

Pepper: No, it got out of their hands. I think the forces who run that Department, who aren't Clinton or Reno, but are the people you know and you've identified, and they just were determined that they were going to go to the wall on this one, and not give any change, or any break at all.

EIR: And any contrary evidence, they simply ignored. There's an enormous amount of material, and anything that didn't fit their predetermined conclusion, they just ignore.

Pepper: That's right, they just ignore. They ignore Nathan Whitlock and his mother; they try to discredit Johnny McFerrer; and of course Jowers, they try and discredit him. They say, "Well, he's changed his story."

Of course he's changed his story. He never wanted to get involved in this in the first place. For a long time, he just told one story; of course he changed it.

It [the DOJ report] is very one-sided, and one has to take it apart piece by piece, and I will try to to that.

EIR: I'm looking forward to that; I'm sure a lot of people are.

They also made a big point about, that there's no link between the Kennedy assassination and this.

Pepper: That was the real hidden danger of the Wilson documents. That was a real danger, wasn't it, because of Raoul, and Ruby, and that whole connection there. I know, they make a big point of that.

EIR: It's so self-serving: They go in threatening, intimidating, and so forth, and then they say, "Well, they didn't cooperate with us, therefore they're not reliable."

Pepper: Right, right. "They didn't want to speak to us. They didn't cooperate. They're not reliable." Right.

It had its purpose, and that's really what they did, and that's why Mrs. King was right when she decided not to go on down and sit with them, and let them explain the reason behind their report; she said she knew what they were going to do, and she didn't want to give the DOJ a photo opportunity. . . . Smart decision. . . .

That family feels that they know now much more, and generally quite accurately, what happened, and more details will seep out over the years. People come forward with information. I get calls from people all the time, and there's new leads here and there. It will come out little by little. I had a woman who called me, and she had a friend who was in charge of Army logistics, and on the morning of April 4, he was told to be ready, because they were going to be moving large numbers of troops into the nation's capital the afternoon of the 4th. And sure enough, of course, that's what happened. And then, the killing took place. And this guy said: "Wow, they knew about it all the time."

You get pieces of information like that. And after a while, there's a cumulative buildup of this stuff, and you know that basically you're right. . . .

Senate GOP Leaders Back HMOs Over Patients—Again

by Linda Everett

For four years, the Congressional contingent of the Conservative Revolution has worked non-stop to block any and all legislation that would provide even minimal protections for patients in managed-care plans, and make health maintenance organizations (HMOs) legally liable for policies that harm, disable, or kill their patients. On June 29, the Republican-dominated U.S. Senate outdid itself, by passing a "Patient Protection" bill that would actually *reverse* laws passed by the states to protect people from the ravages of the HMOs.

Public pressure has been building for Congress to finally act, to curb the outrageous violations of human health and dignity by the HMOs. Much of the debate has centered on giving senior citizens insurance coverage for prescription drugs. Meanwhile, the Norwood-Dingell Bill, sponsored by Reps. Charles Norwood (R-Ga.) and John Dingell (D-Mich.), the version of the Patients' Bill of Rights which passed in 1999, has been languishing in a Republican-dominated conference committee, unable to reach the President's desk.

In early June, after months of inaction by the conference committee, Sen. Edward Kennedy (D-Mass.) attached the original Norwood-Dingell bill to other legislation to force a vote on the issue. The bill failed to pass by just one vote—indicating growing Republican support for real patient protections. Then, on June 29, Sen. Byron Dorgan (D-N.D.) proposed an amendment to an Appropriations bill that addressed the issue of how many patients would be covered in any final bill. Sen. Don Nickles (R-Okla.) countered with his sham GOP "patients' rights" bill that narrowly passed by a vote of 51-47. In a confusion of details that even some Senate offices cannot untangle, the Nickles bill amends the Senate GOP bill, but Norwood's office says that it actually makes it worse, by reversing laws that states have enacted to protect patients from HMOs' rapacity.

Clearly, unless the GOP majority which carried this out, is removed from office in the fall elections, there is no hope of protection from the HMOs. More fundamentally, given the rulings from the U.S. Supreme Court upholding the cost-cutting intent of the 1973 law establishing HMOs, the only effective action that can be taken to stop the medical murder, is to *ban* HMOs altogether, and return to the philosophy of the Hill-Burton legislation of the late 1940s.

The original Patients' Bill of Rights, or the Norwood-Dingell bill, albeit with unfortunate "poison pill" attachments

loaded on to it by House Speaker Dennis Hastert (R-Ill.), was passed overwhelmingly by the House on Oct. 7, 1999. The bill, which is endorsed by 300 organizations representing doctors, nurses, patients, other medical professionals, and advocates for children, families, and the disabled, would affect all patients in private insurance plans, at a point when those plans are in a frenzied looting operation against hospitals, medical providers, and patients alike.

Shortcomings of the Norwood-Dingell Bill

Fundamentally, of course, the bill doesn't stop the crimes. As *EIR* has shown repeatedly for more than two decades, the policy of managed care, itself, adopts a Nazi philosophy of cost cutting. The "Health Maintenance Organization and Resources Development Act," passed on Dec. 29, 1973 and authorizing "managed care" for a post-industrial United States, started deregulation of the nation's health-care system for the primary purpose of allowing Wall Street to loot it. The patients' bill of rights only attempts to "regulate" that looting process, as we enter the end stage of managed care's takedown of the U.S. health-care system.

But, the Republican leadership has kept the Norwood-Dingell bill bottled up in conference, where it must be reconciled with the Senate bill passed in 1999. The GOP bill restricts the scope of HMO patients "protected" to 48,000 people in self-insured plans protected by Federal law. The bipartisan rights bill, by contrast, covers all 161 million people in all private health plans.

Rather than compromise in favor of patient protection, the Republican leadership decided this summer to serve the HMOs more completely.

As Kennedy told the Senate on June 29, the irony of the Nickles bill, is that "virtually no one enrolled in an HMO is covered by the Republican bill—because HMOs are almost never part of the self-funded insurance arrangements covered by their bill." The Employee Retirement Income Security Act (ERISA) provides uniform Federal protection of employee welfare or health plans, while superseding state insurance regulations. HMOs knowingly use the ERISA law to escape all liability when their policies harm or kill patients. Making such plans legally liable, as the bipartisan Norwood-Dingell bill does, will save lives. The Senate GOP bill, by contrast, would leave thousands, by the HMOs' own estimate, to face death and injury.

A study conducted for the HMO lobby found that if HMOs were made fully legally accountable for their policies, 6,321 patients a year would win suits for wrongful death or injury against negligent health plans!

Under the GOP bill, patients have no recourse if their HMO doesn't have enough physicians to provide timely treatment. Patients must first go through a gauntlet of rigged internal and external appeals, in which the reviewer is hand-picked by the HMO that caused the injury or death in the first place! In the majority of HMO cases, patient injuries occur fairly

quickly, yet, under the GOP bill, a Congressional source reported that Nickles explained how the appeals process can last for up to 205 days—a big window in which the HMO can do whatever it likes, including, perhaps, denying life-saving treatment to an overly litigious subscriber.

With the patient dead, the HMO cannot be sued for its wrongful actions. The cause of action under the Nickles bill—that is, the only way to sue an HMO under the bill—is if the HMO violates the outcome of the external appeals process. If the patient dies waiting for the appeals process to conclude, the HMO can't be sued.

The state of the global financial crisis has guaranteed that the health crisis, in the United States and worldwide, is going to get worse, until a totally new approach is taken. The HMOs are already dumping nearly 2 million Medicare patients (with another million expected to be dumped next year). HMOs are shutting down hospitals and driving doctors out of practice by refusing to pay them tens of billions of dollars for their services. And, HMOs are outright refusing to provide services for which they were paid premiums. States don't have the capacity to "regulate" sharks in a feeding frenzy.

Vote Them Out

But, Americans can vote out those Congressmen who have put the power of the HMOs above the general welfare of the U.S. population. And citizens can move to ban HMOs altogether, before the genocide gets worse.

The following is the list of Senators who voted on June 29 to protect HMOs, rather than patients. Those in bold type are up for reelection in November: **Spencer Abraham (R-Mich.)**, Wayne Allard (R-Colo.), **John Ashcroft (R-Mo.)**, Robert Bennett (R-Utah), Christopher Bond (R-Mo.), Sam Brownback (R-Kan.), Jim Bunning (R-Ky.), **Conrad Burns (R-Mont.)**, Ben Nighthorse Campbell (R-Colo.), Thad Cochran (R-Miss.), Susan Collins (R-Me.), **Paul Coverdell (R-Ga.)**,* Larry Craig (R-Id.), Michael Crapo (R-Id.), **Mike DeWine (R-Ohio)**, Pete Domenici (R-N.M.), Michael Enzi (R-Wyo.), **Bill Frist (R-Tenn.)**, **Slade Gorton (R-Wash.)**, Phil Gramm (R-Tex.), **Rod Grams (R-Minn.)**, Charles Grassley (R-Iowa), Judd Gregg (R-N.H.), Chuck Hagel (R-Neb.), **Orrin Hatch (R-Utah)**, Jesse Helms (R-N.C.), Tim Hutchinson (R-Ark.), **Kay Hutchison (R-Tex.)**, James Inhofe (R-Okla.), **Jim Jeffords (R-Vt.)**, **Jon Kyl (R-Ariz.)**, **Trent Lott (R-Miss.)**, **Richard Lugar (R-Ind.)**, **Connie Mack (R-Fla.)**, Mitch McConnell (R-Ky.), Frank Murkowski (R-Ak.), Don Nickles (R-Okla.), Pat Roberts (R-Kan.), **William Roth (R-Del.)**, **Rick Santorum (R-Pa.)**, Jeff Sessions (R-Ala.), Richard Shelby (R-Ala.), Robert Smith (R-N.H.), Gordon Smith (R-Ore.), **Olympia Snowe (R-Me.)**, Ted Stevens (R-Ak.), **Craig Thomas (R-Wyo.)**, Fred Thompson (R-Tenn.), Strom Thurmond (R-S.C.), George Voinovich (R-Ohio), John Warner (R-Va.).

* Coverdell died following a surgical procedure in late July. The governor will appoint his replacement, until a special election can be held.