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Congressional Record S. 2164 - The Medical Malpractice Crisis

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Senate

TUESDAY, FEBRUARY 24, 1976

CHILD AND FAMILY HEALTH SERVICES

Mr. MANSFIELD. Mr. President, I am sure that a great majority if not all the Members of Congress are receiving letters concerning the Child and Family Health Services Act of 1975, introduced in the Senate by the distinguished Senator from Minnesota (Mr. MONDALE), and in the House of Representatives by the equally distinguished Representative from Indiana (Mr. BRADEMAS). The Senate number is S. 626 and the House number is H.R. 2966.

I do not know where the initiative for all the correspondence which I am receiving—and, I am sure other Members of the Senate are receiving—comes from, the flood of mail which has hit our offices; but to the best of my knowledge these bills are still in committee in both the House and the Senate. As to whether or not any action will be taken, it would be my assumption that it would be extremely doubtful. But in order to set the record straight and to show the other side of the coin, I ask unanimous consent to have printed in the RECORD a commentary entitled "False Alarm" written by Howard Fieger and published in the issue of U.S. News & World Report dated March 1, 1976.

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

FALSE ALARM (By Howard Fieger)

Every now and then a reader writes us in words of terror to warn that a Marxist plot is afoot in Congress to "nationalize" our children—take them away from the protection or control of their parents and destroy the American family, utterly and forever.

The volume of mail received here is not a patch on the sacks of it that have been hitting some congressional offices.

The writers are alarmed over what they've been informed is an insidious scheme to give youngsters the legal right to disobey their parents, and thus become pawns of Government—an all-powerful Big Brother to mold their training, conduct and beliefs.

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Strange.

It is strange because there isn't a word of truth in it. No such legislation is before this Congress, or ever has been.

The specific bill that has so many people disturbed is "The Child and Family Services Act of 1975." Its authors are Sen. Walter Mondale (Dem.), of Minnesota, and Rep. John Brademas (Dem.) of Indiana. It is "S. 626" in the Senate, "H.R. 2966" in the House. Read it before you panic.

In its present form, the legislation is both innocent and impotent: innocent because it would do none of the things attributed to it; impotent because it isn't going anywhere.

Briefly stated, the proposal is to make federal funds available to help States and communities provide certain public services for children and their families.

These would include such things as prenatal care, food where needed, part or full-time day care for children of working mothers, tutoring at home where deemed useful, medical examination and treatment for certain handicapped children, and training for parents and about-to-be-parents.

There is nothing compulsory about the legislation now before the Congress. Even if the bill were enacted, anyone who felt like it could ignore each and all of its provisions.

Nothing in it says—or implies—that youngsters have a legal right to disobey their parents or guardians.

Nowhere does it forbid parental guidance advice or preference in religious training. The subject isn't mentioned.

In fact, it says in specific words:

"Nothing in this act shall be construed or applied in such manner as to infringe upon or usurp the moral and legal rights and responsibilities of parents."

So why all the excitement? It is puzzling to Senator Mondale, one of the chief sponsors, who says the measure "is being subjected to one of the most distorted and dishonest attacks I have witnessed in my 15 years of public service."

There is another practical thing to keep in mind about The Child and Family Service Act: It would cost a lot of money. Estimates are that an initial annual expense of 150 million dollars would grow to almost 2 billion by the third year of operation.

This present Congress is in no mood to add such a burden on taxpayers who already are making angry noises about waste and the high cost of Government. Since this is election year, the measure probably has less chance now than a year ago, when it was introduced—and that means practically none.

Also, remember the President is demanding that Congress do more to hold the line on spending. It is a keystone of his campaign to be against this bill, and any like it.

So everybody can stand at ease.

The bill doesn't provide all those wild things the letter-writers fear. It has no realistic chance of adoption. And even should it overcome its rating as one of the longest shots in history and somehow be enacted by Congress, it would be vetoed almost the minute it reached the White House.

The furor is a false alarm. Forget it.