

Thanksgiving and Christmas time, donating money and services to the Community Chest, now United Way, Red Cross, American Field Service, American Cancer Society, Alzheimer's, Salvation Army, Boy Scouts, Girl Scouts, Special Olympics, AIDS, Abused Women's Centers, Children's Crisis Centers, Meals on Wheels and many other organizations which have needed our help over the years. Omega Nu also provides clothes for destitute families, dental and eye care for young people and contributes money, services, and materials to all levels of the educational system. Many chapters also give scholarships to high school graduates, college students and reentry students to help finance their college education.

Each year, the 13 chapters of Omega Nu compile a journal of all the activities we have taken part in. The number of organizations which have benefited from their years of philanthropic commitment is unbelievable. In the last 50 years, we have given back to the community over \$4,100,000. Besides dollars, the members have also contributed countless hours of their own time and a vast amount of energy, fulfilling the needs of those less fortunate.

It is my pleasure to recognize such a fine organization that has worked so very hard to make a difference in the community in which they serve.

A TRIBUTE TO PATRICIA O'BRIEN,
THE ARGO-SUMMIT CHAMBER OF
COMMERCE VOLUNTEER OF THE
YEAR

HON. WILLIAM O. LIPINSKI

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Tuesday, February 4, 1997

Mr. LIPINSKI. Mr. Speaker, I would like to pay tribute to an outstanding woman who has dedicated much time and effort in bettering the lives of her fellow citizens—Ms. Patricia O'Brien.

Ms. O'Brien's efforts will also be recognized Feb. 21, 1997 by the Argo-Summit Chamber of Commerce as she is the organization's Volunteer of the Year.

A resident of Summit, IL, Ms. O'Brien has been active in collecting food, especially in her place of work, United Parcel Service, where she is a truck driver. Three years ago, she began a food drive at UPS, and in 1996, Ms. O'Brien and her co-workers collected more than 1 ton of food. Last summer, she helped collect and deliver more than 10,000 pounds of extra food from the Taste of Chicago festival, and regularly retrieves leftovers from the McCormick Place Convention Center for area food pantries and homeless shelters.

Ms. O'Brien has received the Casey Award from UPS and the Tom Shay Award from the International Brotherhood of Teamsters for her community service.

Mr. Speaker, I salute the selfless efforts of Patricia O'Brien and extend to her my best wishes for continued success in the future.

THANK YOU TERRY WATSON

HON. JAMES A. BARCIA

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Tuesday, February 4, 1997

Mr. BARCIA. Mr. Speaker, in 1776, 13 colonies declared their independence to form a new nation. They put their convictions to pen and the Declaration of Independence was signed on July 4, 1776. Two hundred years later, we continue to celebrate the birth of our Nation. Parades, picnics, marching bands, and barbecues are arranged all over the country. However, the Fourth of July weekend would not be complete without fireworks.

Terry Watson, president of the Bay City Fireworks Festival, founded the festival in 1983 and has contributed to a Fourth of July fireworks display that astounds and astonishes. Terry took a well deserved 2-year break from his hard work and commitment to entertaining Bay City's families. The festival went on without him. However, they experienced financial trouble. The citizens requested that Terry return to revitalize the festival. Terry was elected president in the fall of 1995. Writing new bylaws and forming the board of directors, Terry returned full swing with his commitment to improving and refining the festival operations.

Through several fundraisers, the generous support of Tom LaPorte, president and CEO of Mortgage America, the overwhelming support of the community and the dedication of Terry Watson and the volunteer board of directors, the Bay City Fireworks Festival, retired the nearly \$120,000 debt, and the festival continues to thrive and grow, showcasing Bay City and all of mid-Michigan. Plans are already under way and the work has begun for the 1997 Bay City Fireworks Festival. The citizens of Bay City can look forward to a spectacular display because Terry's motto is "Bigger is Better."

Terry is not only committed to entertaining the people of Bay City but, as a Bay City police officer, he has protected and served the citizens of Bay City for 25 years. He also served as the chairperson of the Fraternal Order of Police Fireworks Programs for 22 years.

I urge my colleagues to join me in sending congratulations and thanks to Terry for his commitment to help fellow Michiganites celebrate our Nation's birthday. He has provided people of all ages enjoyment and awe.

TRIBUTE TO HERB CAEN

HON. SAM FARR

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, February 4, 1997

Mr. FARR of California. Mr. Speaker, the relationship between elected officials and the media has historically been one of love and hate. Those of us in the public eye realize that by entering into the arena we are subject to criticism and commentary from the media. After you have spent time in public life you learn to accept the fact that there are going to be those who disagree with you on a variety of issues. Some commentators can give fair, and well-reasoned arguments for why they

have a difference of opinion, and some choose to just throw mud. Herb Caen never threw mud.

On Saturday, February 1, the people of northern California lost one of its most beloved figures. Herb Caen was more than just a columnist, he was a towering figure in the city where he wrote for the San Francisco Chronicle for almost 60 years. Every morning thousands of people in the bay area and beyond awoke to read Herb's unique blend of local news, gossip, jokes, one-liners, and political commentary. In May 1996, Herb was awarded a special Pulitzer Prize for his "extraordinary and continuing contribution as a voice and a conscience of his city." In addition to his column for the Chronicle, he also wrote magazine articles, and 12 books including, "One Man's San Francisco" and "Don't Call it Frisco."

In fact, the people of San Francisco admired him so much that upon his public announcement last summer that he had inoperable lung cancer, the city of San Francisco dedicated a 3.2-mile promenade stretching from China Basin to Fisherman's Wharf as Herb Caen Way. Besides being an entertaining writer, and political watchdog, Herb was a crusader, who used the power of the pen to tackle injustice, and to fight for what he believed in. Many credit Herb with saving the cable cars, and preventing the Golden Gate Park from being paved over by a massive highway project. But more than anything, it was the way in which Herb lived his life that he will be most remembered for. Whether it was dancing the night away to a jazz band, or just strolling along his beloved waterfront, he always had a good time. I am sure that I am joined by all of northern California in saying that we will miss Herb Caen.

TRIBUTE TO THE LATE CHARLES
P. HOWARD, JR.

HON. ELIJAH E. CUMMINGS

OF MARYLAND

IN THE HOUSE OF REPRESENTATIVES

Tuesday, February 4, 1997

Mr. CUMMINGS. Mr. Speaker, I rise today to pay a special tribute to the late Charles P. Howard, Jr., a lawyer and a great civil rights activist in Baltimore, MD.

Charles Preston Howard, Jr. was born in Hampton, VA, the son of Charles Preston Howard, Sr., an attorney, and Louisa Maude Lewis. The family moved to Des Moines, IA, when he was a child, where he graduated from high school in 1939.

While in high school, Mr. Howard and his two brothers, Joe and Lonnie, founded the Iowa Observer, a neighborhood newspaper that grew into a network of four weekly papers that were also published in Indiana and Wisconsin. The three youths were greatly influenced by their great-uncle, Henry McNeal Turner, a turn-of-the-century African Methodist Episcopal bishop whose newspaper, the Voice of the People, crusaded against segregation.

Charles Howard, Jr. began studying journalism at Drake College in 1940 and transferred to Howard University, where he entered an Army training program for journalists. As a reporter for the Army Times during World War II, Mr. Howard displayed his disdain and outrage for segregation which would mark his entire

career. He openly questioned the role of black troops fighting for a democracy that promoted segregation. He suggested in editorials that black troops should resist such discrimination, and in two instances there were demonstrations at Army camps where Mr. Howard was stationed in England and in the United States. Some changes were initiated by military authorities, but it wasn't until May 1948, when President Truman signed Executive Order No. 9981, that segregation in the military was ended.

As an aide to Gen. Benjamin O. Davis, the first African-American general in the U.S. Army, Howard served on the staff of the Supreme Headquarters Allied Expeditionary Force until being discharged at the war's end.

Upon returning to Howard University, Charles Howard worked with the lawyers and participated in the university's support of the Brown versus Board of Education case, the landmark case that desegregated the Nation's public schools.

Mr. Howard began practicing law in 1955, after earning his law degree in 1954 from Howard University Law School and an international law degree from New York University in 1955. Soon after his graduation from law school, Mr. Howard quickly developed a reputation as a fearless and colorful defense lawyer. Lawyers impressed by his brilliant defense techniques and verbal pyrotechnics often crammed courtrooms to watch him try a case.

"He was certainly tenacious and he wasn't opposed to taking the bench over difficult cases," said Gloria E.A. Toote, a Harlem lawyer who held positions in the Nixon, Ford, and Reagan administrations and got to know Mr. Howard when they were students at Howard University. "Once he was committed, it became a moral commitment, and he wouldn't let go. He'd work until he dropped from sheer exhaustion."

In the late 1960's, he established Howard and Hargrove, Maryland's first black corporate law firm, which was in the American Building on Charles Street. Later, Howard formed Howard, Brown, and Williams where he retired in 1985.

In 1966, Mr. Howard ran for the House of Delegates and lost, but his race signaled the developing black presence on the city's political landscape. He later helped elect his brother, Joseph C. Howard, to the supreme bench of Baltimore City in 1968. Judge Howard, who was later appointed to the U.S. district court, is now retired.

Charles Howard, Jr.'s professional memberships included the Professional Ethics Committee for Legal Aid to the Indigent, the National Bar Association, the American Society of International Law, and the Maryland State Bar Association. He was active in the NAACP, the YMCA, and the Boy Scouts of America. He was also a member of the board of Arena Players Theater Co. and in 1971 was named to the board of the Maryland Public Broadcast Commission by Gov. Marvin Mandel. He also was acting president of Bay College until the school closed in 1978. Mr. Howard was also a member of the St. James Episcopal Church where was an active member.

In recent years, Mr. Howard was most concerned about economic alternatives to welfare dependency and worked with and counseled black businessmen. A popular tenet of Howard's was that the successful had an obligation to help those in need.

On December 14, 1996, Charles Preston Howard, Jr. died of a heart attack at his home in the Ashburton section of Baltimore, MD at the age of 75. He is survived by his wife of 6 years, the former Jewel White, two sons, Charles P. Howard III of Los Angeles and Charles Lattimore Howard of Philadelphia, a daughter, Catherine Marie Howard of Baltimore, and another brother, Dr. Lawrence Howard of Baltimore.

Charles P. Howard and his dedication to the African-American community will certainly be missed in Baltimore and across the country. He was an outstanding American who labored tirelessly to ensure that every person enjoyed the benefits of true American values.

According to family members, "Charlie's life work seemed to always orbit around the critical importance of building and nurturing community institutions for the future of humanity everywhere."

MEDIGAP PROTECTION ACT OF 1997

HON. KEN BENTSEN

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Tuesday, February 4, 1997

Mr. BENTSEN. Mr. Speaker, I rise today to introduce vital consumer protection legislation for Medicare beneficiaries. The Medigap Protection Act of 1997 will provide real freedom to senior citizens to choose between traditional fee-for-service Medicare and managed care Medicare programs without risk of penalty. It does so by guaranteeing access to Medigap supplemental insurance for seniors who choose to enroll in fee-for-service Medicare after participating in Medicare managed care plan.

Congress this year will again debate fundamental changes to the Medicare System. Previous reform proposals would strongly encourage Medicare beneficiaries to enroll in managed care plans. Nationwide, approximately 13 percent of the Medicare population already is enrolled in managed care options. I support providing freedom of choice for senior citizens, but this choice must be real and not coerced. As more senior citizens enroll in managed care plans, we need to ensure that they can reenroll in traditional Medicare without losing benefits or paying a financial penalty.

Under current law, Medicare beneficiaries can enroll in either a managed care product or traditional Medicare Program. Many enrollees in traditional Medicare choose to purchase supplemental insurance policies, often called Medigap, to cover the cost of copayments, deductibles, and other uncovered benefits such as prescription drugs. When Medicare beneficiaries make this initial choice, current law protects them by requiring all insurers to sell Medigap insurance. Regrettably, this consumer protection is not provided after the initial enrollment period.

This legislation would require guaranteed issue of Medigap policies for those senior citizens who choose to enroll in traditional Medicare after leaving a managed care Medicare Program. This bill would require any issuer of Medigap insurance to provide an annual enrollment period of 30 days for those Medicare beneficiaries who reenroll in the traditional Medicare Program. The Secretary of Health

and Human Services would issue regulations to enforce this act. The bill would become effective 90 days after enactment.

Without this protection, senior citizens do not have a real choice. In addition, many senior citizens are not aware of this lack of protection and may enroll in managed care plans without knowledge of this problem. Consumers should be able to choose plans without financial coercion or penalties, such as the inability to purchase Medigap insurance. For many senior citizens, Medigap benefits are extremely important because traditional Medicare does not provide prescription drug coverage. I want to ensure that Medicare beneficiaries make a choice between equal options. This legislation also provides greater freedom and choice for seniors without forcing them to cover the costs of higher copayments, deductibles, and prescription drugs.

This is another common sense health care reform we can pass immediately that should be supported on a bipartisan basis. President Clinton endorsed this provision as part of his 1997 budget. We need to pass common-sense, reasonable legislation that will improve the Medicare Program so senior citizens are protected and have real choice. I urge my colleagues to join me in this effort to strengthen consumer protections for Medicare beneficiaries.

COURT RULING SHOWS WHY CONGRESS MUST CLOSE MEDICARE HOSPITAL OUTPATIENT DEPARTMENT LOOPHOLE THAT HURTS SENIORS

HON. FORTNEY PETE STARK

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, February 4, 1997

Mr. STARK. Mr. Speaker, today, Representative BILL COYNE and I have introduced legislation to close the Medicare Hospital Outpatient Department [HOPD] loophole that is costing retirees and the disabled billions and billions of dollars a year in improper charges.

On June 25, the U.S. Ninth Circuit Court of Appeals denied a class action motion to require hospitals to charge no more than a reasonable amount for services rendered in HOPD's under Medicare part B.

To quote from the Bureau of National Affairs' description of the case:

At the center of this case is a fight over cost sharing, and in particular, how much of the cost beneficiaries should be responsible for," the appeals court wrote. It explained that under the basic formula for Part B services, a beneficiary must pay 20 percent of the reasonable charges for the items and services rendered and the federal government pays a lesser of the reasonable cost of such services or the customary charges, but in no case may the payment exceed 80 percent of the reasonable cost. [emphasis added]

The court explained that the cost-sharing arrangement is known as the "80-20 split," but the label is misleading because of the total amount paid to the provider, the beneficiary's share typically exceeds 20 percent.

That share rises because the Health Care Financing Administration reimburses on the basis of the hospital's costs, while the beneficiary owes a percentage of hospital charges. Because providers normally charge above cost, the beneficiary's share represents