

agency, may be detailed to the Commission without reimbursement, and such detail shall be without interruption or loss of civil service status, benefits, or privilege.

(d) **PROCUREMENT OF TEMPORARY AND INTERMITTENT SERVICES.**—The Chairman of the Commission may procure temporary and intermittent services under section 3109(b) of title 5, United States Code, at rates for individuals not to exceed the daily equivalent of the annual rate of basic pay prescribed for level V of the Executive Schedule under section 5316 of such title.

SEC. 1696. AUTHORIZATION OF APPROPRIATIONS.

There are authorized to be appropriated to the Commission and any agency of the Federal Government assisting the Commission in carrying out its duties under this subtitle such sums as may be necessary to carry out the purposes of this subtitle. Any sums appropriated shall remain available, without fiscal year limitation, until expended.

SEC. 1697. TERMINATION OF THE COMMISSION.

The Commission shall terminate 30 days after the Commission submits the report under section 1693(c).

Subtitle J—School Safety

SEC. 1698. SHORT TITLE.

This subtitle may be cited as the “School Safety Act of 1999”.

SEC. 1699. AMENDMENTS TO THE INDIVIDUALS WITH DISABILITIES EDUCATION ACT.

(a) **PLACEMENT IN ALTERNATIVE EDUCATIONAL SETTING.**—Section 615(k) of the Individuals with Disabilities Education Act (20 U.S.C. 1415(k)) is amended—

(1) in paragraph (1)(A)(ii)(I), by inserting “(other than a gun or firearm)” after “weapon”;

(2) by redesignating paragraph (10) as paragraph (11); and

(3) by inserting after paragraph (9) the following new section:

“(10) **DISCIPLINE WITH REGARD TO GUNS OR FIREARMS.**—

“(A) **AUTHORITY OF SCHOOL PERSONNEL WITH RESPECT TO GUNS OR FIREARMS.**—

“(i) Notwithstanding any other provision of this Act, school personnel may discipline (including expel or suspend) a child with a disability who carries or possesses a gun or firearm to or at a school, on school premises, or to or at a school function, under the jurisdiction of a State or a local educational agency, in the same manner in which such personnel may discipline a child without a disability.

“(ii) Nothing in clause (i) shall be construed to prevent a child with a disability who is disciplined pursuant to the authority provided under clause (i) from asserting a defense that the carrying or possession of the gun or firearm was unintentional or innocent.

“(B) **FREE APPROPRIATE PUBLIC EDUCATION.**—

“(i) **CEASING TO PROVIDE EDUCATION.**—Notwithstanding section 612(a)(1)(A), a child expelled or suspended under subparagraph (A) shall not be entitled to continued educational services, including a free appropriate public education, under this title, during the term of such expulsion or suspension, if the State in which the local educational agency responsible for providing educational services to such child does not require a child without a disability to receive educational services after being expelled or suspended.

“(ii) **PROVIDING EDUCATION.**—Notwithstanding clause (i), the local educational agency responsible for providing educational services to a child with a disability who is expelled or suspended under subparagraph (A) may choose to continue to provide educational services to such child. If the local educational agency so chooses to continue to provide the services—

“(I) nothing in this title shall require the local educational agency to provide such child with a free appropriate public education, or any particular level of service; and

“(II) the location where the local educational agency provides the services shall be left to the discretion of the local educational agency.

“(C) **RELATIONSHIP TO OTHER REQUIREMENTS.**—

“(i) **PLAN REQUIREMENTS.**—No agency shall be considered to be in violation of section 612 or 613 because the agency has provided discipline, services, or assistance in accordance with this paragraph.

“(ii) **PROCEDURE.**—Actions taken pursuant to this paragraph shall not be subject to the provisions of this section, other than this paragraph.

“(D) **FIREARM.**—The term ‘firearm’ has the meaning given the term under section 921 of title 18, United States Code.”.

(b) **CONFORMING AMENDMENT.**—Section 615(f)(1) of the Individuals with Disabilities Education Act (20 U.S.C. 1415(f)(1)) is amended by striking “Whenever” and inserting the following: “Except as provided in section 615(k)(10), whenever”.

LOTT AMENDMENT NO. 1345

Mr. LOTT proposed an amendment to amendment No. 1344 proposed by him to the bill, H.R. 1501, supra; as follows:

In the substitute add the following:
This bill will become effective 1 day after enactment.

LOTT AMENDMENT NO. 1346

Mr. LOTT proposed an amendment to amendment No. 1345 proposed by him to the bill, H.R. 1501, supra; as follows:

In the amendment to the substitute add the following:
This bill will become effective 2 days after enactment.

LOTT AMENDMENT NO. 1347

Mr. LOTT proposed an amendment to the bill, H.R. 1501, supra; as follows:

In the bill add the following:
This bill will become effective 3 days after enactment.

LOTT AMENDMENT NO. 1348

Mr. LOTT proposed an amendment to amendment No. 1347 proposed by him to the bill, H.R. 1501, supra; as follows:

In the amendment to the bill add the following:
The bill will become effective 4 days after enactment.

FEDERAL RESEARCH INVESTMENT ACT

FRIST AMENDMENT NO. 1349

Mr. GORTON (for Mr. FRIST) proposed an amendment to the bill (S. 296) to provide for continuation of the federal research investment in a fiscally sustainable way, and for other purposes; as follows:

On page 15, line 15, strike “\$42,290,000,000” and insert “\$44,290,000,000”.

On page 15, line 17, strike “\$44,290,000,000” and insert “\$49,290,000,000”.

DEPARTMENTS OF COMMERCE, JUSTICE, AND STATE, THE JUDICIARY, AND RELATED AGENCIES APPROPRIATIONS ACT, 1999

GREGG AMENDMENT NO. 1350

Mr. GORTON (for Mr. GREGG) proposed an amendment to the bill (S.

1217) making appropriations for the Departments of Commerce, Justice, and State, the Judiciary, and related agencies for the fiscal year ending September 30, 2000, and for other purposes; as follows:

On page 21, line 16, delete “\$3,131,895,000” and insert in lieu thereof: “\$3,121,774,000”.

On page 66, line 20, delete “-\$469,000” and insert in lieu thereof: “\$9,652,000”.

On page 66, line 20, delete “-\$3,370,000” and insert in lieu thereof: “\$6,751,000”.

LEAHY AMENDMENT NO. 1351

Mr. GORTON (For Mr. LEAHY) proposed an amendment to the bill, S. 1217, supra; as follows:

On page 21, line 16, strike “\$3,151,895,000” and insert “\$3,146,895,000”.

On page 71, line 22, strike “\$4,743,000” and insert “\$9,743,000”.

NICKLES AMENDMENT NO. 1352

Mr. GORTON (for Mr. NICKLES) proposed an amendment to the bill, S. 1217, supra; as follows:

On page 73, between line 12 and 13, insert the following:

SEC. 306.—
(A) Section 3006A(d)(4)(D)(vi) of title 18, United States Code, is amended by adding after the word “require” the following: “, except that the amount of the fees shall not be considered a reason justifying any limited disclosure under 18 U.S.C. Sec. 3006A(d)(A)”

(B) **EFFECTIVE DATE.**—
This Act shall apply to all disclosures made under 3006A(d) of title 18, United States Code, related to any criminal trial or appeal involving a sentence of death where the underlying alleged criminal conduct took place on or after April 19, 1995.

DURBIN (AND OTHERS) AMENDMENT NO. 1353

Mr. GORTON (for Mr. DURBIN (for himself, Mrs. MURRAY, Mr. KOHL, Ms. MIKULSKI, Mrs. COLLINS, Mr. REID, and Mr. JEFFORDS)) proposed an amendment to the bill, S. 1217, supra; as follows:

At the appropriate place, insert the following:

SEC. . . . PROTECTION OF SENIORS AND THE DISABLED IN FEDERAL FAMILY VIOLENCE PREVENTION PROGRAMS.

(a) **FINDINGS.**—Congress finds that—

(1) of the estimated more than 1,000,000 persons age 65 and over who are victims of family violence each year, at least ⅓ are women;

(2) national statistics are not available on the incidence of domestic or family violence and sexual assault against disabled women, although several studies indicate that abuse of disabled women is of a longer duration compared to abuse suffered by women who are not disabled;

(3) in almost 9 out of 10 incidents of domestic elder abuse and neglect, the perpetrator is a family member, and adult children of the victims are the largest category of perpetrators and spouses are the second largest category of perpetrators;

(4) the number of reports of elder abuse in the United States increased by 150 percent between 1986 and 1996 and is expected to continue increasing;

(5) it is estimated that at least 5 percent of the Nation’s elderly are victims of moderate to severe abuse and that the rate for all forms of abuse may be as high as 10 percent;

(6) elder abuse is severely underreported, with 1 in 5 cases being reported in 1980 and only 1 in 8 cases being reported today;

(7) many older and disabled women fail to report abuse because of shame or as a result of prior unsatisfactory experiences with individual agencies or others who lack sensitivity to the concerns or needs of older or disabled individuals;

(8) many older or disabled individuals also fail to report abuse because they are dependent on their abusers and fear being abandoned or institutionalized;

(9) disabled women may fear reporting abuse because they are fearful of losing their children in a custody case;

(10) public and professional awareness and identification of violence against older or disabled Americans may be difficult because these persons are not integrated into many social networks (such as schools or jobs), and may become isolated in their homes, which can increase the risk of domestic abuse; and

(11) older and disabled Americans would greatly benefit from policies that develop, strengthen, and implement programs for the prevention of abuse, including neglect and exploitation, and provide related assistance for victims.

(b) IN GENERAL.—Part T of title I of the Omnibus Crime Control and Safe Streets Act of 1968 is amended—

(1) in section 2001 (42 U.S.C. 3796gg)—

(A) in subsection (a)—

(i) by inserting “, including older women and women with a disability” after “combat violent crimes against women”; and

(ii) by inserting “, including older women and women with a disability” before the period; and

(B) in subsection (b)—

(i) in the matter preceding paragraph (1), by inserting “, including older women and women with a disability” after “against women”; and

(ii) in paragraph (6), by striking “and” after the semicolon;

(iii) in paragraph (7), by striking the period and inserting “; and”; and

(iv) by adding at the end the following:

“(8) developing a curriculum to train and assist law enforcement officers, prosecutors, and relevant officers of the Federal, State, tribal, and local courts in identifying and responding to crimes of domestic violence and sexual assault against older individuals and individuals with a disability and implementing that training and assistance.”;

(2) in section 2002(c)(2) (42 U.S.C. 3796gg-1) by inserting “and service programs tailored to the needs of older and disabled victims of domestic violence and sexual assault” before the semicolon; and

(3) in section 2003 (42 U.S.C. 3796gg-2)—

(A) in paragraph (7), by striking “and” after the semicolon;

(B) in paragraph (8), by striking the period and inserting “; and”; and

(C) by adding at the end the following:

“(9) both the term ‘elder’ and the term ‘older individual’ have the meaning given the term ‘older individual’ in section 102 of the Older Americans Act of 1965 (42 U.S.C. 3002); and

“(10) the term ‘disability’ has the meaning given the term in section 3(3) of the Americans with Disabilities Act of 1990 (42 U.S.C. 12102(3)).”.

(c) EFFECTIVE DATE.—The amendments made by this section shall apply to any grant made beginning with fiscal year 2000.

NOTICES OF HEARINGS

COMMITTEE ON AGRICULTURE, NUTRITION, AND FORESTRY

Mr. LUGAR. Mr. President, I would like to announce that the Senate Committee on Agriculture, Nutrition, and

Forestry will meet on July 27, 1999 in SR-328A at 9:30 a.m. The purpose of this meeting will be to discuss consolidation and anti-trust issues in Agricultural business.

COMMITTEE ON RULES AND ADMINISTRATION

Mr. McCONNELL. Mr. President, I wish to announce that the Committee on Rules and Administration will meet on Wednesday, July 28, 1999 at 9:30 a.m. in room SR-301 Russell Senate Office Building, to receive testimony on the operations of the Smithsonian Institution.

For further information concerning this meeting, please contact Lani Gerst at the Rules Committee on 4-6352.

COMMITTEE ON AGRICULTURE, NUTRITION, AND FORESTRY

Mr. LUGAR. Mr. President, I would like to announce that the Senate Committee on Agriculture, Nutrition, and Forestry will meet on July 29, 1999 in SR-328A at 9:30 a.m. The purpose of this meeting will be to discuss the mark-up of the original bill regarding the Livestock Mandatory Reporting Act of 1999.

COMMITTEE ON INDIAN AFFAIRS

Mr. CAMPBELL. Mr. President, I would like to announce that the Senate Committee on Indian Affairs will meet during the session of the Senate on Tuesday, August 3, 1999 at 10:00 a.m. to conduct a hearing on S. 964, a bill to provide for equitable compensation for the Cheyenne River Sioux Tribe.

The hearing will be held in room 485, Russell Senate Office Building.

Please direct any inquiries to committee staff at 202/224-2251.

COMMITTEE ON INDIAN AFFAIRS

Mr. CAMPBELL. Mr. President, I would like to announce that the Senate Committee on Indian Affairs will meet during the session of the Senate on Tuesday, August 3, 1999 at 2:30 p.m. to conduct a hearing on S. 692, a bill to prohibit Internet Gaming. The hearing will be held in room 485, Russell Senate Office Building.

Please direct any inquiries to committee staff at 202/224-2251.

COMMITTEE ON INDIAN AFFAIRS

Mr. CAMPBELL. Mr. President, I would like to announce that the Senate Committee on Indian Affairs will meet during the session of the Senate on Wednesday, August 4, 1999 at 9:30 a.m. to conduct a hearing on S. 299, a bill to elevate the Director of the Indian Health Service to an Assistant Secretary for Indian Health within the Department of Health and Human Services; and S. 406, a bill to allow tribes to bill directly for Medicare and Medicaid; to be followed by a business meeting, to consider pending legislation. The hearing/meeting will be held in room 485, Russell Senate Office Building.

Please direct any inquiries to committee staff at 202/224-2251.

AUTHORITY FOR COMMITTEE TO MEET

COMMITTEE ON FOREIGN RELATIONS

Mr. CRAPO. Mr. President, I ask unanimous consent that the Com-

mittee on Foreign Relations be authorized to meet during the session of the Senate on Monday, July 26, 1999 at 3:30 p.m. to hold a hearing.

The PRESIDING OFFICER. Without objection, it is so ordered.

ADDITIONAL STATEMENTS

RECOGNITION OF THE HI-POINT PROGRAM AT FRANKLIN PIERCE HIGH SCHOOL

• Mr. GORTON. Mr. President, education has been one of the predominant topics of discussion during the 106th Congress. As you know, I have been vocal in my support of returning decision-making authority to local educators who know best how to address the unique needs of students in their communities. For too long, the federal government has focused on bureaucrats and red tape rather than students and classrooms. In my travels to schools across Washington state, I have heard from educators who are concerned that this burden of federal regulations and paperwork is restricting their ability to instruct children in a common-sense manner. I have had the pleasure of discovering a program which has found a way to thrive in an area which is particularly burdened with federal mandates and red tape—special education. Accordingly, I am pleased to present an Innovation in Education Award to the Hi-Point program at Franklin Pierce High School in Tacoma, WA.

I and many of my colleagues in the Senate have heard from constituents about the effects of unfunded mandates on local classrooms. In spite of the burden states and school districts face because of unfunded federal special education mandates, the Hi-Point program has found a way to maximize its staff and community support to create an exemplary program.

The key to Hi-Point's success lies with dedicated individuals whose zeal for their job and passion for success are infectious to those around them. Transition Specialist Brian Redman has displayed the kind of compassion, understanding, and drive to see what students can become despite their limitations. In fact, Principal Rick Thompson refers to him as a “magician.” Brian has been a Special Educator for over twenty years and the Hi-Point program's success can be attributed directly to the expertise, patience, and skill with which he leads an amazing team of coworkers. This teamwork includes weekly meetings by the Student Services Team to communicate “best practices,” and to produce ideas to meet the evolving needs of the students. The team combines the knowledge of the school psychologist, teachers, and a business teacher to ensure maximum preparation for those higher-functioning students who may be able to join the workforce.

An examination of the work done by the Hi-Point staff indicates the numerous tasks required by those involved in