

nursing, and hospitalization beyond medicare entitlement for one "spell of sickness." In fact, there are many of our older compatriots who can expect to receive no hospital benefit whatever from medicare because the only hospital or hospitals in their areas have not qualified under medicare, for one reason or another. In view of these considerations, it is clear that many senior citizens need full deductibility of medical and drug expenses as much as they ever did.

It was also argued that restricting the deductibility of medical expenses for Americans in this age group would raise revenue needed to finance medicare. However, it is inequitable to raise taxes upon this age group to finance medicare when taxes are not being raised on any other age group for this purpose.

Therefore my amendment in the bill which is before us would restore full deductibility to medical and drug expenses of those who are 65 and over, and would repeal the requirement that the deduction be limited to the portion of such expenses over certain percentages of adjusted gross income. I hope the House conferees this time will see the desirability of permitting full deductibility of these expenses, and that the Senate position on this issue will prevail.

Mr. HARTKE. Mr. President, I call up my amendment No. 955 and ask that it be stated.

The PRESIDING OFFICER. The amendment will be stated.

The legislative clerk proceeded to read the amendment.

Mr. HARTKE. Mr. President, I ask unanimous consent that further reading of the amendment be dispensed with.

The PRESIDING OFFICER. Without objection, it is so ordered, and the amendment will be printed in the RECORD.

The amendment, ordered to be printed in the RECORD, is as follows:

At the end of the bill insert the following new section:

"SEC.—PERCENTAGE DEPLETION RATE FOR CLAY AND SHALE USED IN MAKING SEWER PIPE.

"(a) RATE.—Section 613(b) (relating to percentage depletion rates) is amended—

"(1) by striking out 'and clay used or sold for use for purposes dependent on its refractory properties' in paragraph (3)(B) and inserting in lieu thereof 'clay used or sold for use for purposes dependent on its refractory properties, and clay and shale used or sold for use in the manufacture of sewer pipe';

"(2) by inserting after 'shale,' in paragraph (5)(A) 'except shale described in paragraph (3)(B)'; and

"(3) by striking out 'sewer pipe,' in paragraph (5)(B).

"(b) TREATMENT PROCESSES.—Section 613(c)(4) (relating to treatment processes considered as mining) is amended by inserting after 'applies' in subparagraph (G) 'and of clay and shale used or sold for use in the manufacture of sewer pipe'.

"(c) EFFECTIVE DATE.—The amendments made by subsections (a) and (b) shall apply to taxable years ending after the date of the enactment of this Act."

[P. 25361]

Mr. HARTKE. Mr. President, the amendment deals with the depletion-allowance schedule that was discussed in the committee. At that time the Senator from Kansas [Mr. CARLSON] offered a different amendment which involved clay.

I was informed at the time that the amendment of the Senator from Kansas covered the situation intended to be covered in my amendment when in fact it did not.

My amendment would simply provide that the 15-percent depletion allowance allowed for other products, but especially cement and other clay products, shall be allowed for clay used in sewer pipes. At the present time it is not only at a competitive disadvantage, but it is also treated in a different fashion than other clay products.

I understand that the Senator from Georgia [Mr. TALMADGE] proposes to offer an amendment to my amendment.

Mr. TALMADGE. Mr. President, the amendment of the Senator from Indiana refers to sewer pipe made from clay but not brick. Brick comes from the same category of material.

I ask the distinguished Senator from Indiana if he will modify his amendment as follows:

On page 2, line 2, after "sewer pipe" insert "and brick".

On page 2, line 6, insert "building or paving brick and," before "sewer pipe". On page 2, line 12 after "sewer pipe" insert "and brick".

Mr. HARTKE. Mr. President, I so modify my amendment.

The PRESIDING OFFICER. The amendment is accordingly modified.

Mr. HARTKE. Mr. President, I yield to the Senator from Kansas.

Mr. CARLSON. Mr. President, I associate myself with the distinguished Senator from Indiana on this amendment as amended by the Senator from Georgia [Mr. TALMADGE].

We agreed to an amendment in committee that I thought covered these items. However, it was discovered later that it did not.

I hope that the amendment will be accepted by the chairman of the committee.

Mr. HARTKE. The chairman of the committee has indicated that he has no objection to accepting the amendment.

The amendment was not acted on when it was considered in committee in conjunction with the amendment of the Senator from Kansas [Mr. CARLSON].

Mr. JORDAN of North Carolina. Mr. President, I ask unanimous consent that my name be added as a cosponsor of the amendment of the Senator from Indiana as amended by the Senator from Georgia.