

the Health Insurance Portability and Accountability Act of 1996 (HIPAA) guarantees access to the individual market, regardless of health status and without coverage exclusions. The premiums faced by some individuals eligible for a HIPAA guaranteed access product, however, may be substantially higher than the prices charged to those in the individual market who are healthy.

Persons seeking an alternative to employer-based coverage may go through a common mental calculus in which health status and cost play a prominent role. For someone healthy, there are no access barriers to the individual market and the cost may be lower than COBRA, especially if he or she buys a policy with a higher deductible. For someone with a health condition who wants comprehensive coverage, the individual market may not be an option because of health screening by insurers—a process that can result in the denial of coverage or the exclusion of preexisting conditions. However, COBRA, if available, has no such screening and should be more affordable than individually purchased insurance because of economies of scale and reduced administrative costs that result in lower premiums for group coverage. HIPAA's group-to-individual portability now provides a link between COBRA and the individual market for those who are eligible, but it is too early to judge the extent to which unhealthy consumers will utilize this option.

Results in Brief

Though the near elderly access health insurance differently than other segments of the under-65 population, their overall insurance picture is no worse and is better than that of some younger age groups. These differences, however, may not portend well for the future. Since fewer employers are offering health coverage as a benefit to future retirees, the proportion of near elderly with access to affordable health insurance could decline. The resulting increase in uninsured near elderly would be exacerbated by demographic trends, since 55- to 64-year-olds represent one of the fastest growing segments of the U.S. population.

The current insurance status of the near elderly is largely due to (1) the fact that many current retirees still have access to employer-based health benefits, (2) the willingness of near-elderly Americans to devote a significant portion of their income to health insurance purchased through the individual market, and (3) the availability of public programs to disabled 55- to 64-year-olds. Today, the individual market and Medicare and Medicaid for the disabled often mitigate declining access to employer-based coverage for near-elderly Americans and may prevent a larger portion of this age group from becoming uninsured. The steady decline in the proportion of large employers who offer health benefits to early retirees, however, clouds the outlook for future retirees. In the absence of countervailing trends, it is even less likely that future 55- to 64-year-olds will be offered health insurance as a retirement benefit, and those who are will bear an increased share of the cost. Although trends in employers' required retiree cost sharing are more difficult to decipher than the decisions of firms not to offer retiree health benefits, the effects may be just as troublesome for future retirees. Thus, some additional employers have tied cost sharing to years of service; consequently, retirees who changed jobs frequently may be responsible for most of the premium.

Moreover, access and affordability problems may prevent future early retirees who lose employer-based health benefits from obtaining comprehensive private insurance. The two principal private insurance alter-

natives are the individual market and COBRA continuation coverage. With respect to individual insurance, the cost may put it out of reach of some 55- to 64-year-olds—an age group whose health and income is in decline. For example, the premiums for popular health insurance products available in the individual markets of Colorado and Vermont are at least 10 percent and 8.4 percent, respectively, of the 1996 median family income for the married near elderly. In contrast, the average retiree contribution for employer subsidized family coverage is about one-half of these percentages. The near elderly who are in poorer health run the risk of paying even higher premiums, having less comprehensive coverage offered, or being denied coverage altogether. Thirteen states require insurers to sell some individual market products to all who apply, and about 20 states limit the variation among premiums that insurers may offer to individuals. GAO found that conditions such as chronic back pain and glaucoma are commonly excluded from coverage or result in higher premiums. Furthermore, significant variation exists among the states that limit premiums: A few require insurers to community-rate the coverage they sell—that is, all those covered pay the same premium—while other states allow insurers to vary premiums up to 300 percent or more.

COBRA is only available to retirees whose employers offer health benefits to active workers, and coverage is only temporary, ranging from 18 to 36 months. Information on the use of COBRA by Americans is spotty. Although 55- to 64-year-olds who become eligible for COBRA are more likely than younger age groups to enroll, the use of continuation coverage by early retirees appears to be relatively low. Since new federal protections under HIPAA—ensuring access to individual insurance for qualifying individuals who leave group coverage—hinge on exhausting COBRA, the incentives for enrolling and the length of time enrolled could change. Because employers generally do not contribute toward the premium, the cost of COBRA may be a factor in the low enrollment, even though similar coverage in the individual market may be more expensive. In 1997, the average insurance premium for employer-based coverage was about \$3,800. However, there is significant variation in premiums due to firm size, benefit structure, locale, demographics, or aggressiveness in negotiating rates. For one company, total health plan premiums in 1996 for early retirees ranged from about \$5,600 to almost \$8,000 for family coverage. Since this firm paid the total cost of practically all of the health plans it offered to current workers, the COBRA cost would have come as a rude awakening to retirees . . . ●

PROGRESS IN NIGERIA?

● Mr. FEINGOLD. Mr. President, I rise for the second time in less than two weeks to comment on the extraordinary events taking place in Nigeria.

Earlier this week, Nigeria's new leader, Gen. Abdulsalam Abubakar, released nine of the country's best known political prisoners. I welcome this step, with the hope that the release of these individuals demonstrates a commitment to enact true democratic reform in this troubled West African country.

These individuals include some of Nigeria's top political, labor and human rights leaders. For the record, I will list their names here.

General Olusegun Obasanjo (rt.), a former head of state and the only mili-

tary leader to turn over power to a democratically elected civilian government and who has played a prominent role on the international stage as an advocate of peace and reconciliation. He had been sentenced following a secret trial that failed to meet international standard of due process over an alleged coup plot that has never been proven to exist.

Frank Kokori, Secretary General of the National Union of Petroleum and Natural Gas Workers (NUPENG). He was arrested in August 1994, although charges have never been filed.

Chris Anyanwu, Editor-in-Chief and publisher of The Sunday Magazine.

Human rights activist Dr. Beko Ransome-Kuti.

Milton Dabibi, Secretary General of the Petroleum and Natural Gas Senior Staff Association (PENGASSAN), who was arrested in January 1996 for leading demonstrations against the canceled 1993 elections and against government efforts to control the labor unions.

Politician Olabiyi Durojaye.

Former Sultan of Sokoto, Ibrahim Dasuki.

Former state governor Bola Ige.

Uwen Udoh, democracy campaigner.

Mr. President, these individuals have all played an important role in Nigeria, and were all arrested under circumstances that confirm our worst fears of the overarching power of the military in Nigeria. Their release is significant.

That said, I do not want to become overly enthusiastic about the situation in Nigeria. For despite this great gesture, hundreds of other political prisoners remain in detention—often without charge. Prominent among these remaining prisoners, is, of course Chief Moshood Abiola, presumed winner of the 1993 presidential election, who was thrown in jail on charges of treason. Whatever his role might be in any upcoming transition process, his release and some meaningful acknowledgment of his annulled mandate is key to that process.

On top of that, numerous repressive decrees remain in force, including the infamous State Security [Detention of Persons] Decree #2, which gives the military sweeping powers of arrest and detention. The existence of such decrees would allow the military to re-arrest any of the prisoners released this week at any time.

Mr. President, I recently introduced S. 2102, The Nigerian Democracy and Civil Society Empowerment Act of 1998, which calls on the United States to encourage the political, economic and legal reforms necessary to ensure the rule of law and respect for human rights in Nigeria and to aggressively support a timely and effective transition to democratic, civilian government for the people of Nigeria.

Among other policy initiatives, this bill establishes a set of benchmarks regarding the transition to democracy. These benchmarks include a call for

the release of "individuals who have been imprisoned without due process or for political reasons."

The release this week of nine prisoners is a start. Let's hope Nigeria's new leader continues to implement policies that move the country in the right direction.

Nigeria's people deserve no less.

Mr. President, I ask to have printed in the RECORD a New York Times piece from June 17, 1998, that presents an excellent overview of the reaction inside Nigeria over Abubakar's actions.

The article follows:

[From the New York Times, June 17, 1998]

FOR NIGERIA'S LEADER, OFFENSE IS THE BEST DEFENSE

(By Howard W. French)

From the moment Gen. Abdulsalam Abubakar was selected last week to succeed the late ruler, Gen. Sani Abacha, Nigerians began speculating whether a reformist era might be at hand after years of ruinous dictatorship. After all, General Abubakar was long reputed to be a prim professional among Nigeria's politicized and immensely rich generals.

With his order on Monday to release a core group of the country's best-known political prisoners, including an internationally respected former head of state, General Abubakar sent the first clear signal of his intention to bring about an overhaul in the way his country is run, and more than that, conveyed a sense of urgency in the matter.

Though the general's position is precarious, Western diplomats and Nigerian analysts say he has decided to move decisively and not wait to consolidate his power. To delay, they say, would risk falling victim to powerful enemies at opposite extremes of his country's no-holds-barred politics.

"General Abubakar had no choice but to move forward if he wanted to salvage his country and protect himself," said one Western diplomat. "To have postponed making difficult decisions about democracy and prisoners, or to defer the issue of a transition to civilian rule, would have been to play the game of his enemies. The army would have devoured him itself, and failing that there would have been a major risk of a civilian uprising."

On one side, General Abubakar faces his own army, an institution whose top officers have grown fat on years of power, and many of whose younger leaders have climbed the rungs of power awaiting their turn at the trough.

As army chief of staff, General Abubakar had no direct command over the mechanized units that typically determine who holds or takes power in the country. Moreover, the new head of state had none of the huge personal wealth of his predecessors, having avoided the kinds of army jobs that allow top brass to dole out lucrative contracts to other officers, siphoning off kickbacks and purchasing staff loyalty.

On the other side, Nigeria's large and well-developed opposition was emboldened by the death of General Abacha, who had a reputation as the most iron-fisted leader his country of 105 million people had ever known.

And because General Abacha and his military predecessors had so regularly flouted their pledges to restore democracy or arrange a transition to civilian rule, General Abubakar could promise little that would make a dent in the distrust of a hardened political class.

For many veterans of Nigeria's democracy movement, the only acceptable tactic is to take on the army head on, and with the army divided, they feel the future is now.

People both inside the army and out say that General Abubakar's best hope—and decisive test—of engineering a transition to civilian rule is to work with the man believed to have won the country's only democratic election, in 1993, Moshood K. O. Abiola. The last military Government annulled the vote and threw Mr. Abiola in jail, where he remains.

In this scenario, General Abubakar would involve Mr. Abiola in negotiations aimed at easing the military out of power, in much the same way Nelson Mandela helped work out a soft landing for South Africa's apartheid rulers before his release from prison in 1990.

It is too early to say whether this hope will come about in Nigeria, and many hurdles remain.

General Abubakar's first gesture upon taking power, in an unusual post-midnight swearing in ceremony less than 24 hours after General Abacha's death, was to commit himself to his predecessor's previously declared but widely discounted deadline for an Oct. 1 handover to an elected civilian government.

Experts on the Nigerian military say that this pledge was intended more as a bid to outflank the army, whose powerful factions are known to oppose any democratic change, than as an effort to placate a deeply skeptical civilian opposition.

The new leader's second hurdle, these experts say, was to prevent a showdown with pro-democracy groups sworn to carry out a series of protests linked to the fifth anniversary last Friday of the elections apparently won by Mr. Abiola, a millionaire businessman from the south.

The opposition ignored calls to cancel Friday's demonstrations, but security forces were relatively restrained in putting the protests down, marking a sharp turn from the wanton brutality of the Abacha years.

With the threat of strife defused, General Abubakar then freed the former head of state—a retired general, Olusegun Obasanjo—and seven other prominent prisoners, buying international praise and a more forgiving attitude from the opposition.

"A clash between an overzealous army and the June 12 protesters would have badly undercut Abubakar," said Walter Carrington, a former American ambassador to Nigeria. "The restraint that the army showed and the subsequent release of the prisoners suggests strongly that the new leadership has gained control over hard-liners in the army. What we will likely see now is a progressive release of more and more political prisoners."

By far the country's most important political prisoner is Mr. Abiola, the jailed presidential candidate. And ultimately, both the opposition and much of the outside world's judgment of General Abubakar will depend on his handling of Mr. Abiola, whose claim to the presidency is considered by most to be legitimate.

Whatever the opposition demands now, almost no one in Nigeria expects the military to simply surrender power. For one thing, Nigeria's military high command is dominated by northerners, including the new head of state himself, who after years of control are wary of an outright takeover by southerners.

Still, for many in the south, and beyond, no credible election in Nigeria can be organized until the nation comes to terms with the cancellation of Mr. Abiola's mandate.

Regional and ethnic antagonisms like these could scuttle any negotiated arrangements with Mr. Abiola. But many Nigerians suspect that discussions may already be under way to secure his release in a negotiated framework, providing him some recognition and perhaps a large role in transi-

tional arrangements while keeping the field open for other candidates in a fresh election.

"There is no point in pretending that Abiola didn't win an election any longer," said one senior Nigerian military adviser who spoke on condition of anonymity. "What will have to be worked out is an arrangement with Abiola that allows the country to move forward."●

TRIBUTE IN HONOR OF ROGER WOOD, WOKQ NEWSCASTER

● Mr. SMITH of New Hampshire. Mr. President, I rise today to pay tribute to Roger Wood, an institution in the broadcast community of New Hampshire. After 18 years as a radio reporter in New Hampshire, and 30 years in broadcasting, Roger will sign off at the end of this month to pursue other endeavors.

Roger, 50, is the news and public affairs director at WOKQ radio in Dover, New Hampshire. WOKQ is one of the largest stations in New Hampshire and, with its country music format, is my unequaled favorite. I am a WOKQ listener not only for the playlist, but because of the outstanding commitment, dignity and character that Roger Wood has brought to the airwaves in my years as an avid listener.

Roger's distinguished voice has broadcast the news to WOKQ's audience since 1979. Before that, Roger was a one-man news shop at WHEB AM/FM in nearby Portsmouth, and worked at a variety of Seacoast stations including WWNH in Rochester, WBBX in Portsmouth and New Hampshire Public Television. He also worked at a number of stations in his native Pennsylvania before he graced the Granite State with his presence in 1970.

Roger was never one to "rip and read." He always researched stories thoroughly, went the extra mile to get an interview, and provided in-depth coverage from both a human interest and hard news perspective. And he has the awards lining his walls that prove it.

Roger Wood is committed to his profession. He has won recognition from UPI, AP, the New Hampshire Association of Broadcasters, and other organizations in the categories of outstanding reporting, best newscasts and individual achievement. He has said that one of the achievements that most touched him was his coverage in 1986 on the fatal launch of the Space Shuttle Challenger, with New Hampshire teacher Christa McAuliffe on board. Roger was at Cape Canaveral in person, and has said the implications of the explosion left him "deeply moved."

Although Roger Wood is a veteran newscaster, he is a trend setter for the new generation of broadcasters. He led WOKQ to an innovative partnership with Channel 7 in Boston, establishing the largest news exchange network in the region. He has also implemented the first cellular car phone reporting system in the region, for listeners to report accidents and news "they see happening."