(2) a hybrid instrument or swap agreement described in paragraph (1) that is entered into before the period described in such paragraph shall not be subject to section 2(a)(1)(B)(v) of the Commodity Exchange Act (7 U.S.C. 2a(a)(1)(B)(v)).

SEC. 7. DEFINITIONS.

For purposes of this Act:

(1) The term ''depository institution'' has the meaning given such term in section 19(b)(1)(A) of the Federal Reserve Act (12 U.S.C. 461(b)(1)(A)).

(2) The term ''foreign bank'' has the meaning given such term in section 1(b)(7) of the International Banking Act of 1978 (12 U.S.C. 3101(b)(7)).

CONGRATULATION TO THE VILLAGE OF EIK RAPIDS, MI

HON. BART STUPAK

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Tuesday, June 16, 1998

Mr. STUPAK. Mr. Speaker, a small village in my district, the 1st Congressional District of Michigan, is celebrating its sesquicentennial in 1998. In its 150-year history Elk Rapids, like so many small Midwestern cities and villages, has grown grow from the homestead of a single hardy pioneering family to a community with a rich and unique heritage.

Like other Midwestern communities, Elk Rapids has witnessed the lure of lumber and furs, has seen boom times and times of economic hardship, and has renewed itself through several generations with the same strength and courage demonstrated by its original settlers. Through research and recollection, the village leaders in a resolution marking their sesquicentennial have distilled those 150 years into a brief history, which I will related to you, Mr. Speaker.

The community's story begins in the mid-1800s, when Abram Wadsworth, a government surveyor from Durham, Conn., came to the region to explore the Grand Travese Territory in northwestern Lower Michigan. Mr. Wadsworth's task was to explore the Territory in general, and specifically to survey land in the section now known as Elk Rapids.

Mr. Wadsworth, on one of his visits, found a pair of elk horns in the rapids near the mouth of the Elk River and determined that this pristine and picturesque spot would be especially well-suited for the construction of a sawmill for the purpose of processing timber cut from the vast hardwood stands of Antrim County. He erected in 1848 the first permanent dwelling on the shores of Grand Traverse Bay in the general vicinity of the present Elk Rapids Township Hall.

This structure led to the eventual settlement and development of a town around that site, which has grown through the hard work and dedication of its citizens over the last 150 years to become the Village of Elk Rapids.

The village grew to a thriving community which based its livelihood on the lumber industry. The community sent out lumber and drew its local supplies via rail lines on the landward side and through docks on the Grand Traverse Bay side that drew steamers from Milwaukee and Chicago.

The population of the village grew to a bustling 1,800 by the year 1905, fell with the decline of the lumber industry to 530 people by the year 1930, but has grown again to more than 1,600. With the natural attraction of the water and the moderate temperatures caused by its nearness to Lake Michigan, the village now bases its livelihood on fruit farming and tourism. Community leaders are optimistic about the future of Elk Rapids as it prepares for its next 150 years.

I am proud to be a participant in the events of Founder's Day, June 20, 1998, which has been officially designated as the day to spotlight this auspicious occasion.

Mr. Speaker, by proclamation of the Village of Elk Rapids, I encourage my colleagues, and I encourage all residents, business people and visitors to the village to recognize and celebrate this milestone in ways that heighten civic pride and inspire further preservation of the historical, cultural and natural characteristics that make Elk Rapids one of the most enchanting places on the face of the Earth.

PERSONAL EXPLANATION

HON. TERRY EVERETT

OF ALABAMA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, June 16, 1998

Mr. EVERETT. Mr. Speaker, on June 11th, I was unable to cast my vote in support of H.R. 466, condemning the brutal killing of James Byrd, Jr. The measure was not scheduled for the day's legislative business, and I had already committed to travel plans to reach my district that evening. Had I been present, I would have voted ''aye.''

BILL OF RIGHTS AND CAMPAIGN REFORM

HON. TOM DeLAY

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Tuesday, June 16, 1998

Mr. DELAY. Mr. Speaker, as we begin the debate on so-called campaign reform, my colleagues should take a moment to read the following column from Dennis Byrne of the Chicago Sun Times. He has it exactly right—reformers think the First Amendment is a ''loophole'' that must be closed.

[From the Chicago Sun-Times, June 10, 1998]

BILL OF RIGHTS NO OBSTACLE TO 'REFORM'

(By Dennis Byrne)

When the House last week defeated a constitutional amendment to strengthen religious freedom, its opponents argued that we shouldn't be messing around with the Bill of Rights.

House Minority Leader Richard Gephardt of Missouri joined many fellow Democrats in defeating the amendment based on the logic that the First Amendment already protects religious freedoms.

So, guess who has introduced an amendment to change the Bill of Rights? That's right, Gephardt. He would allow Congress to restrict the First Amendment by limiting what Americans can say about political candidates and issues. But as the debate is joined on campaign finance reform, a Gephardt spokeswoman said he would vote ''present'' on his own amendment. Democrats charge that Republicans are calling for a vote now on the amendment to embarrass the Democrats.

They should be embarrassed.

It was bad enough that many Democrats, along with a few Republicans, were pushing a version of campaign finance ''reform'' that would fly in the face of Supreme Court rulings limiting how much Congress can restrict Americans' political speech as expressed through their campaign contributions. Now their favorite bill, McCain-Feingold, is being topped by a worse version, Shays-Meehan (HR 3526), backed by President Clinton, Common Cause and the League of Women Voters.

Get a load of some of its proposals, according to an analysis by the National Right to Life Committee:

It would impose year-round restrictions on what incorporated citizens advocacy groups that are not political action committees can say about issue and candidates. They wouldn't be allowed to publish anything that mentions a lawmaker in connection with judgment about his actions or beliefs. For example, a community organization would not be able to note approvingly that Rep. Rod Blagojevich (D-Ill.) opposed the recycling of napalm in East Chicago.

Any group that ''coordinated'' with a candidate, even to the point of having the same printer, would be banned during the year from even naming a candidate ''for the purpose of influencing a federal election,'' a test that is so vague as to be unconstitutional. Such a group couldn't issue any communication having ''value'' to the candidate, even if the candidate isn't named.

''Coordination'' also would include the common practice among groups of sending a written questionnaire to candidates and then disseminating the results. It also would include ''policymaking discussions'' with a ''candidate's campaign,'' which could rule out lobbying.

Within 60 days of a congressional primary campaign, such groups couldn't mention the name of a candidate, even in ads that alert citizens to upcoming votes in Congress. Groups could obtain an exception for putting out materials about voting records and positions, but the information must be presented ''in an educational manner''—another unconstitutionally vague test.

There's more, but this is as much as I can take.

The meaning of the First Amendment is clear: In the interest of hearty debate, government can't restrict the people's right to talk about the government. Instead, campaign finance ''reformers'' would have government decide what people are allowed to say about their elected officials (read: their government).

The answer to campaign finance abuse is to enforce the laws we already have—would that Attorney General Janet Reno ask for an independent counsel to investigate presidential fund-raising shenanigans.

The constitutional answer is to strengthen free speech by removing the arbitrary restrictions now imposed on campaign donations, while requiring complete, clear and immediate disclosure.

But if ''reformers'' get their way, the rules will become so complex and arcane that Americans first will have to consult their lawyers to find out what government allows them to say about government. The answer will be: Not much.

Dennis Byrne is a member of the Sun-Times editorial board.

IN RECOGNITION OF THE PORT WASHINGTON YOUTH ACTIVITIES 8TH ANNUAL HALL OF FAME DINNER

HON. GARY L. ACKERMAN

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Tuesday, June 16, 1998

Mr. ACKERMAN. Mr. Speaker, I rise today to recognize three individuals who will be honored on Friday, June 19th, 1998, for their dedication and support of youth activities in the town of Port Washington, New York. Julius Picardi, Frank Giordano and Jack Sommerville will be so honored by induction into the Port Washington Youth Activities Hall of Fame at the PYA's eighth annual affair. They will join a select group of twenty others who have been previously recognized by the PYA.

Mr. Picardi has been a dynamic force in the growth of the PYA during the 1980s serving as coach, organization treasurer, officer and director for over fifteen years. Mr. Giordano is cited for his athletic achievements including collegiate lacrosse at the United States Military Academy in the early 1980s. Many of his skills and his dedication to excellence were developed in his active days as a youth in the PYA programs. Finally, Mr. Sommerville is remembered for his tireless dedication as coach and supporter of PYA baseball programs for more than ten years.

All three of these gentlemen are recognized for their individual and collective contributions to youth sports and all they embody. They are an excellent reflection upon themselves, their families, their community and the volunteer spirit of American organizations, such as PYA. Mr. Speaker, I ask my colleagues to join with me in recognizing these individuals who are most deserving of this honor, with special appreciation from their neighbors and friends.

THE ASSISTIVE AND UNIVERSALLY DESIGNED TECHNOLOGY IMPROVEMENT ACT FOR INDIVIDUALS WITH DISABILITIES

HON. CONSTANCE A. MORELLA

OF MARYLAND

IN THE HOUSE OF REPRESENTATIVES

Tuesday, June 16, 1998

Mrs. MORELLA. Mr. Speaker, I am pleased today to introduce H.R. XX, the Assistive and Universally Designed Technology Improvement Act for Individuals with Disabilities. H.R. XX is the House companion bill to S. 2173 offered by my distinguished Senate colleague from Missouri, Mr. BOND.

Last July, my Technology Subcommittee held a hearing focusing on the transfer of federal technologies to meet the needs of those with disabled conditions. We learned from the hearing that these technologies, known as ''assistive technologies'' are being used to increase, maintain, and improve the functional capabilities of individuals with disabilities.

Assistive technologies is a device, whether acquired commercially, off-the-shelf, modified, or customized, that is used to increase, maintain, or improve the functional capabilities of individuals with disabilities. Examples of assistive technologies, which provide for more independent, productive, and enjoyable living, can be simple or complex. It ranges from: Velcro, adapted clothing and toys, computers, seating systems, powered mobility, augmentative communication devices, special switches, assisted listening devices, visual aids, memory prosthetics, to thousands of other commercially available or adapted items. As examples, it can be: a computer that can be used by an individual with Cerebral Palsy, a motor scooter, a hearing aid for an individual who is aging, or enhanced voice recognition for someone with Multiple Sclerosis.

Assistive technologies provide a disabled individual the means to function better in the workplace or the home. This technology, which aids Americans with physical or mental disabilities, improves the end users' quality of life and provides a means for acquiring a job. For the 49 million people in the United States who have disabilities, as well as for Americans who are able bodied, assistive technologies have yielded a tremendous number of quality of life enhancements.

These technology solutions improve an individual's ability to learn, compete, work and interact with family and friends. People use assistive technology to achieve greater independence and to enhance the quality of their lives.

A preliminary study on the impact and benefits of assistive technologies was conducted by the National Council on Disability in 1993. Surveyed were 136 individuals with disabilities to evaluate the costs and benefits associated with the use of different kinds of technology-related assistance. The individuals were from four age groups and the results indicate a significant impact of assistive technologies on many aspects of the respondents lives, including: the majority of infants with disabilities benefited by having fewer health problems; nearly 75% of school age children were able to remain in a regular classroom, and 45% were able to reduce their use of school-related services; 65% of working-age persons were able to reduce dependence on family members, 58% were able to reduce dependence on paid assistance, and 37% were able to increase earnings. Among elderly persons, 80% were able to reduce dependence on others, half were able to reduce dependency on paid persons, and half were able to avoid entering a nursing home.

As a result of our July hearing, the Technology Subcommittee was impressed with the need for a greater emphasis to develop assistive technologies. Yet, the area of assistive technology is greatly overlooked by the Federal Government and the private sector. While the importance of assistive technologies spans age and disability classifications, assistive technology does not maintain the recognition in the Federal Government necessary to provide important assistance for research and development programs or to individuals with disabilities.

The private sector generally lacks adequate incentives to produce assistive technologies and end-users lack adequate resources to acquire assistive technology. It is also believed that there are insufficient links between federally funded assistive technology research and development programs and the private sector entities responsible for translating research and development into significant new products in the marketplace for end-users.

H.R. — provides federally supported incentives in all areas of assistive and universally designed technology, including need identification, research and development, product evaluation, technology transfer, and commercialization. These incentives achieve the goal of improving the quality, functional capability, distribution, and affordability of this essential technology. The legislation seeks to:

Improve the peer review process at the National Institute on Disability Research and Rehabilitation (NIDRR) at the Department of Education. These improvements would provide greater assistive and universally designed technology products to the marketplace, increase small business involvement in research and development, and assure research and development efforts would cover all disability groups including persons with physical and mental disabilities, as well as the aging and rural technology users.

Augment technology transfer by improving the role of the Interagency Committee on Disability Research (ICDR) to increase its authority, accountability and ability to coordinate. Provisions are included for the increased usage of the Federal labs to improve coordination with all Federal agencies involved in assistive and universally designed technology research and development and for providing public and private sector partnerships for assistive and universally designed technology research and development.

Increase the market for assistive technology by clarifying Title III of the Tech Act for the Microloan program. This microloan program assists disabled persons in obtaining assistive and universally designed technology.

Authorizes funding for the Interagency Committee on Disability Research to hire staff and for operating costs associated with issuing surveys and reports and to the National Institute on Disability Research and Rehabilitation to provide for assistive and universally designed technology research and development.

Increase access to assistive and universally designed technology by creating tax incentives to provide businesses a tax credit for the development of assistive technology, to expand the architectural and transportation barrier removal deduction to include communication barriers, and to expand the work opportunity credit to include expenses incurred in the acquisition of technology to facilitate the employment of any individual with a disability.

I am pleased that H.R. — already has the support of the United Cerebral Palsy Association, the Rehabilitation Engineering and Assistive Technology Society of North America, the National Easter Seal Society, and The Association of Tech Act Projects.

Mr. Speaker, I urge my colleagues to support this important bill and I will work towards enactment of this worthy legislation.

TRIBUTE TO COLONEL GREGORY G. BEAN

HON. HAROLD E. FORD, JR.

OF TENNESSEE

IN THE HOUSE OF REPRESENTATIVES

Tuesday, June 16, 1998

Mr. FORD. Mr. Speaker, I rise today to ask that my colleagues in the House of Representatives pay tribute to Colonel Gregory G. Bean. Since 1995, Colonel Bean has served with distinction as the District Engineer of the U.S. Army Corps of Engineers Memphis District in Tennessee's Ninth Congressional District.