

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, Ms. 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;