

the use of partial birth abortions by a margin of 288 to 139.

There are many issues which divide reasonable people on both sides of the abortion debate. But use of this procedure, which occurs late in the pregnancy—even in the ninth month—is horrifying to contemplate and completely indefensible.

I believe that people of good will, whatever their views on abortion generally, will agree that it is our obligation to act to defend the defenseless in circumstances where we can. This is one of those circumstances.

Mr. President, earlier this year, Senator SMITH introduced a similar ban on the use of partial birth abortions. It was placed on the Senate calendar under Rule XIV. It is my intention to schedule the House-passed bill for floor consideration at the earliest possible opportunity. I trust the Senate will pass the bill quickly and send it to the President for his signature.

I have little doubt that certainly the President will sign a bill to end this kind of procedure, this kind of practice.

Mr. BYRD. Mr. President, may we have order in the Senate so we can hear what the majority leader is saying? There are too many conversations going on.

The PRESIDING OFFICER. The Senator is correct. The Senate will please come to order. The majority leader.

Mr. DOLE. Mr. President, we can no longer ignore the fact that teenagers across America are now resorting to illegal drugs in ever-increasing numbers.

The most recent national household survey reveals that marijuana use among teenagers has nearly doubled since 1992, after 13 years of decline. It also reveals that attitudes toward illegal drug use are softening; fewer and fewer teenagers now believe that using illegal drugs is an activity that should be avoided.

Earlier today, the National Parents' Resource Institute for Drug Education [PRIDE], released its own annual survey of drug use by junior and senior high school students. According to the survey, not only are more and more high school students smoking marijuana, they are using it more frequently: one-third of high schools seniors smoked marijuana in the past year and more than 20 percent now smoke it on a monthly basis. The survey also shows that teenage use of hard drugs—cocaine and hallucinogens—is also on the rise. Since 1991, there has been a 36-percent increase in cocaine use by students in grades 9 through 12 and use of hallucinogens has risen a staggering 75 percent since 1988.

Tomorrow, we will probably hear some more disturbing news. If preliminary reports are correct, the Dawn Survey, conducted by the Department of Health and Human Services, will show that emergency-room admissions for drug overdoses are on the increase.

Although then-Governor Clinton boasted during the 1992 Democratic Convention that President Bush

"hasn't fought a real war on crime and drugs \* \* \* [and] I will," his record in office has not matched his campaign rhetoric. Through neglect and mismanagement, bad policy and misplaced priorities, the Clinton administration has transformed the war on drugs into a full-scale retreat.

Drug interdiction is down. Drug prosecutions are down. The General Accounting Office tells us that the anti-drug effort in the source countries is badly mismanaged. And, perhaps most importantly, the moral bully pulpit has been abandoned.

Regrettably, the administration's most prominent voice on this issue has been a surgeon general who believes the best way to fight illegal drugs is to legalize them.

Obviously, we cannot continue down this path. Failing to control illegal drug use has real-life consequences that affect not only the user but the rest of society. Drugs and violent crime, for example, are inextricably linked. Forty-one percent of all reported AIDS cases are drug-related. Drugs are a major contributor to child abuse. And past studies show that heavy drug-users are twice as likely to be high school drop-outs than those who do not use drugs.

So, Mr. President, we must ask ourselves: What can we do to jump-start the fight against drugs?

For starters, we must restore the stigma associated with illegal drug use.

Those of us in positions of authority—whether it is parents or teachers, religious leaders or those who hold elective office—must be willing to repeat over and over again the simple message that using drugs is wrong and that drugs can and do kill.

This message has worked before. It was called the Just Say No campaign. Illegal drug use declined dramatically throughout the 1980's and early 1990's in large part because our culture stigmatized drugs and shamed those who used them. This message got through to millions of teenagers and saved thousands of lives in the process.

Perhaps one of the best kept secrets is that, between 1980 and 1992, overall drug use declined by 50 percent. Cocaine use dropped even further—by more than 70 percent. These successes were the result of many factors, but perhaps the most important factor was the steady antidrug message that came out of Washington and through the media.

As Jim Burke, chairman of the Partnership for Drug-Free America, has explained: "Looking back at the progress made in changing attitudes in the 80's, it is very clear that the media played a very important role in shaping children's antidrug attitudes. We need them now to again increase their role in that regard." I agree.

So, Mr. President, I rise today to do my own part, to help raise public awareness about the disturbing increases in teenage drug use. We must say "enough is enough." Our children must understand that using drugs is

not only stupid but life-threatening. This is a message that can never be repeated too often.

#### LEGISLATION ON LATE-TERM ABORTIONS

Mrs. BOXER. Mr. President, I want to follow up on the remarks of the majority leader in which he stated that next week we will be taking up the ban on late-term abortions. The point I want to make, because he referred to President Clinton, is in a press release that was sent out by the White House. It is true that the House did vote yesterday to ban late-term abortions. Unfortunately, they did not allow any amendments to the bill. And the bill makes no exceptions for life of the mother, for serious health risks to the mother, or for cases of severe fetal abnormalities, such cases where there is such serious abnormalities that organs are outside of the body.

The House did not want to have any reasonable amendments on that bill. It is a very radical bill, and the President restated his long-held belief that though he does not want to see abortions, he wants them to be legal and rare. But the fact is, in a late-term abortion, you must consider the life and the health of the mother.

I feel it is very important that when this bill comes to the U.S. Senate, we have an opportunity to know what we are doing. For the first time, the House has made abortion a criminal act. They would put a doctor in jail, even if the doctor acted to save the life of a woman. Now, surely, we need to study that.

Surely, we should have some hearings in our Judiciary Committee, where we can bring forward the doctors, where we can bring forward the women who have gone through this hellish experience. The House makes up a whole new term for these kinds of abortions. It is not a scientific term. They made it up. I, for one, was not elected to be a doctor. I have great respect for doctors. Many doctors oppose what the House did. I certainly was not elected to be God. I do not know how Senators feel, but, for a moment, I would like them to think about if their loving wife came home to them and said: We have a horrific situation. If I carry this pregnancy to term, I am going to die. I really think there are colleagues on the floor here that never think about this in personal terms.

In the House, they did not allow people to vote a moderate approach to this issue. I think that is a grave injustice to women in this country, to families in this country, to doctors in this country, to common sense in this country. Frankly, it was a grave injustice to the Members of the House, who had no opportunity to vote a moderate vote.

Life of the mother. Oh, they say in that bill a doctor could use it as a defense. He could go in front of a jury and

beg for forgiveness and say, "I did it to preserve or protect the life of the mother." But, my goodness, what are we doing here? Why are we so radical when we could craft a bill that would be sensible? I think it is all about ideology, about contracts with America; it is not about real people.

I say to my friends in the U.S. Senate, if your wife came home to you and you were facing losing her, you would say to that doctor, "Save my loving wife." You would not want that doctor to be hauled off to jail.

I hope this Senate can take a more moderate course. I will stand here and fight for that moderate course for as long as it takes, because I think this is a very important issue to real people.

Mr. President, I yield the floor.

#### MORNING BUSINESS

Mr. THOMAS. Mr. President, I ask unanimous consent that now there be a period for the transaction of routine morning business, with Senators permitted to speak therein for up to 5 minutes each.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. KENNEDY addressed the Chair.

The PRESIDING OFFICER. The Senator from Massachusetts.

#### THE RECONCILIATION BILL

Mr. KENNEDY. Mr. President, in the reconciliation bill, the Republicans have extended an open hand to powerful special interests and the back of their hand to the American people. Senior citizens, students, children, and working families will suffer so that the privileged can profit.

Republicans are engaged in an unseemly scheme to hide what they are doing from the American people. Their proposals are too harsh and too extreme. They cannot stand the light of day—and they know it.

The fundamental injustice of the Republican plan is plain. Mr. President, \$270 billion in Medicare cuts that hurt senior citizens are being used to pay for \$245 billion in tax cuts that help the wealthiest individuals and corporations in America.

The Republican bills are also loaded with sweetheart deals for special interests, whose money and clout are being used behind closed doors to subvert the public interest and obtain special favors. The sections of the legislation dealing with health care are packed with payola for the powerful.

The dishonor roll of those who will benefit from the giveaways in this Republican plan reads like a "Who's Who" of special interests in the health care industry.

The pharmaceutical industry—the most profitable industry in America—benefits lavishly from the Republican program. The House bill repeals the requirement that the pharmaceutical industry must give discounts to Medicaid nursing home patients and to public hospitals and other institutions serv-

ing the poor. The total cost to the taxpayers from these giveaways is \$1.2 billion a year—close to \$10 billion over the life of the legislation.

The Democrats in the Finance Committee forced the elimination of this giveaway in the Senate bill, and the amendment, which I intend to offer as instructions to the conference, is designed to ensure that it is not included in the conference report.

The American Medical Association also receives lavish benefits in the Republican bill in return for its support of these excessive cuts in Medicare. The weakening of the physicians anti-fraud and physicians conflict-of-interest rules in the Republican program has been estimated by the Congressional Budget Office to cost taxpayers \$1.5 billion over the next 7 years.

Even more harmful to the Medicare patients is the elimination of restrictions on billing, so that doctors will be able to charge more than Medicare will pay, and collect the difference from senior citizens.

Under current law, such billing is prohibited for Medicare patients enrolling in private HMOs or competitive medical plans—the only private plans currently allowed to contract to provide Medicare benefits. The Republican Senate bill eliminates this prohibition for HMOs, and for every private plan. When the plan is fully implemented, senior citizens could pay as much as \$5 billion more for medical care a year as a result of the elimination of these protections.

We had this as an amendment during the time of reconciliation. We received some assurance that the billing provisions had been addressed, the double-billing provisions would be addressed, then under review of the language of the reconciliation we find that no place in those over-1,000 pages could you find the kinds of protections that exist there under the Social Security Act.

Our amendment directs the conferees to restore the limits on such billing and maintain strong protections against fraud and abuse.

Another extreme provision of the House bill is its elimination of all the Federal nursing home standards, a pay-off to unscrupulous nursing home operators who seek to profit from the misery of senior citizens and the disabled.

The Senate amendment adopted last Friday pretends to restore nursing home standards to the Senate bill but, in fact, it leaves a loophole wide enough to permit continued abuse of tens of thousands of patients.

It allows State waivers that could weaken Federal standards and avoid Federal oversight and enforcement. Weakening current Federal standards is a giveaway to unscrupulous nursing home operators. This amendment instructs the conferees to maintain the current strict standards.

One of the cruel aspects of the Republican proposal is its failure to protect nursing home patients and their relatives from financial abuse.

Mr. REID. Would the Senator yield for a question?

Mr. KENNEDY. Sure.

Mr. REID. Would my friend—

The PRESIDING OFFICER. The time is expired.

Mr. REID. I ask unanimous consent that I be allowed to speak as in morning business for 5 minutes.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. REID. And I extend my time to the Senator from Massachusetts.

How would it work around the country if we had 50 different sets of standards, I say to the Senator from Massachusetts, for how you would manage the standards set for rest homes?

Mr. KENNEDY. The Senator has put his finger on something which is basic to the Republican proposal because you would have 50 different standards for nursing homes in the 50 different States, as you probably would with regard to children and children's coverage, as well as the disabled in various States.

Rather than having a national commitment to our seniors that is implicit in the Medicare concept, Medicare is basically an understanding that as seniors get older their incomes go down and their health needs go up. That happens to seniors all over this country. Medicare recognizes that. What we are doing with the nursing home standards is carving out an area where the Republicans fail to give current protections to those senior citizens, but instead, gives protections to the nursing homes—they will be protected.

For example, in my State of Massachusetts it costs \$39,000 for nursing home care. If a senior qualifies for Medicaid—which effectively means they have no real further assets other than perhaps a very marginal protection for the spouse which was addressed under a different provision—and that individual is in a nursing home, the Medicaid payment is a payment in full.

Effectively under the Republican program, States may provide only about two-thirds of the Medicaid money to nursing homes. The Republicans are cutting out \$180 billion out of Medicaid. We now spend \$90 billion a year on Medicaid. They are cutting out \$180 billion out of the program, which is the equivalent of 2 years of the 7, giving that much less money to the States.

In my State I can understand the State saying we can only pay, instead of the \$39,000, maybe \$25,000. What this legislation will say is, all right, the nursing home can try to sue that family for additional money—not just the \$39,000 but maybe \$42,000 or \$45,000—and at the same time, the Republicans refuse to put in place the nursing home standards. The kind of standards which were developed in order to address the kinds of abuses that were so evidenced in the hearings which our good friend from Arkansas, Senator PRYOR, and others were involved in, in a bipartisan way, in 1987.