territory before going on to the next area, like old-fashioned circuit-riders.

Foreign political science students have scheduled visits to the United States in 1976 for years ahead to see how the extraordinary system works, and many frankly acknowledge that they don't believe any other country could run it. In Canada, for example, elections take about two months or less from start to finish, whereas most members of the U.S. House of Representatives start running the minute they are elected for their two year, fixed term.

Georgia's former Governor Jimmy Carter, who is a Democratic presidential aspirant, acknowledged the other day in Washington that he had been running full-tilt for two years.

In Canada, incidentally, the Prime Minister and the Leader of the Opposition are chosen by fellow members of the Legislature who have seen them in action and know them.

The Founding Fathers expected the American President to be selected by an elite group, banded in the Electoral College.

"In their only serious lack of foresight," Mr. Mondale says sadly, "they rejected political parties; it took less than a decade for the much-feared "factions" to appear.

Theoretically, the U.S. political system has harnessed factions into the two-party political system. Yet "at the very core of our governmental system," says Mr. Mondale, "there is an inexplicable absence of experienced and sophisticated" discussion on how the system works, and its effect on "the kind of Presidents we ultimately elect."

Sen. Mondale doesn't think his six regional primaries would be perfect and certainly couldn't be installed for this election. But the situation is desperate.

"I am at a loss to understand how we can continue to leave it in a continually changing state of chaos, disorder, and irrationality."

The new game of primaries is about to start.

The problems of scheduling simultaneous primaries in widely separated states is seen in this partial listing of the primaries:

The Massachusetts primary comes March 2, a week after New Hampshire, but New York and Wisconsin both come April 6; Alabama, Georgia, Indiana, and the District of Columbia all come May 4; Nebraska and West Virginia May 11; Maryland and Michigan May 13; Idaho, Kentucky, Nevada, and Oregon on May 25. Two other dates comprise the list: June 1 for Mississippi, Montana, Rhode Island, and South Dakota, and June 8 for Arkansas, California, New Jersey, and Ohio. (Arkansas may change its date to something earlier.)

[From the Redwood Falls (Minn.) Gazette, Dec. 9, 1975]

ON REGIONAL PRIMARIES

The Nation's 30 Presidential primaries would give way—in large part—to perhaps six regional primaries with similar purpose but presumably much more significant results if a bill before the United States senate should be enacted.

With the New Hampshire primary starting that season in February 1976, it is too late for Senator Walter Mondale's regional scheme to be of much help before 1980, but few better bicentennial projects have been proposed than laying the groundwork for replacing the hodgepodge in which states vie for position and influence, and thereby

lengthen the too-long presidential election process. Not only are the candidates spread thin and worn down, the electorate tends to tire of it all, lose some of the significance, and may feel they've been used when national convention delegates do pretty much as they please.

Under Mondale's plan, the six regional primary election dates would be two weeks apart, their order assigned by lot. He would leave most of the ground rules up to the states, except that they must keep a rein on those who would jump party lines to do mischief, and if delegates were to be elected, their choice of candidates would be shown.

Minnesota is not among the 30 presidential primaries, simply because this state's politicians let us try them, and went away with burned fingers. The Mondale plan would restore this right, giving it to voters in all 50 states.

There is no certainty, of course, that any scheme as Mondale's will be enacted for 1980, or even 2000, but if and when one is, the presidential election process will almost certainly be greatly improved.

BAYH COSPONSORS HEALTH SECURITY ACT

Mr. BAYH. Mr. President, today I am joining as a cosponsor of S. 3, the Health Security Act of 1975. I have made the decision to support this legislation only after careful study of the health care needs of the American people, the need to stem the rise in medical costs, and the manner in which the three major pending health insurance bills respond to these needs.

Pending legislation includes a national insurance plan developed and endorsed by the American Medical Association, a catastrophic health insurance plan introduced in the Senate by my able colleagues from Louisiana and Connecticut (Mr. LONG and Mr. RIBICOFF), and S. 3, the Kennedy-Corman Health Security Act, introduced by the Senator from Massachusetts and the Congressman from California.

I have concluded that only the Kennedy-Corman bill meets the minimum criteria essential to solving the acute health care problems of our Nation. While constructive amendments may be offered to S. 3 as it moves through the legislative process, it is clear that this is the proper vehicle for enacting health insurance legislation. This is because it is the only one of the three bills that proceeds from the correct and essential premises that quality health care must be available to all Americans, and that the effective cost control mechanisms are required to bring medical expenses in check.

THE STATUS OF AMERICAN HEALTH CARE

Today, the Nation is spending more than ever before on health care. During fiscal 1975, Americans spent \$118.5 billion on health care; that is 8.3 percent of the gross national product. The \$118.5 billion breaks down to per capita expenditures of \$547 or three times per capita expenditures in 1960.

While health care costs tripled in the past 15 years, the Consumer Price Index increased 85.6 percent, which while too great an increase, does show the disproportionate rise in the cost of medical care.

The cost of health care services has increased at a rate virtually unparalleled among other goods and services. Within just the past 4 years public and private funds spent on health care increased by 50 percent and Federal expenditures increased by 86 percent. In 1965, in response to soaring medical costs we enacted medicare, yet today the elderly are forced to pay more for medical care than they did before medicare became law.

Unfortunately, Mr. President, this spiraling increase has not meant a comparable rise in the quality or quantity of health care available to most Americans. Indeed, the problems of access to medical care, waste, and duplication in medical programs, and inadequate care for many have grown even more critical.

There are many national groups, Mr. President, that have provided useful leadership on the health care problem, helping those of us in the Congress identify the magnitude of the problem and seek constructive solutions. Not surprisingly, among those groups have been many unions who understand the importance of this issue, not only to their members but to all Americans. The Committee for National Health Insurance, under the chairmanship of Leonard Woodcock, has been in the forefront of those looking carefully at the health security problem. Recently, Mr. Woodcock provided valuable testimony on this issue to a House of Representatives subcommittee. His testimony and other sources point to the following failures of national health policy:

Over the last year, millions of American families failed to obtain proper preventive care for their children. Approximately 5.3 million preschool children did not receive immunization against such killing and infectious diseases as polio, measles, rubella, diphtheria, whooping cough, and tetanus, despite the ready availability of easy and inexpensive preventive action.

It has been estimated that last year one-third of all pregnant women failed to receive proper prenatal care, thus endangering not only their own lives, but their babies also.

We have seen doctor strikes, public hospital overcrowding, private hospital and nursing home profiteering. A May 1975 study by the Public Citizen Health Research Group cited \$8 billion in waste from excessive bed capacity alone.

Last year doctors' fees escalated at a rate 40 percent faster than other items in the Consumer Price Index. Hospital charges ran an incredible 105 percent faster, or more than double the overall inflation rate.

These problems are not ones that can be solved by a patchwork response. By now, most students of American health care agree that the time has come for a national health insurance program. Where the experts have differed has been over the type of program that would be best suited to solve America's health care problems and at the same time, be affordable.

ESSENTIALS OF HEALTH CARE

The purpose of a national health insurance program is not simply to pay doctors' fees and hospital costs. It encompasses the broader concept of provid-

ing quality health care for all Americans without regard to income or to where an individual lives. In studying this goal and the health care proposals now before the Congress, I have determined that there must be three essentials in any national health insurance program. These essentials include: Universal coverage, comprehensive benefits, and very importantly, cost and quality controls. I emphasize the latter point, Mr. President, because it is essential that national health insurance include strong provisions to check the unnecessary and excessive rise in medical costs, while guaranteeing fair and reasonable payments to doctors and other providers of medical services. The bill I am today cosponsoring does that.

I. UNIVERSAL COVERAGE

I firmly believe that any national health insurance program must provide coverage for every American. Quality medical care should not be dependent upon an individual's income or where he or she lives. The right to receive quality health care should be a birth given right in this country—just as individuals have a right to a quality public education.

Only one of the major health proposals before this Congress provides universal coverage for all Americans—that proposal is S. 3, Health Security Act. Under the other health insurance proposals, the coverage afforded is either on a voluntary basis or is offered only after an individual has already incurred up to \$2,000 in medical bills or has been hospitalized for 60 days.

II. COMPREHENSIVE BENEFITS

Universal coverage goes hand in hand with another essential part of health care—comprehensive benefits. Under present health insurance systems, the emphasis has been placed on curative treatment rather than preventive care. Routine office visits and most outpatient services usually are not covered. There are economic incentives for expensive hospital visits and treatment, thus exacerbating the inflationary trend of medical costs, while there are economic disincentives for the safest and most cost-effective care—early diagnosis and treatment.

In the early 1930's and 1940's when health insurance plans covered hospital visits almost exclusively, the use of hospital services increased. When the coverage was expanded to include surgery, the number of operations increased. The recent expansion of major medical coverage has diverted health manpower resources into high cost specialized care. Yet today few insurance plans cover immunizations, laboratory and X-ray fees, infant care for healthy babies or general physical examinations, the very preventive care that permits early detection of serious ailments and often avoids costly health care expenditures for more serious treatment at a later date.

Of all the major health insurance legislation before the Congress, once again only S. 3, the Health Security Act provides comprehensive benefits. Under the Kennedy-Corman bill, comprehensive benefits include general hospital inpatient and outpatient services, physicians services, dental services for children up to 15 years of age with eventual coverage