

Congressional Closeup by Ronald Kokinda

Elderly shouldered with AIDS costs

The catastrophic health care bill, H.R. 2470, which the House passed on July 22, will end up placing a great deal of the cost of AZT and other drugs for AIDS victims upon the shoulders of the nation's elderly.

Rep. William Dannemeyer (R-Calif.) led the fight to delete this provision from the bill. "While I recognize that someone must bear the health care costs of these unfortunate victims, I do not believe that the elderly should be targeted for that role," Dannemeyer said.

H.R. 2470 provides benefits under Medicare for the cost of drugs minus a yearly \$500 deductible. Those under 65 can apply for Social Security Income benefits and after 24 months can receive Medicare benefits. Backers of the provision argued that most AIDS victims are dead by this period of time.

But Dannemeyer pointed out that with the life-prolonging drugs such as AZT, and if those who have ARC (AIDS Related Complex) are covered by the bill, then "the elderly could be faced with subsidizing the drug needs of up to 3 million AIDS victims at a cost of \$300 billion."

"This is not just an idle threat that I am talking about today," Dannemeyer said. "Four thousand people currently have AIDS drawing SSI. When they have survived 24 months they are eligible for drugs. . . . There is little doubt that this category will expand dramatically as persons afflicted with AIDS qualify.

"We are creating a catastrophic bill here to cover those kinds of obligations," Rep. Ed Madigan (R-Ill.) said. "It is the AIDS patients rather than the senior citizens who are going to be incurring those kinds of obligations. But it is the senior citizens through the

surtax in the Democratic legislation who are going to be picking up the bill for those catastrophic obligations."

Because of the rule under which H.R. 2470 was considered, there was no separate vote on the drug benefit provision. Rep. Robert Michel's (R-Ill.) substitute, which provided drug benefits only for the medically indigent, lost on a vote of 190 to 242.

Conyers, Ford push grand jury reform

Reps. John Conyers (D-Mich.), chairman of the House Judiciary Subcommittee on Criminal Justice, and Harold Ford (D-Tenn.), have both introduced legislation to reform grand jury investigations.

Conyers's bill is more modest in scope and seeks to allow a witness appearing before a grand jury to have his lawyer present with him for purposes of consultation. A witness is subject to self-incrimination and imprisonment for contempt, and may also inadvertently lose right to claim a privilege by operation of the doctrine of waiver, Conyers pointed out. "The complex and important legal issues which confront a witness testifying before the grand jury makes the presence of defense counsel critical," Conyers said.

Currently, if a witness wishes to consult with counsel, he must ask the prosecutor's permission, repeat the question to his attorney, return and try to remember the attorney's instructions. "This process is inefficient and ineffective, as well as prejudicial to the witness," Conyers said. "It annoys grand jurors and raises speculation in their minds regarding the purpose of the consultation," he added.

Conyers said that "requiring a witness to get up and go outside the grand jury room to consult with counsel is so prejudicial to grand jury witnesses that it undermines one of the primary functions of the grand jury, to shield persons from unwarranted prosecutions."

Ford, who was recently indicted, for allegedly receiving \$350,000 from a bank run by the Butcher brothers through a sham corporation by a Knoxville grand jury after a lengthy investigation by a Memphis grand jury brought no indictment, has introduced a bill modeled more on his case.

The Ford bill would allow the target of a grand jury to appear before the grand jury if he requested. The target would also have the right to administer polygraph tests to any witness who is a convicted felon or a party to a plea bargain agreement. Also, exculpatory evidence unearthed by a previous grand jury would also have to be presented to any current grand jury.

Contra debate heats up in Congress

Dozens of supporters and opponents of further funding for the Contras took to the floor of the House to argue their case on July 23, intensifying a debate which is expected to peak later this year.

Contra supporters, buoyed by the public sentiment for Lt. Col. Oliver North, organized a series of statements around the slides which North used for fundraising for the Contras, but was not allowed to present before the Iran-Contra joint congressional committee.

While supporters made a serious case for Soviet and Cuban military activity, and the military buildup in Nicaragua, which threatens U.S. inter-