

recently reported quarter and the immediately preceding quarter is less than 1 percent, the limit on the debt held by the public established in this section is suspended.

“(B) WAR.—If a declaration of war is in effect, the limit on the debt held by the public established in this section is suspended.

“(2) RESTORATION OF STATUTORY LIMIT ON DEBT HELD BY THE PUBLIC.—

“(A) RESTORATION OF LIMIT.—The statutory limit on debt held by the public shall be restored on May 1 following the quarter in which the level of real Gross Domestic Product in the final report from the Department of Commerce is equal to or is higher than the level of real Gross Domestic Product in the quarter preceding the first two quarters that caused the suspension of the pursuant to paragraph (1).

“(B) ADJUSTMENT.—

“(i) CALCULATION.—The Secretary shall take level of the debt held by the public on October 1 of the year preceding the date referenced in subparagraph (A) and subtract the limit in subsection (a) for the period of years that includes the date referenced in subparagraph (A).

“(ii) ADJUSTMENT.—The Secretary shall add the amount calculated under clause (i) to—

“(I) the limit in subsection (a) for the period of fiscal years that includes the date referenced in subparagraph (A); and

“(II) each subsequent limit.

“(e) ADJUSTMENT TO THE LIMIT FOR SOCIAL SECURITY REFORM PROVISIONS THAT AFFECT ON-BUDGET LEVELS.—

“(1) ESTIMATE OF LEGISLATION.—

“(A) CALCULATION.—If social security reform legislation is enacted, OMB shall estimate the amount the debt held by the public will change as a result of the legislation's effect on the level of total outlays and receipts excluding the impact on outlays and receipts of the Federal Old-Age and Survivors Insurance Trust Fund and the Federal Disability Insurance Trust Fund.

“(B) BASELINE LEVELS.—OMB shall calculate the changes in subparagraph (A) relative to baseline levels for each fiscal year through fiscal year 2010 using current estimates.

“(C) ESTIMATE.—OMB shall include the estimate required by this paragraph in the report required under section 252(d) for social security reform legislation.

“(2) ADJUSTMENT TO LIMIT ON THE DEBT HELD BY THE PUBLIC.—If social security reform legislation is enacted, the Secretary shall adjust the limit on the debt held by the public for each period of fiscal years by the amounts determined under paragraph (1)(A) for the relevant fiscal years included in the report referenced in paragraph (1)(C).

“(e) DEFINITIONS.—In this section:

“(1) SECRETARY.—The term ‘Secretary’ means the Secretary of the Treasury.

“(2) SOCIAL SECURITY REFORM LEGISLATION.—The term ‘social security reform legislation’ means a bill or joint resolution that is enacted into law and includes a provision stating the following:

“() SOCIAL SECURITY REFORM LEGISLATION.—For the purposes of the Social Security Surplus Preservation and Debt Reduction Act, this Act constitutes social security reform legislation.’

This paragraph shall apply only to the first bill or joint resolution enacted into law as described in this paragraph.

“(3) SOCIAL SECURITY REFORM PROVISIONS.—The term ‘social security reform provisions’ means a provision or provisions identified in social security reform legislation stating the following:

“() SOCIAL SECURITY REFORM PROVISIONS.—For the purposes of the Social Security Surplus Preservation and Debt Reduc-

tion Act, _____ of this Act constitutes or constitute social security reform provisions.’, with a list of specific provisions in that bill or joint resolution specified in the blank space.’.”

SEC. 205. PRESIDENT'S BUDGET.

Section 1105(f) of title 31, United States Code, is amended by striking “in a manner consistent” and inserting “in compliance”.

SEC. 206. SUNSET.

This title and the amendments made by this title shall expire on May 1, 2010.

AMENDMENTS SUBMITTED ON APRIL 26, 1999

Y2K ACT

HOLLINGS AMENDMENTS NOS. 265- 266

(Ordered to lie on the table.)

Mr. HOLLINGS submitted two amendments intended to be proposed by him to the bill (S. 96) to regulate commerce between and among the several States by providing for the orderly resolution of disputes arising out of computer-based problems related to processing data that includes a 2-digit expression of that year's date; as follows:

AMENDMENT NO. 265

At the end add the following:

SECTION 1. SHORT TITLE.

This Act may be cited as the “Children's Protection from Violent Programming Act”.

SEC. 2. FINDINGS.

The Congress makes the following findings:

(1) Television influences the perception children have of the values and behavior that are common and acceptable in society.

(2) Broadcast television, cable television, and video programming are—

(A) pervasive presences in the lives of all American children; and

(B) readily accessible to all American children.

(3) Violent video programming influences children, as does indecent programming.

(4) There is empirical evidence that children exposed to violent video programming at a young age have a higher tendency to engage in violent and aggressive behavior later in life than those children not so exposed.

(5) Children exposed to violent video programming are prone to assume that acts of violence are acceptable behavior and therefore to imitate such behavior.

(6) Children exposed to violent video programming have an increased fear of becoming a victim of violence, resulting in increased self-protective behaviors and increased mistrust of others.

(7) There is a compelling governmental interest in limiting the negative influences of violent video programming on children.

(8) There is a compelling governmental interest in channeling programming with violent content to periods of the day when children are not likely to comprise a substantial portion of the television audience.

(9) Because some programming that is readily accessible to minors remains unrated and therefore cannot be blocked solely on the basis of its violent contents restricting the hours when violent video programming is shown is the least restrictive and most narrowly tailored means to achieve a compelling governmental interest.

(10) Warning labels about the violent content of video programming will not in them-

selves prevent children from watching violent video programming.

(11) Although many programs are now subject to both age-based and content-based ratings, some broadcast and non-premium cable programs remain unrated with respect to the content of their programming.

(12) Technology-based solutions may be helpful in protecting some children, but may not be effective in achieving the compelling governmental interest in protecting all children from violent programming when parents are only able to block programming that has in fact been rated for violence.

(13) Technology-based solutions will not be installed in all newly manufactured televisions until January 1, 2000.

(14) Even though technology-based solutions will be readily available, many consumers of video programming will not actually own such technology for several years and therefore will be unable to take advantage of content based ratings to prevent their children from watching violent programming.

(15) In light of the fact that some programming remains unrated for content, and given that many consumers will not have blocking technology in the near future, the channeling of violent programming is the least restrictive means to limit the exposure of children to the harmful influences of violent programming.

(16) Restricting the hours when violent programming can be shown protects the interests of children whose parents are unavailable, are unable to supervise their children's viewing behavior, do not have the benefit of technology-based solutions, are unable to afford the costs of technology-based solution, or are unable to determine the content of those shows that are only subject to age-based ratings.

SEC. 3. UNLAWFUL DISTRIBUTION OF VIOLENT VIDEO PROGRAMMING.

Title VII of the Communications Act of 1934 (47 U.S.C. 701 et seq.) is amended by adding at the end the following:

“SEC. 715. UNLAWFUL DISTRIBUTION OF VIOLENT VIDEO PROGRAMMING NOT SPECIFICALLY BLOCKABLE BY ELECTRONIC MEANS.

“(a) UNLAWFUL DISTRIBUTION.—It shall be unlawful for any person to distribute to the public any violent video programming during hours when children are reasonably likely to comprise a substantial portion of the audience.

“(b) RULEMAKING PROCEEDING.—The Commission shall conduct a rulemaking proceeding to implement the provisions of this section and shall promulgate final regulations pursuant to that proceeding not later than 9 months after the date of enactment of the Children's Protection from Violent Programming Act. As part of that proceeding, the Commission—

“(1) may exempt from the prohibition under subsection (a) programming (including news programs and sporting events) whose distribution does not conflict with the objective of protecting children from the negative influences of violent video programming, as that objective is reflected in the findings in section 551(a) of the Telecommunications Act of 1996;

“(2) shall exempt premium and pay-per-view cable programming; and

“(3) shall define the term ‘hours when children are reasonably likely to comprise a substantial portion of the audience’ and the term ‘violent video programming.’

“(c) REPEAT VIOLATIONS.—If a person repeatedly violates this section or any regulation promulgated under this section, the Commission shall, after notice and opportunity for hearing, revoke any license issued to that person under this Act.

“(d) CONSIDERATION OF VIOLATIONS IN LICENSE RENEWALS.—The Commission shall consider, among the elements in its review of an application for renewal of a license under this Act, whether the licensee has complied with this section and the regulations promulgated under this section.

“(e) DISTRIBUTE DEFINED.—In this section, the term ‘distribute’ means to send, transmit, retransmit, telecast, broadcast, or cablecast, including by wire, microwave, or satellite.”

SEC. 4. SEPARABILITY.

If any provision of this Act, or any provision of an amendment made by this Act, or the application thereof to particular persons or circumstances, is found to be unconstitutional, the remainder of this Act or that amendment, or the application thereof to other persons or circumstances shall not be affected.

SEC. 5. EFFECTIVE DATE.

The prohibition contained in section 715 of the Communications Act of 1934 (as added by section 3 of this Act) and the regulations promulgated thereunder shall take effect 1 year after the regulations are adopted by the Commission.

AMENDMENT NO. 266

At the end, add the following:

SECTION 1. SHORT TITLE.

This Act may be cited as the “Public Health and Safety Act of 1999”:

SEC. 3. AMENDMENT OF TITLE 18, UNITED STATES CODE.

Chapter 44 of title 18, United States Code, is amended—

(1) by—

(A) redesigning the text of the chapter as subchapter A;

(B) inserting after the chapter heading the following:

“Subchapter
“A. Firearms In General
—921
“B. Handguns
—941

“SUBCHAPTER A—FIREARMS IN GENERAL”;

and

(C) striking “this chapter” each place it appears and inserting “this subchapter”; and
(2) by adding at the end the following new subchapter:

“SUBCHAPTER B—HANDGUNS

“Sec.

“941. Definitions.

“942. Unlawful acts.

“943. Licensing of handgun clubs.

“944. Registration of security guard services.

“945. Recordkeeping and reports; transfers to licensed handgun clubs.

“946. Voluntary delivery to law enforcement agency; reimbursement.

“947. Penalties.

“948. Regulations.

“949. Relation to other law.

“950. Severability.

“SEC. 941. DEFINITIONS.

“(a) TERMS DEFINED IN SECTION 921.—Unless otherwise defined in subsection (b), a term used in this subchapter that is defined in section 921 has the meaning stated in that section.

“(b) ADDITIONAL TERMS.—As used in this subchapter.

“‘Handgun’ means by firearm including a pistol or revolver that is designed to be fired by the use of a single hand, or any combination of parts from which such a firearm can be assembled.

“‘Handgun ammunition’ means ammunition that is designed for use primarily in a handgun.

“‘Handgun club’ means a club organized for bona fide target shooting with handguns.

“‘Licensed handgun club’ means a handgun club that is licensed under section 943.

“‘Registered security guard service’ means a security guard service that is registered under section 944.

“‘Security guard service’ means an entity that engages in the business of providing security guard services to the public.

“SEC. 942. UNLAWFUL ACTS.

“(a) OFFENSE.—Except as provided in subsections (b) and (c), it is unlawful for a person to manufacture, import, export, sell, buy, transfer, receive, own possess, transport, or use a handgun or handgun ammunition.

“(b) EXCEPTIONS.—Subsection (a) does not apply to—

“(1) the Army, Navy, Air Force, Marine Corps, Coast Guard, and National Guard;

“(2) Federal, State, or local government agencies charged with law enforcement duties that require its officers to possess handguns;

“(3) registered security guard services; or

“(4) licensed handgun clubs and members of licensed handgun clubs.

“(c) APPROVED TRANSACTIONS.—Pursuant to regulations issued by the Secretary, the Secretary may approve the manufacture, importation, sale, purchase, transfer, receipt, ownership, possession, transportation, and use of a handgun or handgun ammunition by licensed manufacturers, licensed importers, and licensed dealers as necessary to meet the lawful requirements of the persons and entities described in subsection (b).

“SEC. 943. LICENSING OF HANDGUN CLUBS.

“(a) HANDGUN CLUBS.—Pursuant to regulations issued by the Secretary, the Secretary may issue a license to a handgun club if—

“(1) no member of the handgun club is a person whose membership and participation in the club is in violation of State or local law;

“(2) no member of the handgun club is prohibited from transporting, shipping, or receiving firearms or ammunition in interstate or foreign commerce under section 922 (g) or (h);

“(3) no member of the handgun club has willfully violated this chapter or any regulations issued under this chapter;

“(4) the handgun club has not willfully failed to disclose any material information required, or has not made any false statement as to any material fact in connection with its application;

“(5) the club has been founded and operated for bona fide target shooting; and

“(6) the handgun club—

“(A) has permanent premises from which it operates;

“(B) maintains possession and control of the handguns used by its members;

“(C)(i) has procedures and has facilities on its premises for keeping such handguns in a secure place, under the control of a designated officer of the club; or

“(ii) has made arrangements for the storage of the members’ handguns in a facility of the local police department or other law enforcement agency, at all times when they are not being used for target shooting; and

“(D) meets all operational, safety, security, training, and other requirements that the Secretary may prescribe by regulation.

“(b) REVOCATION.—The secretary shall revoke the license of a licensed handgun club that does not continue to meet the requirements of subsection (a).

“(c) LICENSE FEE.—A licensed handgun club shall pay to the Secretary an annual license fee of \$25.

“SEC. 944. REGISTRATION OF SECURITY GUARD SERVICES.

“(a) SECURITY GUARD SERVICES.—Under regulations issued by the Secretary, the Sec-

retary may approve the registration of a security guard service if—

“(1)(A) the security guard service has procedures and has facilities on its premises for keeping its handguns in a secure place, under the control of a designated officer of the security guard service; or

“(B) has made arrangements for the storage of its handguns in a facility of the local police department or other law enforcement agency, at all times when such handguns are not in use for legitimate business purposes;

“(2) the security guard service has obtained all necessary State and local licenses and meet all State and local requirements to engage in the business of providing security guard service; and

“(3) the security guard service meets all operational, safety, security, training, and other requirements that the Secretary may prescribe by regulation.

“(b) REVOCATION.—The Secretary shall revoke the registration of a registered security guard service that does not continue to meet the requirements of subsection (a).

“(c) REGISTRATION FEE.—A registered security guard service shall pay to the Secretary an annual registration fee of \$50.

“SEC. 945. RECORDKEEPING AND REPORTS; TRANSFERS TO LICENSED HANDGUN CLUBS.

“(a) RECORDKEEPING.—A licensed manufacturer, licensed importer, licensed dealer, licensed handgun club, or registered security guard service that sells or otherwise transfers handguns or handgun ammunition shall—

“(1) maintain records of sales, transfers, receipts, and other dispositions of handguns and handgun ammunition in such form as the Secretary may by regulation provide; and

“(2) permit the Secretary to enter the premises at reasonable times for the purpose of inspecting such records.

“(b) REPORTS OF LOSS OR THEFT.—(1) A licensed handgun club or registered security guard service shall report to the Secretary a loss or theft of any handgun in its possession or the possession of one of its members of employees not later than thirty days after the loss or theft is discovered.

“(2) A report made under subsection (a) shall include such information as the Secretary by regulation shall prescribe, including the date and place of theft or loss.

“(c) TRANSFERS TO HANDGUN CLUBS.—A person that sells or otherwise transfers a handgun to a licensed handgun club or member of a licensed handgun club shall be shipped or otherwise delivered directly to the premises of the licensed handgun club where the handgun will be kept.

“SEC. 946. VOLUNTARY DELIVERY TO LAW ENFORCEMENT AGENCY; REIMBURSEMENT.

“(a) DELIVERY.—A person may at any time voluntarily deliver to any Federal, State, or local law enforcement agency designated by the Secretary a handgun owned or possessed by the person.

“(b) DISPOSITION.—The Secretary shall arrange with each agency designated to receive handguns for the transfer, destruction, or other disposition of handguns delivered under subsection (a).

“(c) REIMBURSEMENT.—The Secretary shall pay to a person who delivers a handgun under subsection (a) on or prior to the date that is one hundred eighty days after the date of enactment of this subchapter an amount equal to the greater of—

“(1) \$25; or

“(2) the fair market value of the gun as determined by the Secretary.

“(d) AUTHORIZATION OF APPROPRIATIONS.—There are authorized to be appropriated to the Secretary such sums as are necessary to make such payments under subsection (c).

SEC. 947. PENALTIES.

"(a) VIOLATION OF SECTION 942.—(1) Except as provided in paragraph (2), a person who violates section 942 shall be fined not more than \$5,000, imprisoned not more than five years, or both.

"(2) A person who voluntarily delivers a handgun under section 946(a) after the date that is one hundred eighty days after the date of enactment of this subchapter shall not be subject to criminal prosecution for possession of the handgun under any Federal, State, or local law, but shall pay to the Secretary a civil penalty in an amount determined by the Secretary, not to exceed \$500.

"(b) FAILURE TO REPORT LOSS OR THEFT.—A licensed handgun club or registered security guard service that fails to report a loss or theft of a handgun as required by section 945(b)—

"(1) in the case of a negligent failure to report or a negligent failure to discover the loss or theft, shall pay to the Secretary a civil penalty in an amount determined by the Secretary, not to exceed \$1,000; and

"(2) in the case of an intentional failure to report, shall be fined not more than \$5,000, its officer designated under section 943(a)(6)(C)(i) or 944(a)(1)(A) imprisoned not more than five years, or both.

"(c) FAILURE TO DELIVER TO PREMISES OF LICENSED HANDGUN CLUB.—A person that sells or otherwise transfers a handgun to a licensed handgun club or member of a licensed handgun club that causes the handgun to be shipped or otherwise delivered by any means or to any place other than directly to the premises of the licensed handgun club where the handgun will be kept, in violation of section 945(c)—

"(1) in the case of a negligent delivery to an unauthorized place, shall pay to the Secretary a civil penalty in an amount determined by the Secretary, not to exceed \$1,000; and

"(2) in the case of an intentional delivery to an unauthorized place, shall be fined not more than \$5,000, imprisoned not more than five years, or both.

"(d) FALSE STATEMENT OR REPRESENTATION.—(1)(A) person who—

"(A) makes a false statement or representation with respect to information required by this subchapter to be kept in the records of an importer, manufacturer, dealer, or handgun club licensed under this subchapter or security guard service registered under this subchapter; or

"(B) makes a false statement or representation in applying for a handgun club license or security guard service registration under this subchapter,

shall be subject to penalty under paragraph (2).

"(2)(A) In the case of a negligent making of a false statement or representation described in paragraph (1), the person shall pay to the Secretary a civil penalty in an amount determined by the Secretary, not to exceed \$1,000; and

"(B) in the case of an intentional making of a false statement or representation described in paragraph (1), the person shall be fined not more than \$5,000, imprisoned not more than five years, or both.

"(e) FAILURE TO KEEP OR PERMIT INSPECTION OF RECORDS.—A person who fails to keep or permit inspection of records in violation of section 945(a)—

"(1) in the case of a negligent failure to maintain records, shall pay to the Secretary a civil penalty in an amount determined by the Secretary, not to exceed \$1,000; and

"(2) in the case of an intentional failure to maintain records or any failure to permit inspection of records, shall be fined not more

than \$5,000, and its chief executive officer or other person responsible for the failure shall be imprisoned not more than five years, or both.

"(f) FORFEITURE.—Any handgun or handgun ammunition involved or used in, or intended to be used in, a violation of this subchapter or any regulation issued under this subchapter, or any violation of any other criminal law of the United States, shall be subject to seizure and forfeiture, and all provisions of the Internal Revenue Code of 1986 relating to the seizure, forfeiture, and disposition of firearms shall, so far as applicable, extend to seizures and forfeitures under this subchapter.

SEC. 948. REGULATIONS.

"The Secretary may prescribe such regulations as the Secretary deems necessary to carry out this subchapter.

SEC. 949. RELATION TO OTHER LAW.

"The regulation of handguns under this subchapter is in addition to the regulation of handguns under subchapter A and any other Federal, State, or local law.

SEC. 950. SEVERABILITY.

"If any provision of this subchapter or the application thereof to any person or circumstance is held invalid, the remainder of the subchapter and the application of that provision to other persons not similarly situated or to other circumstances shall not be affected thereby."

SEC. 4. RULE OF CONSTRUCTION.

Nothing in this Act shall be construed as modifying or affecting any provision of—

(1) the National Firearms Act (chapter 53 of the Internal Revenue Code of 1956);

(2) section 414 of the Mutual Security Act of 1954 (22 U.S.C. 1934), relating to munitions control; or

(3) section 1715 of title 18, United States Code, relating to nonavailable firearms.

SEC. 5. EFFECTIVE DATE.

(a) IN GENERAL.—Except as provided in subsection (b), this Act and the amendments made by this Act shall take effect on the date of enactment of this Act.

(b) DELAYED EFFECTIVE DATE.—Sections 942 and 945 of title 18, United States Code, as added by section 3, shall take effect on the date that is one hundred and eighty days after the date of enactment of this Act.

NOTICES OF HEARINGS**COMMITTEE ON HEALTH, EDUCATION, LABOR,
AND PENSIONS**

Mr. JEFFORDS. Mr. President, I would like to announce for information of the Senate and the public that a hearing of the Senate Committee on Health, Education, Labor, and Pensions will be held on Tuesday, April 27, 1999, 9:30 a.m., in SD-628 of the Senate Dirksen Building. The subject of the hearing is "Medical Records Privacy." For further information, please call the committee, 202/224-5375.

**COMMITTEE ON HEALTH, EDUCATION, LABOR,
AND PENSIONS**

Mr. JEFFORDS. Mr. President, I would like to announce for information of the Senate and the public that a Executive Session of the Senate Committee on Health, Education, Labor, and Pensions will be held on Wednesday, April 28, 1999, 9:30 a.m., in SD-628 of the Senate Dirksen Building. The Committee will consider S. 385, "The SAFE Act." For further information, please call the committee, 202/224-5375.

**COMMITTEE ON HEALTH, EDUCATION, LABOR,
AND PENSIONS**

Mr. JEFFORDS. Mr. President, I would like to announce for information of the Senate and the public that a hearing of the Senate Committee on Health, Education, Labor, and Pensions will be held on Thursday, April 29, 1999, 10:00 a.m., in SD-628 of the Senate Dirksen Building. The subject of the hearing is "ESEA Reauthorization." For further information, please call the committee, 202/224-5375.

**COMMITTEE ON HEALTH, EDUCATION, LABOR,
AND PENSIONS**

Mr. JEFFORDS. Mr. President, I would like to announce for information of the Senate and the public that a hearing of the Senate Committee on Health, Education, Labor, and Pensions, Subcommittee on Aging will be held on April 30, 1999, 10:00 a.m., in SD-628 of the Senate Dirksen Building. The subject of the hearing is "Older Americans Act." For further information, please call the committee, 202/224-5375.

**COMMITTEE ON ENERGY AND NATURAL
RESOURCES**

Mr. MURKOWSKI. Mr. President, I would like to announce for the information of the Senate and the public that a hearing has been scheduled before the Full Committee on Energy and Natural Resources to receive testimony on, S. 698, a bill to review the suitability and feasibility of recovering costs of high altitude rescues at Denali National Park and Preserve in Alaska, and for other purposes; S. 711, to allow for the investment of joint Federal and State funds from the civil settlement of damages from the Exxon Valdez oil spill, and for other purposes; and S. 748, a bill to improve Native hiring and contracting by the Federal Government within the State of Alaska, and for other purposes.

The hearing will take place on Thursday, May 13, 1999 at 9:30 a.m. in room SD-366 of the Dirksen Senate Office Building in Washington, DC.

Because of the limited time available for the hearing, witnesses may testify by invitation only. However, those wishing to submit written testimony for the hearing record should send two copies of their testimony to the Committee on Energy and Natural Resources, United States Senate, SD-364 Dirksen Senate Office Building, Washington, DC 20510-6150.

For further information, please contact Jim O'Toole or Shawn Taylor of the committee staff at (202) 224-6949.

**AUTHORITY FOR COMMITTEE TO
MEET****SPECIAL COMMITTEE ON AGING**

Mr. MCCAIN. Mr. President, I ask unanimous consent that the Special Committee on Aging be permitted to meet on April 26, 1999 at 1:00-5:00 p.m. in Dirksen 106 for the purpose of conducting a hearing.

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