

service. This year, many more plans have announced their intent to leave the Medicare+Choice program, raising serious concerns about its continued availability as an option for Medicare beneficiaries. Many plans cite inadequate reimbursement as a major factor in their decision.

Unless Congress takes action to correct this problem, the consequences will be devastating for Medicare beneficiaries, especially low-income seniors. Many will lose the option of participating in a Medicare managed care plan altogether. Others will face increased out-of-pocket costs or a reduction in benefits.

This situation is largely due to a decision by the Health Care Financing Administration (HCFA) to disregard the intent of Congress in establishing the Medicare+Choice program. The 1997 Balanced Budget Act required HCFA to establish a process for "adjusting" Medicare+Choice payments based on the likelihood or the "risk" that enrollees will use health care services.

Congress anticipated that this new "risk adjustment" process would provide Medicare+Choice plans with higher payments for patients who are chronically ill and lower payments for those who are generally healthy. We did not intend to decrease overall Medicare+Choice spending through this process. Instead, we were simply trying to make sure that Medicare+Choice funds would be distributed based on the health status of Medicare+Choice enrollees.

However, HCFA has completely disregarded the intent of Congress on this critical issue. The agency is using its authority to establish a "risk adjustment" process as an excuse to try to impose deep spending cuts in the Medicare+Choice program. HCFA's ill-advised decision threatens to seriously underfund the Medicare+Choice program. Estimates indicate as much as \$11 billion may be drained from Medicare+Choice over the next five years, if HCFA is allowed to go forward with its plan.

At the time the 1997 Balanced Budget Act was considered, the Congressional Budget Office (CBO) estimated no savings from the risk adjuster. CBO's analysis assumed that the risk adjuster would simply shift funds within Medicare+Choice. By contrast, HCFA's approach would drain billions of dollars from the program.

The "Medicare+Choice Risk Adjustment Amendments of 1999" would address this problem in two ways. First, it would require HCFA to implement its risk adjustment process on a budget neutral basis—as Congress intended. Second, the bill would repeal a provision of current law that automatically requires the annual increase in Medicare fee-for-service payments.

Millions of seniors rely on Medicare+Choice for greater flexibility in meeting their health care needs. My legislation will help to stabilize this vital program and guarantee continued health care choices for Medicare beneficiaries. I urge my colleagues to join me in protecting seniors' health care choices by cosponsoring the "Medicare+Choice Risk Adjustment Amendments of 1999."

#### A TRIBUTE TO JOE VIVIAN

### HON. HEATHER WILSON

OF NEW MEXICO

IN THE HOUSE OF REPRESENTATIVES

*Thursday, July 1, 1999*

Mrs. WILSON. Mr. Speaker, I wish to bring to your attention the 35 years of service Mr. Joe Vivian has given to our community of Albuquerque as a coach, mentor and leader.

Mr. Vivian coached wrestling for 35 years at six city high schools. He began his wrestling career in the eighth grade when a coach reached out to him and helped him turn his life around. Through his coaching Mr. Vivian mentored many young athletes. Mr. Vivian provided important lessons in staying physically fit, being part of a team, setting and achieving goals and community involvement. People who worked with Joe Vivian describe him as dedicated and committed to the wrestlers he worked with. He coached teams to three state titles and holds over 300 career dual victories.

In addition to coaching, Joe Vivian volunteers with Meals on Wheels, Special Olympics and the Fellowship of Christian Athletes.

Mr. Joe Vivian retired from coaching this year. Please join me in thanking him for the positive influence he is in our community and wish him the best in retirement.

#### CLINTON HYPOCRISY ON LAND MINES

### HON. GEORGE MILLER

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

*Thursday, July 1, 1999*

Mr. GEORGE MILLER of California. Mr. Speaker, the Contra Costa Times, my hometown newspaper in the East Bay of San Francisco, got it right today when they took the President to task on the issue of land mines. "Hypocrisy on Land Mines," an editorial, points out that while President Clinton is now giving his compassion and his warnings of safety to returning Kosovar refugees because their homeland is wired full of land mines, it was the same President Clinton who refused to sign the international treaty to ban land mines two years ago. Over 100 other nations signed the treaty and the United States should have taken the lead to see this treaty enacted and enforced. Instead, all the United States can do now is hope that not too many Kosovar refugees have their limbs blown off as they venture home after the war.

Tens of thousands of civilians are killed by land mines around the world every year. The world needs America's leadership to bring an end to this cruel form of warfare where the main victims, in fact, are civilians. I commend the editorial below to my colleagues and to my President.

[From Contra Costa Times, July 1, 1999]

#### HYPOCRISY ON LAND MINES

President Clinton gave good advice when he warned Kosovar Albanians to delay their return to Kosovo because of the many land mines still scattered about the countryside and in towns. But there must have been much gnashing of teeth at the office of the International Campaign to Ban Landmines, whose members watched two years ago as

Clinton and the United States refused to sign a treaty that would have banned land mines around the world. Why they must have wondered is it all right for Angolan and Cambodian children to be exposed to these deadly weapons, but not Kosovars?

Clinton was in full "caring" mode as he spoke with refugees in Macedonia last week. "I know a lot of people are anxious to go home," he said. "But you know there are still a lot of land mines in the ground, on the routes into Kosovo and in many of the communities. You have suffered enough. I don't want any child hurt. I don't want anyone else to lose a leg or an arm or a child because of a land mine."

The president neglected to mention that while the retreating Serb army left many of those land mines, much of the danger to returning civilians comes from unexploded "bomblets" from cluster bombs dropped by NATO planes.

Unexploded ordnance dropped by NATO aircraft floods the province. Two NATO soldiers died trying to deactivate some of it, and some children died when they tried to play with it. Cluster bombs contain 202 of the bomblets that scatter over a wide area.

The bomblets' purpose is to kill enemy troops. But of course, as with land mines, it is civilians who pay the price.

None of this is new. There are more than 100 million land mines in the ground around the world, many of them in unmarked fields where even the soldiers who put them there cannot find them. Most were sown during regional conflicts, such as the decades-long Angolan Civil War. Afghanistan and Angola have roughly 9 million land mines each. The mines kill or maim some 26,000 civilians yearly.

Despite full knowledge of these obscene numbers, Clinton refused to sign the land mines treaty two years ago, even though 100 other nations did sign it. Now here he is in Macedonia warning civilians and their children about land mines, the spread of which he did nothing to stop, and cluster bomblets, which NATO deposited on Kosovar land.

It is heartening to see the president of the United States acknowledging the danger of land mines. Perhaps now he will turn his attention to halting their further proliferation.

#### TRIBUTE TO J.B. WHITTEMORE

### HON. SCOTT McINNIS

OF COLORADO

IN THE HOUSE OF REPRESENTATIVES

*Thursday, July 1, 1999*

Mr. McINNIS. Mr. Speaker, it is with a great deal of sadness that I wish to recognize the remarkable life and spirit of Mr. J.B. Whittemore of Pueblo, Colorado. With this, I would like to take a moment to pay tribute to Mr. Whittemore who embodied and exemplified hard work, dedication, and compassion. For more than half of a century, he dedicated his energy to ensuring the happiness of thousands of Pueblo children, never letting a lack of money keep children from enjoying the ride.

J.B. Whittemore was born in Pueblo, Colorado in 1914, the same year in which the City Park carousel was manufactured. With nickels earned by milking cows, Mr. Whittemore escaped the world by riding the carousel.

On March 1, 1943, he joined the City Parks Department staff—a job which became a career spanning 33 years. While working for the City Parks Department, Mr. Whittemore also worked nights, Sundays and holidays as the

maintenance man and operator of the City Park carousel. Just as Mr. Whittemore cared about the happiness of children, he also cared about his family. He loved and appreciated his family and shared his light with all.

Mr. Whittemore was a man of kindness and generosity. Through his involvement in the community, he touched the lives of many. His smile, his devotion, and his zest for life will long be remembered and admired. Those who have come to know J.B. Whittemore will miss him greatly. I am confident however, that in spite of this profound loss, the family and friends of Mr. Whittemore can take comfort in the knowledge that he made a significant impact on the quality of life of the citizens of Pueblo.

#### SIKH LEADER'S LETTER EXPOSES CONFLICT IN KASHMIR

### HON. JOHN T. DOOLITTLE

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

*Thursday, July 1, 1999*

Mr. DOOLITTLE. Mr. Speaker, India has recently undertaken a military effort to eliminate the freedom movement in Kashmir. Supporters of freedom for all the nations of South Asia, especially neighboring Punjab, Khalistan, are concerned that if this conflict spreads, it could be a threat to other nations inside India's borders.

Recently, Dr. Gurmit Singh Aulakh, President of the Council of Khalistan, wrote a letter to the *Washington Times* which I am sure will be of interest to my colleagues. He pointed out that the air attacks are really an attack on the Kashmiri freedom fighters. "India has not yet learned that people struggling for freedom cannot be suppressed by force forever," he wrote.

Dr. Aulakh wrote that "the reason for these conflicts is the denial of self-determination by the country that proclaims itself 'the world's largest democracy.'" This is the cause not only of the conflict in Kargil, but many of the political problems in South Asia. India spends its money to build nuclear weapons and forcibly maintain its unstable, polyglot country while half its people live below the international poverty line. To make it worse, India convened a meeting last month with China, Cuba, Serbia, and other enemies of our country "to stop the U.S." Why are the overstressed taxpayers of America supporting this kind of government?

Only when free and fair plebiscites on independence are held in those regions that are seeking their freedom can India legitimately claim that it is a democratic power. India promised the people of Kashmir a plebiscite in 1948. It promised the Sikhs of Punjab, Khalistan, that they would have autonomy. India claims it is democratic and that there is no support for independence in these places or in Nagaland or any of the other lands it occupies. Then why not simply have a vote?

The conflict at Kargil shows that India is unstable. It is falling apart in front of our eyes. We should get on the right side of history and support the freedom movements by cutting off aid to India and by calling for free and fair plebiscites for those seeking freedom.

I insert the Council of Khalistan's letter into the RECORD.

THE WASHINGTON TIMES,

*June 8, 1999.*

India's recent air attacks on Kashmir are really a war on the Kashmiri freedom movement. Everything India has tried to put down the freedom movement has failed, so now it has resorted to an air war against the Kashmiris. Sikhs are concerned that neighboring Punjab or Khalistan could be next.

This war is designed to suppress the freedom fighters in Kashmir. India has not yet learned that people struggling for freedom cannot be suppressed by force forever. This is why more than 500,000 Indian soldiers are stationed in Kashmir. Another 500,000 are stationed in Punjab to suppress the movement to free Khalistan. India has already lost two Russian-made MiG fighters and two helicopter gunships.

To suppress the freedom struggle, the Indian government has killed more than 250,000 Sikhs since 1984, more than 200,000 Christians in Nagaland since 1948, more than 60,000 Muslims in Kashmir since 1988 and tens of thousands of others.

The reason for these conflicts is the denial of self-determination by the country that proclaims itself "the world's largest democracy." America periodically conducts democratic votes on the status of Puerto Rico, with independence as an option. Canada does the same for Quebec, and Great Britain recently allowed Scotland and Wales to elect their own parliaments, moving them one step closer to a vote on independence. If self-determination is good enough for them, why shouldn't the Sikhs of Khalistan, the Muslims of Kashmir, the Christians of Nagaland and others seeking their freedom from India enjoy the same rights?

The United States, Canada and Great Britain are major world powers. Not only is a free and fair plebiscite the democratic way to settle these issues, it is how great powers conduct themselves. India claims that there is no support for Khalistan. Then why not hold a free and fair vote? If India wants to be a world power and if it claims that it is democratic, then it should allow the people of Khalistan, Kashmir, Nagaland and the others seeking their freedom to hold a plebiscite under international supervision on the question of independence so that this issue can be settled in a free and fair vote.

The war against the people of Kashmir shows the inherent weakness of the Indian government. Now is the best time for the people and nations of South Asia to claim their freedom. America can support this by cutting off aid to India until it lets people live in freedom and by declaring its open support for the freedom movements of South Asia.

GURMIT SINGH AULAKH,  
*President,*  
*Council of Khalistan.*

#### IN MEMORY AND TRIBUTE TO JAMES J. "JIMMY" CREAMER

### HON. ROBERT A. WEYGAND

OF RHODE ISLAND

IN THE HOUSE OF REPRESENTATIVES

*Thursday, July 1, 1999*

Mr. WEYGAND. Mr. Speaker, I rise today to pay solemn tribute to a distinguished colleague and dear friend, James J. "Jimmy" Creamer. I must confess that I can hardly believe that this man, so full of life and love, is no longer with us. Just last week, I ran into Jimmy in the halls of the Rhode Island State House. We had a typical conversation, laughing at Jimmy's stories and humorous insights

into Rhode Island politics, and then he passed away suddenly the next day. I mourn the passing of this wonderful man, but I also stand today in appreciation of the conversation I had with him on Monday, and countless others like it, and in celebration of a life lived to the fullest and to the benefit of all who knew him.

Jimmy Creamer was a lifelong resident of Providence, Rhode Island. He started his career in public service by enlisting in the United States Marine Corps out of high school. After serving for three years in the military, he became a member of the Providence Fire Department and retired as Lieutenant after 20 years and with a Commendation for Devotion to Duty and Meritorious Services. He also found the time, while working and raising his young family, to pursue higher education and return to Providence College and earn both his Bachelor of Arts and Master of Arts degrees.

After retiring from the Fire Department Jimmy began his career in Rhode Island politics, holding several different positions before being appointed Chief of Staff for the Speaker of the Rhode Island House of Representatives. He held that position for 19 years, under the leadership of three different speakers, and became an invaluable resource to the members of the State legislature and the people of Rhode Island. He brought both institutional knowledge and political insight to his work, as well as a tremendous sense of dedication, loyalty, and integrity.

In addition to his professional work at the State House, he lent his expertise to the Democratic party in Rhode Island as chairman of the 8th Ward Democratic Committee in Providence and as a well-respected member of the Democratic State Committee. He also found the time to continue his involvement with the Providence Fire Department, to serve as a substitute teacher in the Providence school system, to help organize youth hockey in the area, and to coach a Little League baseball team. As his colleagues in the Rhode Island House of Representatives stated in a recent House Resolution, "Anyone could plainly see that his heart belonged to children. The look of joy on his face was evident every time he taught a child to swing a bat or stand up on skates. . . . Jimmy loved children." What an incredible testament to the legacy this man has left behind him.

I first met Jimmy when I was elected to the Rhode Island House of Representatives in 1984, and he quickly became a close friend and trusted adviser. I could always depend on Jimmy for sound and honest advice, and perhaps even more importantly, for a smile and a few words of wit or encouragement. I am proud to have called this man my friend, and feel that the entire Rhode Island State Legislature is a better institution for his 19 years there.

Jimmy's life was dedicated to his family and then to the people and State of Rhode Island. He is survived by his wife, Patricia, his two sons, James and Patrick, two grandchildren, and a brother and three sisters. He was a devoted husband, father, grandfather, and brother, and I offer my deepest sympathies to his family as they mourn the loss of this special and generous man. He will be sorely missed by all who had the pleasure to know him.