

1995. The agency received no comments opposed to the majority vote requirement while fully half the comments on this section urged the agency to institute a supermajority requirement. 60 F.R. 12660 (March 8, 1995). The NCUA Board then imposed the least burdensome voting requirement suggested by the commenters.

Recently, credit unions have been under tremendous pressure to convert to other types of institutions. Legitimate uncertainty about the outcome of the AT&T case, encouraged by lawyers who specialize in conversions, produced a record number of conversion applications over the past several years. These same lawyers then complained that NCUA processed applications too slowly and that the conversion requirements were too rigorous. They persuaded some members of the Senate Banking Committee to override NCUA's regulation and to weaken conversion requirements by allowing conversions upon a majority vote only of those members voting. This means that a small fraction of credit union members could force a credit union to convert, even against the wishes of the overwhelming majority of members who are unaware or did not participate in a vote. This same faction can then profit by a further conversion to a stock institution.

While H.R. 1151 will address the field of membership issue for most credit unions, other restrictions imposed by the Senate version of the bill, such as the limits on loans to members for business purposes, will cause some credit unions to consider converting to other types of institutions. You can be sure that some in the legal profession are already analyzing this legislation and preparing new arguments to credit unions as to why they should convert. This is why I urge NCUA to continue its close scrutiny of conversion applications. While it may seem as if NCUA has very little discretion in this area, the legislation does at least grant them authority to administer the member vote, and require that a credit union seeking to convert inform the agency of its intentions 90 days before the conversion. I would like to point out several ways in which NCUA can continue to exercise oversight over the conversion process within this 90-day period.

First, I encourage NCUA to strictly supervise the notification of members regarding the impending conversion vote. The legislation requires that notice be sent 90, 60 and 30 days before the conversion vote. NCUA should require that these notices be separate and distinct from other mailings and statements. The notice must go beyond NCUA's current notice requirement and explain to members not only the facts of the conversion proposal, but also the fact that they will lose their ownership rights and that the member capital of the credit union could potentially be converted to private stock. Now that the members lack the protection of the majority vote requirement, they must be informed about any and all possible outcomes of the conversion.

Further, NCUA must strictly supervise the process of taking the member vote. Where so much is at stake, both for the general membership and those seeking to convert, outside election monitors must be employed. NCUA should ensure that firms used for monitoring elections have no ties to the credit union, those seeking the conversion or the lawyers assisting in the conversion process. The mon-

itoring firm should be required to submit a list of all its clients for the past five years. The monitoring firm and each member of the credit union board should then be required to sign a statement indicating that they have had no prior dealings, with falsification of these statements subject to criminal and civil penalties.

I would like to point out that such requirements are not barred by the instruction to NCUA to develop regulations consistent with other regulators' conversion requirements, as other types of financial institutions do not have members threatened with losing their capital. While I agree that regulatory requirements should be comparable between agencies when possible, this is a case where strict parallels are impossible. Also, the law allows NCUA to require the conversion vote to be taken again if it "disapproves of the methods by which the member vote was taken or procedures applicable to the member vote." This provision explicitly permits strict oversight by NCUA and I sincerely hope they will use it to protect credit union members.

Mr. Speaker, as I said earlier, I do not want to hold up such an important piece of legislation. However, I did feel obligated to note my concerns with the conversion provision and strongly encourage NCUA to enforce this provision strictly.

BUSY BEE TO BUZZ NO MORE

HON. PETER HOEKSTRA

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Thursday, August 6, 1998

Mr. HOEKSTRA. Mr. Speaker, the Busy Bee Restaurant closes for good on Sunday night. It marks the end of an incredible 33-year run for the Polish-American diner nestled like a robin's egg under the L tracks at 1546 N. Damen.

The Busy Bee always held the promise of spring for old men from the Elm Park and Viceroy hotels. The Busy Bee was for the late Abbie Hoffman, who recommended its affordable menu for anti-war demonstrators; it was also for Mayor Harold Washington, who loved the diner's oxtail stew.

The Busy Bee was for one-armed piano player Eddie Balchowsky, a friend of two-fisted running partner Nelson Algren. The Busy Bee was for Shakespeare District cops, particularly Officer William Jaconetti, who wrote the prose for the framed, weatherproof plaque that police and community members installed Thursday outside the restaurant.

The Busy Bee was for everyone.

The loss stings.

Jaconetti became a Chicago cop in 1968, the year all the Busy Bee's windows were broken in West Side riots. In part, the plaque reads: "The American Dream was fulfilled by many who came to the Wicker Park; Bucktown neighborhood for over 100 years. Arriving in the neighborhood in 1965 was Sophie Madej who purchased the Busy Bee Restaurant in 1972. Sophie, a married lady with four children, had come from Poland in 1951, worked at a Chicago packing house for 10 years, saved her money and bought the restaurant . . ."

For 33 years, Sophie served her customers pierogis, homemade spinach soup, meatloaf and stuffed green peppers, all seasoned with love and understanding.

"Sophie is the pioneer of this neighborhood," Jaconetti said. "They talk about community policing? It starts at a multicultural place like this. We will miss her. At tough times, she was always here for the police. For every Bulls victory, for every demonstration, for the Rolling Stones concert (at the nearby Double Door) she stayed open so the police would have somewhere to go. We're all friends with these people. This didn't happen because it was a business. She did something special. She opened the doors to everyone."

Sophie had put the restaurant on the market before. This time it made sense. Sophie turns 70 on July 5. She wants to retire and visit her homeland. In 1943, Sophie was moved to Germany under the Nazis' forced-labor laws. She met her husband, Henry, in 1946 (they divorced in 1985) in Germany, where they remained until 1951, when Catholic Charities gave the young couple \$100 to sponsor their voyage to America. They arrived in the United States with the cash, two children and two suitcases.

The new owner, Mitch Gerson, will close the Busy Bee, remodel it and upscale the 16 apartments above the restaurant. Sophie whispered, "He has to do it that way. There's no way he can compete with this."

There's no way Gerson's grand opening can compete with the Busy Bee's closing. Sunday will be just another day and nothing special will happen at 6 p.m. when Sophie closes the doors for the last time.

The Busy Bee has been buzzing with adoration for the Madej family over the last two weeks. Sophie and three of her children, Elizabeth, 50, Hank, 47, and Bob, 46, have been working around the clock at the crowded diner, where in recent days there has been a half-hour wait to be seated. (Her fourth child, Chester, 44, works for the National Oceanographic and Atmospheric Agency in Boulder, Colo.)

By noon on Thursday, the restaurant had run out of pierogis. Cops, friends and neighbors arrived, most of them taking pictures so they could hold onto the sense of community. Other people brought Sophie bouquets and flowers.

"I never knew people cared like this," Sophie said. "Never. The first time I walked into the restaurant after I bought it, I asked myself and God if I could make it for a year or two. That was my biggest question. And this became my home. We've had all our family gatherings in the restaurant. But it's time to let go and move on."

John Schacht sat across the counter from Sophie, listening to her talk like a doting son. Schacht, a painter-photographer, lives in a trailer in the woods of southwest Iowa. He took a train to Chicago so he could have one last meal at the Busy Bee. Schacht, 60, is a third-generation customer. When Sophie bought the restaurant, it was already called the Busy Bee—renamed from the Oak Room, its name when it was built in 1913.

"My dad would come before his shift as a bouncer at the Bucket O' Blood Saloon on North Avenue," Schacht said. "The first time I came in here was 1946. The neighborhood has changed. Around 1972, I was walking home from Sophie's and walked right into crossfire with two street gangs. . . . I'm sad to see Sophie go, but I'm glad to see her retiring. She's been working for all the years I've known her."

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 NIGHORSE 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 Appennines, 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 longshoremen, 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.