

States should enter into negotiations for production restraint agreements with the major foreign copper producing countries to restore the law of supply and demand. The response has been a task force of middle-level bureaucrats who are merely repackaging their memos on the section 201 case. This is what I mean by passive destruction of a vital sector of our economy.

The Commerce Department has been sitting on a potash dumping case for months. Apparently, the Commerce Department is reluctant to determine the appropriate tariff that should be imposed against the Soviet Union. This foot dragging is another example of passive destruction. To these industries, every day is critical and delay is deadly. If you need an example, consider Kerr-McGee, which I mentioned in my opening remarks.

The uranium industry has been victimized by creative destruction and passive destruction as well. It is an example of what will happen to many of our mineral and metals industries if we do not, as a nation, focus on what is happening in the world market. The demand for uranium has declined while international companies have aggressively expanded. They have been able to do this because of direct and indirect intervention of their foreign governments and because of very rich resources. As a result, the spot-market price for uranium has dropped from over \$40 per pound to \$5.50. No significant long-term contracts have been signed with domestic producers because of this glut of very cheap uranium.

We all agree that eventually the market will come into balance. The Department of Energy, which is legally responsible for monitoring this industry and maintaining its viability, has argued that it is indeed viable. They argue the industry will go through a period of retraction and reorganization. The result will be a viable industry.

But, Mr. President, how many companies which might have elected to hang in there will not? They will not, because they see foreign governments assisting their competition. They will not, because our utilities and our Government have sent no clear signal that they wish to avoid import dependence. To the contrary—the DOE now operates its uranium enrichment business in a fashion that negatively affects U.S. production of uranium. I have argued that, in the face of such facts our industries will abandon uranium mining. They will put their money elsewhere.

Mr. President, policymakers in this administration with a simplistic view of economics and no experience with the uranium business will argue that, in time, some company will take Quiveras' place. That might be true, if for-

eign producers were not protected from similar economic conditions. They will expand to fill the gap left by Quivera. That share of the market will be lost forever.

We, as a nation, learned the horrible truth about being dependent on oil imports. We will, I am afraid, learn that same lesson with strategic minerals and uranium.

The Energy Information Agency has projected that aggressive marketing by foreign uranium producers could result in their capturing over 80 percent of our market by the late 1980's. Yet the Department of Energy says everything is OK for the future. Is this passive destruction?

The U.S. mining industry is not asking to be a prima donna. It just wants to be able to perform on its own merits. We have the most productive workers in the world. I find it hard to believe that there is no role for them in the world economy of the 1980's.

I am looking at legislation that will put a stop to both the creative destruction and the passive destruction that is plaguing our American mining companies.

I wanted to take some time today to bring you up to date, to let you know of my commitment and determination to correct this deplorable situation.

Thank you very much, Mr. President.

MEMORANDUMS OF DISAPPROVAL RECEIVED FROM THE PRESIDENT OF THE UNITED STATES

The following messages from the President withholding his approval of certain Senate bills were received after the sine die adjournment of the 98th Congress:

S. 540

MEMORANDUM OF DISAPPROVAL

I am withholding my approval of S. 540, the "Health Research Extension Act of 1984," which would extend and amend the biomedical research authorities of the National Institutes of Health [NIH].

I have been assured by the Department of Health and Human Services that the Continuing Resolution gives adequate authority for current NIH activities in fiscal year 1985.

This Administration has a record of strong commitment to the support and conduct of biomedical research by the NIH. Each year since taking office, I have requested increases for biomedical research. In 1985, the NIH will receive its largest increase in appropriated funds in history. This increase will ensure the continued operation of the NIH for the coming year and will continue to assist in improving medical practice and the health of the American people.

Rather than improve our research efforts, however, the unfortunate

result of S. 540 would be to impede the progress of this important health activity by:

Creating unnecessary, expensive new organizational entities;

—two institutes would be created, an arthritis and a nursing institute. This reorganization of the NIH is premature in light of a study of the NIH organizational structure to be released in a few weeks by the Institute of Medicine/National Academy of Sciences.

—numerous bodies, such as a National Commission on Orphan Diseases, an Interagency Committee on Learning Disabilities, and a Lupus Erythematosus Coordinating Committee, would be created for which there are existing mechanisms that could or already perform such functions.

Mandating overly specific requirements for the management of research that place undue constraints on Executive branch authorities and functions;

—new positions would be created and numerous reports required that would divert scarce resources away from the NIH central mission of basic biomedical research.

—the various NIH peer review groups would be exempted from the provisions of the Federal Advisory Committee Act and Office of Management and Budget oversight. This represents an unwarranted interference with internal Executive branch management over the largest number of advisory groups for any Federal agency.

Going beyond the Administration's request to extend only expiring authorities by rewriting all the relevant statutes of the NIH;

—current law contains sufficient authority and flexibility to carry out the important research and training activities of NIH, to respond to public concerns, and to meet scientific needs and opportunities. Imposing a uniform set of authorities for each research institution disregards the more extensive mission of some institutes and overburdens smaller institutes which do not need these additional programmatic and advisory responsibilities.

—this attempt to recodify existing statutory language has resulted in some so-called technical revisions that will result in undesired operational changes in some of the institute programs.

I want to underscore my commitment to biomedical research and the National Institutes of Health. The NIH has stood as an example of excellence for 40 years. I do not believe that it is either necessary or wise to revise completely the laws under which it has so successfully operated.

I therefore find no reasonable justification for the extensive changes to the NIH mandated by S. 540. In order to better serve the promise and the future of our national biomedical research enterprise, I am withholding my approval of this bill.

RONALD REAGAN.

THE WHITE HOUSE, October 30, 1984.

S. 2574

MEMORANDUM OF DISAPPROVAL

I am withholding my approval of S. 2574, the "Public Health Service Act Amendments of 1984," which would extend and amend various health professions and services authorities. I have been assured by the Department of Health and Human Services that the Continuing Resolution provides adequate authority for these programs for fiscal year 1985.

S. 2574 is a seriously flawed piece of legislation. The most serious of its many objectionable provisions include the following:

First, the bill contains authorization levels substantially in excess of my 1985 Budget. Full funding of all the programs in the bill through 1987 would total \$2.4 billion, 41 percent more than the \$1.7 billion contained in the Budget.

Moreover, S. 2574 would continue to increase obsolete Federal subsidies to health professions students and would maintain the static and rigid categorical framework to deliver such aid. The ability of medical schools to supply our society with health professionals has changed dramatically in the last 20 years. Today, our medical schools are producing nearly 16,000 new doctors each year. Although there may be some shortages of physicians and nurses in particular areas of the country, the Nation as a whole is facing a future surplus—not shortage—of physicians and nurses. Under these circumstances, S. 2574, a bill which continues excessive taxpayer subsidies to health professionals and maintains a rigid unworkable categorical framework, cannot be justified.

S. 2574 takes the wrong approach to health professions training. In contrast to the Administration's proposal for a single, omnibus reauthorization of all health professions authorities, which would permit maximum program flexibility to address current needs, the bill not only reauthorizes the existing plethora of narrow, categorical authorities, but also creates new programs. This approach to health professions training is outdated and fails to respond to the rapidly changing health care environment.

A more appropriate approach would recognize that the surplus of physicians has reduced the need for Federal financial assistance and would improve incentives for health professionals to locate in areas of the country where shortages exist. The Administration's

health professions proposals would help meet these objectives.

S. 2574 would also repeal the Primary Care Block Grant authority—a key reform proposed by the Administration and enacted by the Congress in 1981 designed to restore State control, strengthen administrative efficiencies, and improve the delivery of health services. Thus, this bill would reverse a successful trend of increased State acceptance of health care responsibility that the Administration initiated. The block grant programs for preventive health and health services and alcohol and drug abuse have been successful. The primary care block grant was made optional by the Congress, and States have been hesitant to accept it. However, to close out the option at a time when States should be willing to consider another step toward greater autonomy is counterproductive and unacceptable.

This bill contains numerous other provisions that are either unnecessary or unacceptable, including authorization for new Federal National Health Service Corps scholarships that are not needed, since the number of scholarship recipients already bound to subsidized medical practice in rural areas is adequate.

For all these reasons, I find S. 2574 unacceptable.

RONALD REAGAN.

THE WHITE HOUSE, October 30, 1984.

S. 1967

MEMORANDUM OF DISAPPROVAL

I am withholding my approval from S. 1967, a bill "To compensate the Gros Ventre and Assiniboine Tribes of the Fort Belknap Indian Community for irrigation construction expenditures."

S. 1967 would reimburse the Gros Ventre and Assiniboine Tribes of the Fort Belknap Indian Community for \$107,759.58 in tribal funds expended under applicable law for the construction of irrigation projects on the Fort Belknap Indian Reservation from 1895 to 1913. In addition, interest would be paid at 4 percent from the date of expenditure of the tribal funds until the date of payment of the principal pursuant to the bill.

On November 20, 1962, the Indian Claims Commission, after due deliberation, issued a detailed opinion carefully considering and dismissing (among other claims) a claim for the same reimbursement that would be provided by the bill. *Fort Belknap Indian Community v. United States*, 11 Ind. Cl. Comm. 479, 510-518, 543-549 (1962). The Commission found that construction of the irrigation system was "requested by the members of the Fort Belknap Community," that it has been of great and continuing benefit to the tribes, and "that its construction and maintenance have been consonant with the fair and honorable

dealings clause within the meaning of the Indian Claims Commission Act." 11 Ind. Cl. Comm. 518-519. The tribes took no appeal from that decision.

The fair and impartial administration of justice and the protection of public resources from meritless special appropriations both require that those who have availed themselves of judicial remedies in asserting claims against the United States, and have had their claims fully and fairly adjudicated under our Constitution and laws, receive no more or less than that to which they have been adjudged to be entitled. Twenty-two years after the claims of these two tribes were dismissed by an impartial tribunal established by the Congress specifically to adjudicate such claims, this bill would authorize and appropriate to them all that they were previously found not to be entitled to.

Under the circumstances, the enactment of the bill would set aside established principles of justice and thereby encourage other and future efforts to obtain by legislation that which has been denied by a just adjudication.

For these reasons, I find the bill unacceptable.

RONALD REAGAN.

THE WHITE HOUSE, October 17, 1984.

S. 607

MEMORANDUM OF DISAPPROVAL

I have withheld my approval from S. 607, the "Public Broadcasting Amendments Act of 1984."

This bill would authorize appropriations of \$200 million, \$225 million, and \$250 million, respectively, for fiscal years 1987, 1988, and 1989 for the Corporation for Public Broadcasting. It would also authorize appropriations of \$25 million, \$35 million, and \$40 million for the Public Telecommunications Facilities Program administered by the Department of Commerce for fiscal years 1985, 1986, and 1987.

Public broadcasting has an important role to play in assuring that a wide variety of information and entertainment choices are made available to American viewers and listeners. Under S. 607, however, the authorizations for Federal subsidies to public broadcasting would increase dramatically. When all of the demands on the Federal budget are taken into account, I cannot endorse the levels of spending on public broadcasting contemplated by this legislation. They are incompatible with the clear and urgent need to reduce Federal spending.

It is important to note that current-year funding for these two programs totals only \$174 million. The Oxley amendment would have resulted in a generous and barely affordable increase of 15 percent, to \$200 million. S. 607 goes much further and raises first-year funding by 29 percent to \$225 million for the two programs. By the