

\$20,000 check every year based on a 4 percent net royalty on the value of the minerals mined on the Gores' property.

Now it may seem a little hypocritical for an environmentalist like Mr. Gore to profit so handsomely from a nasty old industry like mining. But the question for the moment is, if the deal is good enough for Mr. Gore, why isn't it good enough for Interior Secretary Bruce Babbitt.

For months now, Mr. Babbitt and congressional Republicans have been arguing over plans to reform the infamous 1872 Mining Law as part of the overall budget reconciliation package. The law provides, among other things, that mining companies can get title to government lands for as little as \$2.50 an acre and then mine the minerals without paying royalties.

That doesn't mean the government collects nothing from the operation. Mining companies pay income taxes, company shareholders pay taxes on dividends, and company employees pay taxes on their wages. Such taxes make the government a partner in almost any business enterprise, including mining.

Mr. Babbitt, however, seems to want a gross royalty of 4 percent or higher, a demand to which even the formerly Democrat-controlled Congress would not agree. One says "seems" because it's not clear exactly what percentage he wants. An Interior Department spokesman this week could not provide a figure.

Republicans propose to make companies pay a 5 percent net royalty as well the fair-market value of the land. The 5 percent figure happens to be a percentage point higher than what Mr. Gore gets, but it's not good enough for Mr. Babbitt. A net royalty is "riddled with loopholes," he says. Mr. Babbitt means the kind of loopholes that allow business to deduct the cost of their expenses before paying taxes.

Again, the business dealings of the Gore family are instructive here. So eager were the Gores to capitalize on the assets of Mother Earth that they actually sued the company mining the family farm for cheating it out of royalty payments. It seems that although the company had paid royalties on zinc mined there, it had failed to pay appropriate royalties on the germanium ore it dug up. Arbitrators sided with the Gores.

"My attorney proposed an accounting methodology," the vice president's father said in 1992, "which the arbitrators accepted, to determine the value of germanium produced: Take value of germanium produced from the ore and deduct refining costs, insurance, freight and other charges. That's not difficult accounting." No it's not.

It can cost millions, perhaps hundreds of millions of dollars, to discover, explore and ultimately develop a mine. Refusal to permit companies the same kind of deductions on government lands that the Gores agreed to on their land is simply another way to shut down mining there. That may be what Mr. Babbitt wants, but employees and towns and schools who directly or indirectly depend on mining jobs don't have the luxury of hand-outs from Washington.

There's plenty of "gold" to be had from the Republican mining reform proposal. It would raise an estimated \$157 million in federal revenues. But Mr. Babbitt needn't take Republicans' word when it comes to mining income. All he has to do is ask the Gores.

Mr. MURKOWSKI. Mr. President, I thank the Chair. I wish the President a good day.

I see another of my colleagues on the floor. I yield the floor.

The PRESIDING OFFICER (Mr. BROWN). Who seeks recognition?

The Senator from Utah is recognized.

#### DRUG-RELATED CHILD ABUSE

Mr. HATCH. Mr. President, it is becoming difficult to open a newspaper without reading another horrifying story of drug-related child abuse.

From Brooklyn, we learn of Elisa Izquierdo, the 6-year-old girl who was born to a crack addicted mother. Elisa's mother allegedly beat her to death, leaving New York's public welfare agencies to engage in the usual finger pointing. [New York Times, Nov. 28, 1995]

In suburban Chicago, a woman and two children are brutally murdered by a trio that includes a convicted drug dealer high on crack. [Time, Dec. 4, 1995].

In Patterson New Jersey, a crack-addicted woman beats her 14-year-old daughter with a three-foot board with a nail protruding, after a dispute over dirty dishes. [New York Times, Dec. 6]

To most of us, horrifying incidents like these seem nearly unimaginable. They demonstrate the incredible dangers of drugs like crack cocaine—drugs so addictive that they could actually impel a mother to kill her own child.

These may be extreme cases, but they are instructive because they represent the extreme end of the kind of pressures facing young people today.

Indeed, sometimes it almost seems to me as if our culture is dedicated to separating children from their innocence. A recent Carnegie Foundation report put it this way:

Barely out of childhood, young people ages 10 to 14 are today experiencing more freedom, autonomy, and choice than ever at a time when they still need special nurturing, protection, and guidance. Without the sustained involvement of parents and other adults in safeguarding their welfare, young adolescents are at risk of harming themselves and others. [Report of the Carnegie Council on Adolescent Development.]

Lately, the harm referred to in the Carnegie report has been taking the form of increased drug use. A few numbers tell the story:

Last year the number of 12- to-17 year-olds using marijuana hit 2.9 million, almost double the 1992 level [National Household Survey on Drug Abuse, Nov. 1995].

LSD use is way up among high-school seniors—11.7 percent of the class of 1995 have tried it at least once. That is the highest rate since recordkeeping started in 1975. [Monitoring the Future Study, released Dec. 11, 1995]

A parents' group survey released this November found that 1 in 3 high school seniors now smoke marijuana [Survey released Nov. 2, 1995 by Parents Resource Institute for Drug Education].

Unbelievably, another survey shows that young people are more likely to be aware of the health dangers of cigarettes than of the dangers of marijuana [May 1995 survey by Frank Luntz].

As I said, kids have it rough today. They are faced with adult choices at an ever-earlier age, as the culture surrounds them with hedonistic messages. And it bothers me, frankly, when I read that sometimes our mass media, our educators, and our public officials are making things even worse.

Take the recent advent of rap and hip hop music, a kind of music that enjoys great popularity among young people. A lot of hip hop music is perfectly unobjectionable, although I have to admit it is not what I listen to.

But take a look at these lyrics by the hip hop group Total Devastation and tell me if you hear what I hear—kids as young as 10 being encouraged to take drugs. Chart No. 1 reads:

When it comes to puffing blunts [blunts are a kind of marijuana cigarette] I'm a 12-year vet.

And I wasn't 10 yet when I took my first hit. I was headed out the house to school one day,

And guess what I found in my dad's ashtray

Now there's only three things in life that I need

Money, safe sex, and a whole lot of weed. Total Devastation, "Many Clouds of Smoke"]

If my colleagues believe that this is an isolated phenomenon, let me quote from some other songs. This is "Hits From the Bong," by the group Cypress Hill. Chart No. 2 reads:

Pick it, pack it, fire it up,  
Come along, take a hit from the bong. . . .

[Cypress Hill, Black Sunday, Hits From the Bong]

Of course, for those of you who have led sheltered lives, a bong is a plastic pipe used for smoking marijuana. This is what our kids get hit with every day.

This last chart has an excerpt from a No. 4 hit song by performers known as "Channel Live" and "KRS One". Chart No. 3 reads:

Wake up in the mornin' got the yearning for herb

Which loosens up the nouns, metaphors and verbs

And adjectives ain't it magic, kid

What I'm kickin'

Multiflower bags and seeds for the pickin'. . . .

[Group: Channel Live and KRS One; Song: "Mad Izm"]

This is not just talk, either. The author of this hit song told High Times magazine: "I love marijuana." "Anything that gives a good feeling the youth are going to gravitate towards. Period. Drugs are part of the human experience." [High Times, May 1995, p. 66]

From Atlanta we get the Black Crowes, known for unfurling large banners on stage emblazoned with a marijuana leaf and bearing the words "Free Us." Crowes lead singer Chris Robinson explained to a reporter: "Everybody in this band smokes weed. . . . We did 350 shows, smoked every night, and never got busted." [Hartford Courant, Mar. 12, 1993]

If you think it is easy to do something about this stuff, think again. Baltimore deejay Marcel Thornton lost his job after he stopped playing songs like "First of the Month," by Bone Thugs-N-Harmony, a song which according to the Washington Post talks about "getting high and selling crack to welfare recipients." [Washington Post, Dec. 2, 1995]

According to the Post, Thornton, who attended the Million Man March,

got a call from a female listener pointing out the contradiction between the ideals of the march and some of the lyrics he was playing—coarse and sexually explicit lyrics that I would not repeat on the Senate floor. Thornton agreed; now he is unemployed.

Some people claim that music reflects values but has no influence over the way people really live. But how else to explain the following story, reported in the December 18 Washington Post.

A homemade video shows a man sitting at a table packaging what appears to be crack cocaine. His 4-year-old son sits next to him—also packaging a crack-like substance. The father drinks from a bottle of gin. The 4-year-old takes a drink. The father pulls a 9 mm pistol and subdues an assailant. The 4-year-old pulls a pistol—it may have been a toy, we do not know—and turns it on a younger sibling.

Why was this child being trained, for lack of a better word, to be a predatory criminal? His father says they were making a rap music video.

Of course, there are two sides to every coin. America's music and entertainment industry has brought us greater access to more kinds of music than at any time in history. Music entertains us, but it also edifies us. It has always been a source of great inspiration to me. There is so much in what the music industry produces for kids that is positive—even uplifting. And there are so many musicians out there who have put forth antidrug and other positive messages for people.

I also speak as one who has been a big supporter of the music industry. The digital performance rights bill that was recently signed by the President, and the Audio Home Recording Act of 1992, are only two of the more recent pieces of legislation that I have worked to enact.

But the industry has to admit that it just is not helpful to be peddling albums and artists whose music endorses this type of completely self-destructive activity.

To those of you at Arista, Sony, Interscope, Capricorn and Columbia Records, and the many others who produce and distribute these groups and the ones like them, I ask: How can you sit by and look at 1.3 more young people—that is more young people than 2 years ago—smoking marijuana? How can you ignore a 200-percent increase in marijuana use between 14- and 15-year-olds?

The recording industry has a positive role to play here, but I just have to ask the people promoting these groups, do you not feel irresponsible distributing this garbage?

The record industries are hardly the only sector of the entertainment industry that is sending mixed messages. In an episode of the hit TV show "Roseanne," Roseanne and her husband find a stash of marijuana in their daughter's room. After lecturing her boyfriend, whom they initially suspect of

buying the marijuana, they then as parents shut themselves up in the bathroom and smoke it.

Now, that is one of the most popular shows on television. Why, I will never know, but nevertheless it is. What can our kids get from stuff like that? I, fortunately, missed this particular episode, but I understand that the writers treated it like it was something funny—as if the main characters in a top-rated show have no influence over our mores and our attitudes. ["Roseanne" show aired Oct. 5, 1993.]

Small wonder, then, that 67 percent of adults and 76 percent of kids say that pop culture—TV, movies, magazines, and pop music—encourages drug abuse. There may be no direct causality, but there is certainly positive reinforcement of a truly negative message. [May 1995 survey by Frank Luntz.]

It is not just the mass media, of course. Kids are getting the wrong message from areas as diverse as the instructional materials they receive in school, and even a new encyclopedia that glorifies drug use.

Schools all across this country hand out free copies of Scholastic Update, a magazine geared to youthful readers. Here is what an issue of Scholastic Update had to say about illegal drugs:

Marijuana is back and coming out of the closet. Stars smoke it. Musicians . . . celebrate it. TV shows like Saturday Night Live and Kids in the Hall depict it as harmless fun. Marijuana fashion has grown into a \$10 million industry. . . . [Buschbaum, Herbert, "Legalizing Drugs: Where do you Stand?" Scholastic Update, May 6, 1994 pp. 8-11].

The article gushes that "America's antidrug policy is getting a fresh look" with "[a] small but increasing number of public figures \* \* \* calling for legalization of all drugs, not just marijuana," and strongly suggests that the Government treat drug use as a "health problem," providing addicts with controlled access to cheap drugs and clean needles.

Here is another example that surprised me. The 1995 edition of Colliers Encyclopedia—the book our kids are going to be using to write book reports in junior high and high school—tells us there is no reason to worry about drug use because "[t]he desire of human beings to alter their state of consciousness is one of the few constants in human history."

The Colliers entry on "Drugs, Prohibition of" was written by noted legalization proponent Ethan A. Nadlemann. Among other novel theories Dr. Nadlemann advances in this entry are that most drug laws, including those banning cocaine and opiates, have their historic origin in racism and the desire to crack down on socialism and other forms of political dissent and nonconformity.

What bull. I cannot believe that an organization like Colliers would go to this person to tell us and to tell our kids what is right with the world. This is the kind of material we are giving to our young people to read in school.

Imagine what they are reading in their free time.

Keeping our kids off drugs is critical for all the obvious reasons—plus one. Those who reach age 21 without using drugs almost never try them later in life. Hard core drug abusers almost always start young and almost invariably start by smoking marijuana. Let us emphasize this point. Marijuana is not harmless.

According to the Center on Addiction and Substance Abuse at Columbia University, 12- to 17-year-olds who use marijuana are 85 times more likely to graduate to cocaine than those who abstain from marijuana.

The conclusion is clear. Glamorizing drug use is just reckless, whether it is through music, TV, magazine articles, educational materials, or misguided Government policies.

Keeping kids away from drugs in the first place requires us to stigmatize drug use—a conclusion confirmed by numerous surveys and one that, unfortunately, explains our recent upturn in youthful marijuana usage.

According to a University of Michigan study, youthful use began rising in 1992, just 1 year after declines in peer disapproval were first noted.

One organization that has been doing a great job in explaining the dangers of illicit drugs is the Media Advertising Partnership for a Drug Free America.

The Partnership brought us the famous frying egg with the voice-over saying, "This is your brain on drugs." They have come a long way since the frying egg. Lately, they have been doing a terrific job of producing ads that target all sorts of high-risk groups.

But they rely on donated air time—otherwise, a very expensive commodity—to get their message out. This is becoming a problem for this group. Partnership's ad placements are off more than 20 percent—from \$365 million in 1991 to a projected \$290 million this year. Partnership for a Drug Free America.

Network news coverage of the drug issue has fallen dramatically, from 518 stories in 1989 to just 82 in 1994. Center for Media and Public Affairs.

We need to see more of these Partnership messages on TV, not fewer. The media have to be more generous with their time and more proactive. Unless we want a generation of junkies, more violence, more abuse and neglect, and more crime on our streets, we had better stop singing and laughing about drug abuse. It is a deadly serious matter.

I had one of the leading French law enforcement officials tell me how difficult it is because Holland, a nation which has legalized drugs, has become the sewer through which they are pouring in all the drugs and then out to the rest of the neighboring states in Europe. It is just devastating to the nations of Europe. We cannot let that happen here.

All the recent news has not been bad. I am pleased that President Clinton

has responded to Congress' call for expedited nomination of a new drug czar. Gen. Barry McCaffrey is an impressive nominee with a history of courageous and energetic leadership. I am proud that he has been nominated. I look forward to the opportunity to discuss these and other issues with him before and at his confirmation hearings. I commend the President for finally grabbing the ball and doing something in this area.

I hope he will back General McCaffrey, who I do not think would take this job if he was not going to have the backing of the President. I hope the President will back him and help him to get out there and do what needs to be done.

Mr. President, in the area of drug use, we have our work cut out for us. The Senate Judiciary Committee has been holding a series of hearings to bring national attention to bear on just how bad this situation has become—and they are bipartisan hearings, I might add. We are going to begin the process of revitalizing the drug war.

Over the next 2 months I will be joining with Senators DOLE and GRASSLEY to look at specific approaches to dealing with the problem of drug use. By working together I believe we will be able to reclaim the ground that we have lost. But we cannot do it without people in America being aware of these problems that are just killing our country and killing our young people, and just satiating them with substances that are horrifying, debilitating and wrong, and that will lead them down the primrose path of drug abuse, drug addiction and ultimately death and degradation.

Mr. President, I yield the floor.

The PRESIDING OFFICER. Who seeks recognition?

Mr. HARKIN addressed the Chair.

The PRESIDING OFFICER. The Senator from Iowa is recognized.

Mr. HARKIN. Mr. President, thank you. I just want to again thank my colleague from Utah for his very eloquent remarks on the drug problem, especially on marijuana. I say to my friend, I was listening, and he points out some very good things. I, being the parent of two teenage daughters, am as concerned as he is about the lyrics I hear on some of these songs promoting the use of drugs, such as marijuana.

I cannot add to anything my friend from Utah said, except I heard him say that hard-core drug users always start when they are young—and that is true—and they usually start with something like marijuana. Before that, they start on cigarettes. And unless and until we can get to that root problem of doing something about how these cigarette companies are pushing their products on young people we are fighting a losing battle. We have to get to that too and stop them from getting hooked on cigarettes, because it is cigarettes and alcohol and then right on to illegal drugs.

So I thank the Senator.

Mr. HATCH. I want to thank my colleague. I appreciate the kind remarks and hear him.

Mr. HARKIN. The Senator has been a great leader on this issue, and I commend him for it.

Mr. LOTT. Mr. President, will the distinguished Senator yield?

Mr. HATCH. I will be happy to do so.

Mr. LOTT. I wish to commend him for his remarks. I find them very interesting and informative. I think we can all make use of them.

#### ORDER FOR ALLOCATION OF TIME

Mr. LOTT. Mr. President, this has been cleared on both sides of the aisle. I ask unanimous consent that the time consumed by all previous quorum calls and any ensuing quorum calls during today's morning business be equally divided between both sides of the aisle.

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

Mr. LOTT. I thank the Chair.

#### FRAUD, WASTE, AND ABUSE IN THE MEDICARE PROGRAM

Mr. HARKIN. Mr. President, I came to the floor today to talk about a letter I received just yesterday from the inspector general of the Department of Health and Human Services.

Mr. President, over the last 6 years I have spoken frequently on the Senate floor about the problem of fraud, waste and abuse in the Medicare Program. For several years I chaired the appropriations subcommittee that funded the Health Care Financing Administration. Every year I would have one full day of hearings on fraud, waste and abuse in the Medicare Program.

Through the use of our subcommittee we have had a number of GAO investigations and the inspector general's investigations. I was wondering just what might be happening to these investigations because of some of the Federal Government shutdowns and slowdowns. As background, let me just say that the GAO has estimated that up to 10 percent of Medicare spending is lost to waste, fraud and abuse. And 10 percent out of a program running about \$180 billion a year means that is \$18 billion a year going for waste, fraud, and abuse. So it is not just a small item. It is a big item, and it is a direct hit to the pocketbooks of taxpayers.

One of the main activities and one of the main positive forces we have going after waste, fraud and abuse is the inspector general's office. It is our main line of defense against Medicare fraud. As I pointed out before, even at last year's level, they did not have enough resources to do the job. But it is absolutely essential in stopping this terrible waste of taxpayers' dollars and saving us money.

So I was concerned about the possible impact of the Government shutdowns and the low level of temporary funding

that the inspector general is operating under, and what that would mean in our fight against Medicare waste, fraud and abuse.

Last year I wrote to Inspector General June Gibbs Brown to ask her what the impact was. Mr. President, I received her letter yesterday. I want to share it with the Senate because it is absolutely shocking.

The inspector general has said that literally billions of dollars are to be lost to fraud and abuse if action is not taken now. Let me read some portions of this letter.

First of all she says:

DEAR SENATOR HARKIN: Thank you for your recent letter expressing concern about the extent to which the critical anti-fraud and abuse activities of the Office of Inspector General (OIG) in the Department of Health and Human Services (HHS) are suffering from the government shutdowns and under the current stop-gap spending bill. Specifically, you asked the following questions:

Were major enforcement initiatives, investigations, and audits suspended?

[Second,] [a]re fewer initiatives, investigations, and audits being initiated?

[Third,] [w]hat is the potential impact on Inspector General activities of being forced to operate under another short-term funding measure similar to the one currently in effect?

As I said, Mr. President, the answers are shocking.

I am not going to read the whole letter. I will put it in the RECORD. A few points need to be highlighted. On my question on investigations and audit activity, listen to this, Mr. President.

Cases to U.S. attorneys offices for prosecution dropped from 92 in the first quarter of last year to 51 in the first quarter of this year. Indictments fell from 50 to 34.

Criminal convictions dropped from 84 for the first quarter of last year to 36 for the same period this year.

Investigative receivables fell from approximately \$77.7 million for the first quarter last year to about \$30.8 million for the same period this year.

The Office of Inspector General issued 33 percent fewer reports, processed 30 percent fewer non-Federal audits, and identified 40 percent fewer dollars for recovery to the Federal Government compared to the same period last year.

The shutdowns [she went on to say] prevented us from excluding individuals and entities from participation in Medicare and Medicaid. Providers were allowed to continue to bill the Medicare and Medicaid programs even though they should have been excluded due to convictions or because they [have been] abusive to patients.

Understand what she is saying. She is saying that certain individuals and entities should be excluded from participation because they have been convicted of criminal activities. They could not even keep them out because of their lack of funds caused by the shutdown in the Government and because of their underfunding.

In comparison, she states that last year at the same time there were 493 health care exclusions versus only 210