

Sophie has seven grandchildren and two great-grandchildren. The hardest question to ask is why the restaurant couldn't stay in the family.

"That is tough," Bob Madej said. "It's not an easy business. You're here 16 hours a day, seven days a week. I've been part of this since I was in high school, mopping floors with my brother.

"Maybe something could have been worked out a few years ago where one of the sons could have taken it over. But it didn't happen. And it's best now. There's no strings attached. We're all set. And Mom's happy. Now she'll have time to spend with the grandchildren and great-grandchildren. And that's important"

Bob, a district manager for Superior Coffee, paused and looked across the counter. "I met my wife (Teresa) here," Bob said. "I was working behind the counter when she walked in. Her sister was working in the kitchen. Maybe it won't be as emotional for my mom . . . But I have a lot of memories here, too."

It's important for future Wicker Park residents to understand the memories within the walls of the restaurant. That is the purpose of the commemorative plaque. On Thursday, through an old white bullhorn, Jaconetti read the plaque honoring the Busy Bee. Sophie watched, her head bowed in humility. She cradled her 1-year-old great-grandson Anthony, who someday will hear stories about his grandmother's great restaurant.

Her hard thumbs fidgeted nervously as Jaconetti reached the last sentence on the plaque. ". . . She may be gone from the Busy Bee, but not from our memories and hearts." And honey-soaked tears fell from the eyes of a city's queen bee.

#### INTRODUCTION OF BUFFALO COIN ACT OF 1998

### HON. GEORGE E. BROWN, JR.

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

*Thursday, August 6, 1998*

Mr. BROWN of California. Mr. Speaker, this year marks the sixtieth anniversary of the issuing of the Buffalo Nickel. This nickel is still very popular and widely collected today. It remains a respected and cherished symbol.

That is why it is my pleasure to introduce the House companion bill to S. 1112, sponsored by Senator BEN NIGHTHORSE CAMPBELL of Colorado. S. 1112 authorizes the minting of the original Buffalo Nickel design on a new commemorative silver half-dollar coin to help honor our nation's Native Americans. While this coin will be minted at no cost to the government, it will help raise funds for the Smithsonian's National Museum of the American Indian, which is scheduled to open in 2002. These funds will be used to set up an endowment and an educational outreach fund.

This coin has already received the full endorsement of the U.S. Mint's Citizens Commemorative Coin Advisory Committee and now needs our support in order for it to be minted in 2001.

This legislation is a bipartisan effort and has 17 original cosponsors. I ask my colleagues to join us in supporting the Buffalo Coin Act of 1998.

#### INDIAN HEALTH EQUITY ACT

### HON. JIM McDERMOTT

OF WASHINGTON

IN THE HOUSE OF REPRESENTATIVES

*Thursday, August 6, 1998*

Mr. McDERMOTT. Mr. Speaker, today I am introducing legislation that would fix an inequity in the current reimbursement rates for low-income Native Americans who receive health care through the Indian Health Service (IHS).

Under current law, a 100 percent Federal medical assistance percentage (FMAP) applies for the cost of services provided to Medicaid beneficiaries by a hospital, clinic, or other IHS facility, as long as they are run by the IHS, tribe, or tribal organization. While IHS facilities (usually in rural areas) are eligible to receive the 100 percent FMAP, similar services provided through IHS programs (usually in urban areas) receive only 50–80 percent reimbursement depending on the service.

My legislation would fix this inequity by raising the IHS program FMAP to 100 percent as well.

Equalizing the FMAP for health care received through IHS programs is especially important given that roughly half of the nation's Native Americans now live in urban areas. Furthermore, many urban IHS programs are run through Federally Qualified Health Centers whose state funding have been threatened by repeal of the Boren Amendment.

Passing this legislation would benefit IHS programs in over 35 cities throughout the country and would have little impact on the federal budget. Informal estimates illustrate that equalizing the FMAP for IHS programs would cost \$17 million over the next 5 years.

I urge my colleagues to join me in support of the Indian Health Equity Act.

#### IN HONOR OF COLONEL NATHANIEL P. WARD, III

### HON. JOHN H. CONYERS, JR.

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

*Thursday, August 6, 1998*

Mr. CONYERS. Mr. Speaker, I rise today to honor the memory of a truly exceptional citizen whose entire life was spent in service to his country.

Colonel Nathaniel P. Ward, III, a native of Durand, Wisconsin, was born February 29, 1912. He attended Stout Institute, in Menomonie, Wisconsin before entering U.S. Military Academy, West Point, NY, from which he graduated in 1934. Upon graduation, he married Evelyn Gardner of Hampton, Virginia.

Prior to the outbreak of World War II, he served in company assignments with the Second Infantry at Fort Brady, Michigan; the 14th Infantry in the Panama Canal Zone; and the 66th Tanks at Fort Benning Georgia. He served in the European and Asian-Pacific Theaters of Operation.

While serving in Europe he took part in 4 major campaigns, including those of Normandy, Northern France, the North Apennines, and Rome-Arno. As Commander of the 637th Tank Destroyer Battalion in 1945 he participated in the Luzon Campaign which resulted in the liberation of the Philippine Is-

lands. During the occupation of Japan, Colonel Ward was assigned to the staff of the 1st Cavalry Division and as a battalion commander.

After tours in Canada and the Pentagon, Colonel Ward served in Vietnam as a senior advisor and Chief of Staff of the Military Assistance Advisory Group from 1958–60. Upon returning to the U.S., he assumed duties with the XXI U.S. Army Corps from which he retired in 1964. After his retirement from the U.S. Army, Colonel Ward and his wife Evelyn lived in Hampton, VA, where he was active in the Hampton Historical Society and the Lions Club for over thirty years.

Colonel Ward's passions were his family, the U.S. Army—especially West Point—and the cavalry. He was extremely proud of his service in Vietnam. Two of the soldiers under his command, killed in 1959, were originally left off the Vietnam War Memorial in Washington, DC, considered to have died before the conflict began. Through Colonel Ward's efforts, their names are now the first ones inscribed on the Wall.

Colonel Ward served our country well, and made us proud. He passed away on April 3, 1998, and was buried with full honors at Arlington National Cemetery. He is survived by his devoted wife, Evelyn, his daughter Chartley Rose Ward and son Nathaniel P. Ward, IV, also retired from service in the U.S. Army, three grand children and a great-granddaughter.

#### IN HONOR OF PAUL O'DWYER

### HON. DENNIS J. KUCINICH

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

*Thursday, August 6, 1998*

Mr. KUCINICH. Mr. Speaker, I rise today to recognize the passing of Paul O'Dwyer, a man who fought in the interests of justice without counting the costs. As "the people's lawyer," Mr. O'Dwyer dedicated his life to defend those unable to defend themselves.

Immigrating from Ireland in 1925, Mr. O'Dwyer began his American experience as a foreign face on the streets of New York City, surviving purely by hard work and street smarts. Working as a longshoreman, Mr. O'Dwyer put himself through undergraduate studies at Fordham University and law school at St. John's University.

As his fellow Americans faced the pressures of the Great Depression, Mr. O'Dwyer committed his legal smarts to the defense of those struggling to earn an honest living. A labor lawyer in days when labor was scarce, he often worked without compensation, guided not by self-interest or commercial impulse, but a calling to social justice. Mr. O'Dwyer's efforts on behalf of the working man earned him the suspicions of the House Un-American Activities Committee, his defense of labor leaders like "Red Mike" Quill raising speculation that he was a communist. Such accusation always lacked sufficient evidence.

A champion of civil rights in the fifties and the sixties, Mr. O'Dwyer fought passionately in southern courtrooms to integrate publicly subsidized housing. Mr. O'Dwyer's philosophical difficulties with the Vietnam War culminated in his leading anti-war delegates as they walked out of the 1968 Chicago Democratic convention. This brave act of defiance against the establishment would later be used against Mr.

O'Dwyer in his numerous attempts at being elected to public office. Mr. O'Dwyer did serve as President of the New York City Council from 1973 to 1977.

My fellow colleagues, join me in recognizing the passing of Paul O'Dwyer, a man who rigidly and without pause adhered to principle at the price of self-interest. Let us aspire in our own efforts to show such a commitment to the truth.

THE NEIGHBORHOOD IMPROVEMENT FOUNDATION OF TOLEDO, INC.

**HON. MARCY KAPTUR**

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

*Thursday, August 6, 1998*

Ms. KAPTUR. Mr. Speaker, I rise today to acknowledge The Neighborhood Improvement Foundation of Toledo, Inc., commonly referred to as NIFTI, on its recent selection as a Citationist for the 1998 President's Service Awards. Awarded from a pool of approximately 3,600 nominations, NIFTI was one of thirty chosen for this prestigious recognition.

Organized in 1957, NIFTI's mission over the past 41 years has been to improve the quality of life in the Toledo metropolitan area through cleanup, beautification efforts, and by encouraging environmental awareness. NIFTI's role as a community organizer and activist has provided Toledo residents with a voice along with a viable means to eliminate urban blight, making our city a cleaner and safer place to live and work.

NIFTI volunteers, numbering in the thousands, are a collaboration of concerned individuals, corporations, local government and other community organizations. NIFTI, through its various programs, encourages volunteerism in both the adult and youth populations. In addition, NIFTI has effectively promoted neighborhood responsibility in the central city.

Mr. Speaker, it is with great pleasure that I rise today to thank NIFTI for all of its positive contributions to the city of Toledo. NIFTI's efforts toward solving serious social ills are representative of the spirit of community service that has made our nation and my congressional district a better place to live. To the Neighborhood Improvement Foundation of Toledo, Inc., congratulations on being named a recipient of such a noble award.

PRIVATE MORTGAGE INSURANCE CANCELLATION SIMPLIFICATION ACT OF 1998

**HON. JOHN J. LaFALCE**

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

*Thursday, August 6, 1998*

Mr. LaFALCE. Mr. Speaker, on Wednesday, July 29, 1998, the President signed into law S. 318, the "Homeowners Protection Act of 1998." While the law provides important new rights to consumers who are required to purchase private mortgage insurance in order to qualify for a home loan, I wish the law had gone further. I am particularly concerned that the Federal law pre-empts State law, unless the State had enacted a law prior to January

2, 1998. Even the eight States that have private mortgage insurance (PMI) cancellation and termination laws on the books, are prohibited from passing stronger laws two years after the date of enactment. It is my belief that the law should protect the rights of all states to pass stronger consumer protection laws.

I am also troubled that the law provides Fannie Mae and Freddie Mac, the Government Sponsored Enterprises (GSEs) that secure mortgages, broad discretion to distinguish certain borrowers as "high risk." Those borrowers, under the law, are prohibited from even initiating cancellation of their mortgage insurance after 20 percent of their mortgage is satisfied, and instead are required to carry mortgage insurance for half the life of the loan. While certain types of borrowers at loan origination may be riskier than others, by the time the borrower has satisfied 20 percent of their mortgage, the lender's risks are negligible. At that point, consumers should not be required to make costly payments to the private mortgage industry.

For the above-mentioned reasons, today I am introducing the "Private Mortgage Insurance Cancellation Simplification Act of 1998." The bill protects the rights of all states to enact stronger PMI cancellation and disclosure laws and provides the same cancellation rights to all consumers with conforming loans.

The text of the legislation follows:

H.R. 4435

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,*

**SECTION 1. SHORT TITLE.**

This Act may be cited as the "Private Mortgage Insurance Cancellation Simplification Act of 1998".

**SEC. 2. APPLICABILITY TO HIGH-RISK LOANS.**

(a) IN GENERAL.—Section 3 of the Homeowners Protection Act of 1998 (Public Law 105-216) is amended by striking subsection (f).

(b) CONFORMING AMENDMENTS.—Section 4(a) of the Homeowners Protection Act of 1998 (Public Law 105-216) is amended—

(1) in paragraph (1)—

(A) in the matter preceding subparagraph (A), by striking "(other than a mortgage or mortgage transaction described in section 3(f)(1))";

(B) in subparagraph (A)(ii)—

(i) in subclause (II), by inserting "and" after the semicolon at the end; and

(ii) by striking subclause (IV); and

(C) in subparagraph (B)—

(i) in clause (i), by inserting "and" after the semicolon at the end;

(ii) in clause (ii), by striking "; and" and inserting a period; and

(iii) by striking clause (iii);

(2) by striking paragraph (2);

(3) in paragraph (4), by striking "through (3)" and inserting "and (2)"; and

(4) by redesignating paragraphs (3) and (4), as so amended, as paragraphs (2) and (3), respectively.

**SEC. 3. PROTECTION OF STATE LAWS.**

Section 9 of the Homeowners Protection Act of 1998 (Public Law 105-216) is amended by striking subsection (a) and inserting the following new subsection:

"(a) EFFECT ON STATE LAW.—

"(1) IN GENERAL.—This Act does not annul, alter, or affect, or exempt any person subject to the provisions of this Act from complying with, the laws of any State regarding any requirements relating to private mortgage insurance in connection with residential mortgage transactions, except to the extent that

such State laws are inconsistent with any provision of this Act, and then only to the extent of the inconsistency.

"(2) INCONSISTENCIES.—A State law shall not be considered to be inconsistent with a provision of this Act if the State law—

"(A) requires termination of private mortgage insurance or other mortgage guaranty insurance—

"(i) at a date earlier than as provided in this Act; or

"(ii) when a mortgage principal balance is achieved that is higher than as provided in this Act;

"(B) requires disclosure of information—

"(i) that provides more information than the information required by this Act; or

"(ii) more often or at a date earlier than is required by this Act; or

"(C) otherwise provides greater protection for the private mortgage insurance consumer.".

INTRODUCTION OF THE TELECOMMUNICATIONS TRUST ACT

**HON. RON KLINK**

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

*Thursday, August 6, 1998*

Mr. KLINK. Mr. Speaker, today I'm introducing legislation to end the controversy over funding for the e-rate, make Federal telecommunications subsidies more explicit and stable and begin a needed national debate on the Federal role in supporting universal telecommunications service.

My bill, the Telecommunications Trust Act, will dedicate the Federal phone excise tax to Federal universal service support through a Telecommunications Trust Fund, very much like the Federal gas tax funds Federal transportation spending.

This bill will accomplish several things. First, it will remove the new line-item charges many consumers are seeing on their phone bills and end the debate over funding the schools and libraries part of universal service. That program will be funded through the Telecommunications Trust Fund, as will rural health care, rural high cost and lifeline Federal service support.

Furthermore, by dedicating the phone excise tax to universal service, we will be fulfilling the directive of the Telecommunications Act of 1996 that universal service subsidies be explicit rather than implicit.

Universal service has been subsidized implicitly for 60 years by consumers and businesses paying more for phone service so that those in high cost and rural areas could have affordable phone service. My legislation will make that support explicit and dedicate the phone excise tax to that purpose.

Furthermore, it will provide honesty to phone bills by shifting the revenue from the excise tax from the treasury to telecommunications. The Federal phone excise tax is a vestige of the Spanish-American War and has been in effect off and on for a century. It is time this tax revenue went to telecommunications, just as the gas tax goes to transportation.

Finally, I am hoping that this bill will begin a public debate on issues currently being discussed at the Federal Communications Commission (FCC) and in Congress: how should Federal universal telecommunications support be achieved in the digital age.