

## Congressional Closeup by Ronald Kokinda and Susan Kokinda

### AIDS fight breaks out on House floor

Rep. Bob Dornan (R-Calif.) brought the issue of AIDS to the floor of the Congress Oct. 2 by offering an amendment to the HR 3424 appropriations bill for the Labor, Health, and Human Services and Education departments.

The Dornan amendment read: "Funds provided in this act for research into the causes and transmission of AIDS disease may be used by the Surgeon General for closing or quarantining as a public health hazard any bathhouse or massage parlor which in his judgment pursuant to law can be determined to facilitate this transmission or spread of the AIDS epidemic."

Dornan cited the incredible case in San Francisco, where the mayor, Democrat Diane Feinstein, ordered the bathhouses closed, only to have the Board of Supervisors overrule her on the proviso that "cubicle doors stay open in the bathhouses." He also quoted Judge Hyman, who is hearing the case of the young boy whose parents are fighting to put him into the school system, who is not an AIDS carrier but an AIDS victim, and by all accounts will die within the next two or three months unless a cure were miraculously found. "Why are AIDS patients with two or three months to live still allowed to circulate in public, infecting other people?" he quoted the judge.

Dornan asserted, "We do not have conclusive answers on anything" concerning AIDS, and said that Dr. James Mason, number-two man at the Department of Health and Human Services, admitted to him that "the tail of this dragon is only four years old. We do not have conclusive answers on anything except this—that the bathhouses are transmission points." Dornan said that the amendment "is a tiny, small step forward to do something to

help people who in many cases seem unable or unwilling to help themselves as far as stopping the transmission of this disease."

Leaping to meet the challenge presented by this amendment was New York Rep. Ted Weiss (D), the man who has authored a "gay civil-rights bill" every year since 1980 (that bill now has 66 House co-sponsors, but will probably not even come before a committee for consideration this session). Weiss represents West-Side/Greenwich Village New York City, where 40% of all the nation's AIDS victims reside (where, according to Dr. William Haseltine of the Harvard Medical School, now 65-85% of all heroin addicts are infected with AIDS, of an estimated 250,000 addicts in the city).

Weiss had the gall to object to Dornan's amendment by saying, "This kind of an amendment is to suggest that in some fashion the very people whose lives are being lost to this disease are in some way cavalier and disregarding of the nature and the impact of that disease." Weiss then cited Centers for Disease Control statistics for New York City showing that rates of gonorrhea among men aged 15 to 44 declined to their lowest rates in the past seven years. He said that sexually transmitted diseases have decreased by 80% in two years among gay men in New York, and 72% in the last three years in San Francisco. He failed to observe that this might be at least in part due to the fact that many of the men who were part of these statistics in years past are now dead.

Amazingly, Weiss added that "the bathhouses being open may provide an opportunity for people to be educated about the dangers of AIDS and how the disease is spread."

The only other congressman who dared speak out against Dornan was Henry Waxman (D-Calif.), whose

district includes Hollywood and the newly-incorporated city of "West Los Angeles," which brags of an absolute voting majority of avowed homosexuals. Waxman warned of the abuse of powers that the surgeon general might be tempted to exercise—and stressed that "responsibility for the control of infectious diseases has been traditionally left to the State and local authorities."

Having said their piece, both Weiss and Waxman voted for the amendment, leaving only eight who voted against it—Clay, Conyers, Crockett, Dellums, Dymally, Green, McKinney, and Roybal.

### House liberal crazies move to freeze defense

The House Appropriations Subcommittee on Defense voted Oct. 3 to freeze defense outlays, place a moratorium on further testing of ASAT weapons, and reduce funding for the Strategic Defense Initiative. The actions were taken as the committee completed its work in closed session on the fiscal 1986 military spending bill, and will now go to the full Appropriations Committee for consideration.

As approved by the subcommittee, the appropriations bill would result in total defense spending this year of \$292 billion, which freezes funding at the fiscal 1985 level. Rep. Les AuCoin (D-Ore.) said the subcommittee's vote to ban further ASAT tests came in response to the recent, successful test of an ASAT weapon. "We hope if we curtail it now it will put the ball in the Soviet court," AuCoin said (i.e., give the initiative back to the Soviets!).

On the SDI cut, Rep. Norm Dicks (D-Wash.), attempted to cut the administration request of \$3.7 billion

back to \$1.9 billion, but the subcommittee wound up going with \$2.5 billion. This is \$250 million below the compromise worked out by a House-Senate conference committee last summer, and the reduction was voted up despite a personal visit with the subcommittee by Defense Secretary Caspar Weinberger. Weinberger told the group that supporting the previously agreed-upon figure of \$2.75 billion would be important for backing up the President in the summit with Gorbachov.

## **Dannemeyer offers AIDS legislation package**

Representative William Dannemeyer (R) of Orange County, California at the end of September wrote all his House colleagues urging their cosponsorship on five pieces of legislation he is introducing "to curtail the spread of this deadly disease [AIDS]." "I am still concerned with the inaction of public health officials in responding to the spread of what can only be termed this century's version of the Plague. . . . The social, legal, and medical responses to this situation are grossly inadequate, given its severity."

The congressman added, "AIDS is not about civil rights or political power, it is a disease of a magnitude unparalleled in human history. . . . Due to uncertainty on transmission and cure, it seems only prudent that we take all precautions and not make the general population determining transmissibility of the AIDS virus."

Dannemeyer's bills: 1) make it a felony for a person in an AIDS "high-risk group" (intravenous drug users, hemophiliacs, those who have received a transfusion within the previ-

ous year, or males who have had sex with another male since 1977) to donate blood; 2) allow nurses, or any health professional, to use protective garments when treating AIDS patients; 3) prohibit persons with AIDS from practicing in the health-care industry; 4) provide that any city which fails to shut down its bathhouses will be denied federal funds; and 5) prohibit students with AIDS from attending school.

The second of Dannemeyer's proposals was attached as an amendment to HB 3424. It was tabled on a technicality. Action awaits the other four.

## **Roybal pushes medical murder**

The same Rep. Ed Roybal (D-Calif.) who was one of only eight to vote against Dorman's amendment (see above) convened hearings on "Death With Dignity" before his House Select Committee on Aging on Oct. 1.

Consistent with his commitment to let AIDS victims walk the streets as a way of saving public-health dollars, Roybal called for relieving "cost-related pressures" of growing old by advocating euthanasia. "Now is the time for federal and state governments to relieve the cost-related pressures on terminally ill persons," he said. "Now is the time for physicians and other health-care providers to be more sensitive to and supportive of the final wishes of America's terminally ill." (He should have added, "and insurance companies.")

The most pathetic feature of this hearing was the appearance of former Sen. Jacob Javits (R-N.Y.), himself a victim of Alzheimer's disease, praising Nazi Gov. Richard Lamm of Colorado. "Many people were shocked when Gov. Lamm urged individuals

who had no real prospect of living to 'get out of the way' and stop using medical resources to be kept alive, which might more profitably be used by others. This sounded callous, but the governor was uttering a truth. We have not yet reached the point even in this great nation of ours where living or dying has nothing to do with money." Needless to say, Javits became a major "media event," with his testimony being carried on the nightly national news.

The key thrust of the hearing was to promote the concept of "durable power of attorney" over the idea of the Living Will. The latter is inadequate, it was argued, because it goes into effect only when an elderly person has been officially classified as in a terminally-ill condition. Barbara Mishkin, former Deputy Director of the President's Commission for the Study of Ethical Problems in Medicine and Biomedical and Behavioral Research, said the Living Will "only applies to the terminally ill. It does not apply to the elderly person who is losing functions unless that person is diagnosed as terminal." Javits added that under the durable power of attorney, "an individual, friend, relative, physician or legal or religious adviser or a court may be granted authority by an individual to make medical decisions when the person concerned is no longer competent to make them—whether terminally ill or not.

The concept removes even the veneer of "self-determination" fraudulently associated with Living Wills. It gives to indifferent individuals—who uniformly stand to benefit from the removal of a costly, debilitated elderly person—the power to terminate the life of a person, even against that person's wishes. "He wants to live; he is obviously incompetent," one can hear the insurance company representative saying.