

AMENDMENT NO. 1352

(Purpose: To modify the circumstances under which attorneys' fees in Federal capital cases can be disclosed)

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

SEC. 306.—

(A) Section 3006A(d)(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)(4)"

(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.

AMENDMENT NO. 1353

(Purpose: To ensure that current Federal family violence prevention programs are sensitive to the needs of all Americans including seniors and the disabled)

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 ⅔ 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";

(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.

VETERANS' COMPENSATION COST-OF-LIVING ADJUSTMENT ACT OF 1999

Mr. GORTON. I ask unanimous consent that the Senate now proceed to the consideration of Calendar No. 216, S. 1393.

The PRESIDING OFFICER. The clerk will report the bill by Title.

The legislative clerk read as follows:

A bill (S. 1393) to provide a cost-of-living adjustment in rates of compensation for veterans with service-connected disabilities and dependency and indemnity compensation for survivors of such veterans, to amend title 38, United States Code, to codify the previous cost-of-living adjustment in such rates, and for other purposes.

There being no objection, the Senate proceeded to consider the bill.

Mr. GORTON. Mr. President, I ask unanimous consent that the bill be read the third time, and the Veterans' Affairs Committee be discharged from further consideration of H.R. 2280. I further ask consent that the Senate proceed to its consideration, all after the enacting clause be stricken, and the text of S. 1393 be inserted in lieu thereof, the bill be read the third time, and passed.

I finally ask that the motions to reconsider be laid upon the table and

that any statements relating to the bill be printed in the RECORD and S. 1393 be placed back on the calendar.

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

The bill (H.R. 2280), as amended, was read the third time and passed.

ALL-VOLUNTEER FORCE EDUCATIONAL ASSISTANCE PROGRAMS IMPROVEMENTS ACT OF 1999

Mr. GORTON. Mr. President, I ask unanimous consent that the Senate now proceed to the consideration of calendar No. 222, S. 1402.

The PRESIDING OFFICER. The clerk will report the bill by title.

The legislative clerk read as follows:

A bill (S. 1402) to amend title 38, United States Code, to enhance programs providing education benefits for veterans, and for other purposes.

There being no objection, the Senate proceeded to consider the bill.

Mr. GORTON. Mr. President, I ask unanimous consent that the bill be read a third time and passed, the motion to reconsider be laid upon the table, and that any statements relating to the bill be printed in the RECORD.

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

The bill (S. 1402) was read the third time and passed, as follows:

S. 1402

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE.

This Act may be cited as the "All-Volunteer Force Educational Assistance Programs Improvements Act of 1999".

SEC. 2. REFERENCES TO TITLE 38, UNITED STATES CODE.

Except as otherwise expressly provided, whenever in this Act an amendment or repeal is expressed in terms of an amendment to, or repeal of, a section or other provision, the reference shall be considered to be made to a section or other provision of title 38, United States Code.

SEC. 3. AVAILABILITY OF MONTGOMERY GI BILL BENEFITS FOR PREPARATORY COURSES FOR COLLEGE AND GRADUATE SCHOOL ENTRANCE EXAMS.

Section 3002(3) is amended—

(1) in subparagraph (A), by striking "and" at the end;

(2) by redesignating subparagraph (B) as subparagraph (C); and

(3) by inserting after subparagraph (A) the following new subparagraph (B):

"(B) includes—

"(i) a preparatory course for a test that is required or utilized for admission to an institution of higher education; and

"(ii) a preparatory course for a test that is required or utilized for admission to a graduate school; and"

SEC. 4. INCREASE IN BASIC BENEFIT OF ACTIVE DUTY EDUCATIONAL ASSISTANCE.

(a) INCREASE IN BASIC BENEFIT.—Section 3015 is amended—

(1) in subsection (a)(1), by striking "\$528" and inserting "\$600"; and

(2) in subsection (b)(1), by striking "\$429" and inserting "\$488".

(b) EFFECTIVE DATE.—The amendments made by subsection (a) shall take effect on October 1, 1999, and shall apply with respect