

AMENDMENTS SUBMITTED

DEPARTMENTS OF COMMERCE, JUSTICE AND STATE, AND RELATED AGENCIES APPROPRIATIONS ACT, 2000

THOMAS (AND ENZI) AMENDMENTS NO. 1273

(Ordered to lie on the table.)

Mr. THOMAS (for himself and Mr. ENZI) submitted an amendment intended to be proposed by them to the bill (S. 1217) making appropriations for the Department of Commerce, Justice, and State, the Judiciary, and related agencies for the fiscal year ending September 30, 2000, and for other purposes; as follows:

At the appropriate place in the bill, insert the following new section and renumber the remaining sections accordingly:

SEC. . PROHIBITION ON THE RETURN OF VETERANS MEMORIAL OBJECTS TO FOREIGN NATIONS WITHOUT SPECIFIC AUTHORIZATION IN LAW.

(a) PROHIBITION.—Notwithstanding section 2572 of title 10, United States Code, or any other provision of law, the President may not transfer a veterans memorial object to a foreign country or entity controlled by a foreign government, or otherwise transfer or convey such object to any person or entity for purposes of the ultimate transfer or conveyance of such object to a foreign country or entity controlled by a foreign government, unless specifically authorized by law.

(b) DEFINITIONS.—In this section:

(1) ENTITY CONTROLLED BY A FOREIGN GOVERNMENT.—The term “entity controlled by a foreign government” has the meaning given that term in section 2536(c)(1) of title 10, United States Code.

(2) VETERANS MEMORIAL OBJECT.—The term “veterans memorial object” means any object, including a physical structure or portion thereof, that—

(A) is located at a cemetery of the National Cemetery System, war memorial, or military installation in the United States;

(B) is dedicated to, or otherwise memorializes, the death in combat or combat-related duties of members of the United States Armed Forces; and

(C) was brought to the United States from abroad as a memorial of combat abroad.

DEWINE (AND LEVIN) AMENDMENT NO. 1274

(Ordered to lie on the table.)

Mr. DEWINE (for himself and Mr. LEVIN) submitted an amendment intended to be proposed by them to the bill, S. 1217, supra; as follows:

On page 57, line 16, strike “\$1,776,728,000” and insert “\$1,777,118,000”.

On page 57, line 17, before the colon, insert the following: “; of which \$390,000 shall be used by the National Ocean Service to upgrade an additional 13 Great Lakes water gauging stations in order to ensure compliance with year 2000 (Y2K) computer date processing requirements”.

BYRD AMENDMENT NO. 1275

(Ordered to lie on the table.)

Mr. BYRD submitted an amendment intended to be proposed by him to the bill, S. 1217, supra; as follows:

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

SEC. 306. Pursuant to the requirements of section 156(d) of title 28, United States Code, Congress approves the consolidation of the office of the bankruptcy clerk of court with the office of the district clerk of court in the southern district of West Virginia.

GRAMS AMENDMENT NO. 1276

(Ordered to lie on the table.)

Mr. GRAMS submitted an amendment intended to be proposed by him to the bill, S. 1217, supra; as follows:

On page 81, line 25, insert the following after “reforms”; “Provided further, That any additional amount provided, not to exceed \$107 million, which is owed by the United Nations to the United States as a reimbursement, including any reimbursement under the Foreign Assistance Act of 1961 or the United Nations Participation Act of 1945, that was owed to the United States before the date of enactment of this Act shall be applied or used, without fiscal year limitation, to reduce any amount owed by the United States to the United Nations, except that any such reduction pursuant to the authority in this paragraph shall not be made unless expressly authorized by the enactment of a separate Act that makes payment of arrearages contingent upon United Nations reform”.

LUGAR AMENDMENT NO. 1277

(Ordered to lie on the table.)

Mr. LUGAR submitted an amendment intended to be proposed by him to this bill, S. 1217, supra; as follows:

On page 78, between lines 8 and 9, insert the following:

NATIONAL ENDOWMENT FOR DEMOCRACY

For grants by the Department of State to the National Endowment for Democracy as authorized by the National Endowment for Democracy Act, \$30,000,000, to remain available until expended: *Provided*, That, in lieu of the dollar amount specified under the heading “CAPITAL INVESTMENT FUND” in this Act, the dollar amount under that heading shall be considered to be \$50,000,000.

GRAHAM AMENDMENT NOS. 1278-1280

(Ordered to lie on the table.)

Mr. GRAHAM submitted three amendments intended to be proposed by him to the bill, S. 1217, supra; as follows:

AMENDMENT NO. 1278

At the appropriate place in title I, insert the following:

SEC. . AUTHORITY TO RECOVER TOBACCO-RELATED COSTS.

Nothing in this Act shall be construed to prohibit the Department of Justice from expending amounts made available under this title for tobacco-related litigation or for the payment of expert witnesses called to provide testimony in such litigation.

AMENDMENT NO. 1279

At the appropriate place in title VI, insert the following:

SEC. 6 . PUBLIC AIRCRAFT.

The flush sentence following subparagraph (B)(ii) of section 40102(37) of title 49, United States Code, is amended by striking “if the unit of government on whose behalf the operation is conducted certifies to the Administrator of the Federal Aviation Administra-

tion that the operation was necessary to respond to a significant and imminent threat to life or property (including natural resources) and that no service by a private operator was reasonably available to meet the threat” and inserting “if the operation is conducted for law enforcement, search and rescue, or responding to an imminent threat to life, property, or natural resources”.

AMENDMENT NO. 1280

At the end of title I, add the following:

SEC. . (a) In this section:

(1) The term “hate crime” has the meaning given the term in section 28003(a) of the Violent Crime Control and Law Enforcement Act of 1994 (28 U.S.C. 994 note).

(2) The term “older individual” means an individual who is age 65 or older.

(b) The Attorney General shall conduct a study concerning—

(1) whether an older individual is more likely than the average individual to be the target of a crime;

(2) the extent of crimes committed against older individuals; and

(3) the extent to which crimes committed against older individuals are hate crimes.

(c) Not later than 180 days after the date of enactment of this Act, the Attorney General shall submit to Congress a report containing the results of the study.

SARBANES (AND SMITH) AMENDMENT NO. 1281

(Ordered to lie on the table.)

Mr. SARBANES (for himself and Mr. SMITH of Oregon) submitted an amendment intended to be proposed by them to the bill, S. 1217, supra; as follows:

On page 74, line 15, strike “\$2,671,429,000” and insert “\$2,837,772,000”.

On page 77, line 8, strike “\$80,000,000” and insert “\$90,000,000”.

On page 79, line 5, strike “\$583,496,000” and insert “\$747,683,000”.

On page 79, line 19, strike “\$7,000,000” and insert “\$17,000,000”.

On page 80, beginning on line 24, strike “\$943,308,000” and all that follows through “\$107,000,000” on line 25 and insert “\$1,177,308,000, of which not to exceed \$214,000,000”.

On page 81, beginning on line 16, strike “\$280,925,000” and all that follows through “\$137,000,000” on line 18 and insert “\$265,000,000, of which not to exceed \$26,500,000 shall remain available until September 30, 2001, and of which not to exceed \$30,000,000”.

On page 80, between lines 17 and 18, insert the following:

NATIONAL ENDOWMENT FOR DEMOCRACY

For a grant to the National Endowment for Democracy, as authorized by the National Endowment for Democracy Act, \$32,000,000, to remain available until expended, as authorized by section 24(c) of the State Department Basic Authorities Act of 1956 (22 U.S.C. 2696(c)).

PAYMENT TO THE ASIA FOUNDATION.

For a grant to The Asia Foundation, as authorized by section 501 of Public Law 101-246, \$15,000,000, to remain available until expended, as authorized by section 24(c) of the State Department Basic Authorities Act of 1956 (22 U.S.C. 2696(c)).

FEINSTEIN AMENDMENT NO. 1282

(Ordered to lie on the table.)

Mrs. FEINSTEIN submitted an amendment intended to be proposed by her to the bill, S. 1217, supra; as follows:

On page 15, after line 2, insert:

HIGH INTENSITY INTERSTATE GANG ACTIVITY
AREAS PROGRAM

For expenses necessary to establish and implement the High Intensity Interstate Gang Activity Areas Program (including grants, contracts, cooperative agreements and other assistance) pursuant to Section 205 of S. 254 as passed by the Senate on May 20, 1999, and consistent with the funding proportions established therein, \$20,000,000.

On page 21, line 16, strike "3,156,895,000" and insert "3,136,895,000."

MACK (AND GRAHAM)
AMENDMENT NO. 1283

(Ordered to lie on the table.)

Mr. MACK (for himself and Mr. GRAHAM) submitted an amendment intended to be proposed by them to the bill, S. 1217, *supra*; as follows:

On page 57, line 16, strike the numeral "\$1,776,728,000" and insert in lieu therein the number "\$1,777,228,000".

On page 58, line 20, after the word 'authorization' but before the period (.) add the following new proviso: "*Provided further*, That of the amount made available under this heading for the National Marine Fisheries Service, Conservation and Management Operations, \$500,000 is appropriated to initiate the establishment of a Center for Sustainable Use Resources in Ft. Pierce, FL."

On page 61, line 16, strike the numeral '\$34,046,000' and insert in lieu thereof the numeral "\$33,546,000".

FITZGERALD (AND OTHERS)
AMENDMENT NO. 1284

(Ordered to lie on the table.)

Mr. FITZGERALD (for himself, Mr. ASHCROFT, Mr. ENZI, Mr. BROWNBACK, Mr. BURNS and Mr. ROBERTS) submitted an amendment intended to be proposed by them to the bill, S. 1217, *supra*; as follows:

On page 65, after line 25, insert the following:

SEC. 2. SENSE OF SENATE ON AGRICULTURAL TRADE NEGOTIATIONS.—(a) FINDINGS.—The Senate finds that—

(1) the United States is the world's largest exporter of agricultural commodities and products;

(2) 96 percent of the world's consumers live outside the United States;

(3) the profitability of the United States agricultural sector is dependent on a healthy export market; and

(4) the next round of multilateral trade negotiations is scheduled to begin on November 30, 1999.

(b) SENSE OF SENATE.—The Senate supports and strongly encourages the President to adopt the following trade negotiating objectives:

(1) The initiation of a comprehensive round of multilateral trade negotiations that—

(A) covers all goods and services;

(B) continues to reform agricultural and food trade policy;

(C) promotes global food security through open trade; and

(D) increases trade liberalization in agriculture and food.

(2) The simultaneous conclusion of the negotiations for all sectors.

(3) The adoption of the framework established under the Uruguay Round Agreements for the agricultural negotiations conducted in 1999 to ensure that there are no product or policy exceptions.

(4) The establishment of a 3-year goal for the conclusion of the negotiations by December 2002.

(5) The elimination of all export subsidies and tightening of rules for circumvention of export subsidies.

(6) The elimination of all nontariff barriers to trade.

(7) The transition of domestic agricultural support programs to a form decoupled from agricultural production, as the United States has already done under the Agricultural Market Transition Act (7 U.S.C. 7201 et seq.).

(8) The commercially meaningful reduction or elimination of bound and applied tariffs, and the mutual elimination of restrictive tariff barriers, on an accelerated basis.

(9) The improved administration of tariff rate quotas.

(10)(A) The elimination of state trading enterprises; or

(B) the adoption of policies that ensure operational transparency, the end of discriminatory pricing practices, and competition for state trading enterprises.

(11) The maintenance of sound science and risk assessment for sanitary and phytosanitary measures.

(12) The assurance of market access for biotechnology products, with the regulation of the products based solely on sound science.

(13) The accelerated resolution of trade disputes and prompt enforcement of dispute panels of the World Trade Organization.

(14) The provision of food security for importing nations by ensuring access to supplies through a commitment by World Trade Organization member countries not to restrict or prohibit the export of agricultural products.

(15) The resolution of labor and environmental issues in a manner that facilitates, rather than restricts, agricultural trade.

(16) The establishment of World Trade Organization rules that will allow developing countries to graduate, using objective economic criteria, to full participation in, and obligations under, the World Trade Organization.

• Mr. FITZGERALD. Mr. President, I rise today along with my colleagues, Senators ASHCROFT, ENZI, BROWNBACK, and BURNS, to offer an amendment expressing the sense of the Senate regarding the next round of agricultural trade negotiations. As a member of the Senate Agriculture Committee, I am very concerned about U.S. agriculture's position in the next round of negotiations. This resolution establishes clear direction to the Administration as it enters the Seattle negotiations this November.

These process and procedural guidelines have been developed through a consensus process of the Seattle Round Agricultural Committee (SRAC). SRAC represents over 70 agricultural organizations—from the Farm Bureau to the National Oilseed Processors Association to Kraft Foods. This diverse group of agriculturalists have spent many hours developing these principles to ensure that our international agriculture markets remain strong, open and fair for our nation's farmers.

The U.S. agricultural sector is one of the only segments of our economy that consistently produces a trade surplus. In fact, our agricultural surplus totaled \$27.2 billion in 1996. However, we must not rest on our laurels; the United States Department of Agriculture projects that our agricultural trade surplus in 1999 will dwindle to ap-

proximately \$12 billion. We must not let this trend continue.

Free and open international markets are vital to my home state. Illinois' 76,000 farms cover more than 28 million acres—nearly 80 percent of Illinois. Our farm product sales generate nine billion dollars annually and Illinois ranks third in agricultural exports. In fiscal year 1997 alone, Illinois agricultural exports totaled \$3.7 billion and created 57,000 jobs for our state. Needless to say, agriculture makes up a significant portion of my state's economy, and a healthy export market for these products is important to my constituents.

As you know, farm commodity prices have recently been in a severe slump. This situation makes open debate on agricultural trade and the Seattle round even more timely and necessary. While the average tariff assessed by the United States on agricultural products is less than five percent, the average agricultural tariff assessed by other World Trade Organization members exceeds 40 percent. This situation is clearly unfair and certainly depresses U.S. agricultural commodity prices. Accordingly, this issue must be addressed in the next round.

I look forward to working with my colleagues on policies to tear down international trade barriers and ensure that our agricultural trade surplus expands and remains strong. This resolution is the first step toward ensuring that agriculture is a top priority of the Administration during the next round of multilateral trade negotiations.

With the Seattle round expected to initiate on November 30th of this year, the American farmer cannot wait for action on this resolution. While I would like to pass this sense of the Senate as a free standing resolution, action on this resolution simply cannot wait. The Commerce, State, Justice Appropriations bill, which contains funding for the United States Trade Representatives Office, provides the perfect vehicle for this trade resolution. I hope my colleagues will give it the consideration it deserves.

I want to recognize and commend my colleagues, Senators ASHCROFT, ENZI, BROWNBACK, and BURNS, for joining me as original co-sponsors of this resolution. This resolution should enjoy bipartisan support, and I urge my colleagues to join me in supporting this legislation important to our nation's farmers. Mr. President, I ask that a list of supporters of this resolution and a letter from Dean Kleeker, president of the American Farm Bureau Federation be printed in the RECORD.

The material follows:

SUPPORTERS OF SEATTLE ROUND AGRICULTURAL COMMITTEE (SRAC) 1999 WTO POLICY STATEMENT

Ag Processing Inc.

Agricultural Retailers Association.

American Crop Protection Association.

American Farm Bureau Federation.

American Feed Industry Association.

American Soybean Association.

American Sugar Alliance.

Animal Health Institute.

Archer Daniels Midland Company.
 Biotechnology Industry Organization.
 Bryant Christie Inc.
 Bunge Corporation.
 CF Industries, Inc.
 Cargill, Incorporated.
 Chocolate Manufacturers Association.
 Coalition for a Competitive Food and Agricultural System.
 ConAgra, Inc.
 Continental Grain Company.
 Corn Refiners Association.
 Distilled Spirits Council of the ISA.
 Farmland Industries, Inc.
 Florida Phosphate Council.
 Food Distributors International Association.
 Gold Kist, Inc.
 Grocery Manufacturers of America.
 Independent Community Bankers of America.
 International Dairy Foods Association.
 Kraft Foods.
 Louis Dreyfus Corporation.
 Monsanto Company.
 National Association of Animal Breeders.
 National Association of State Departments of Agriculture.
 National Association of Wheat Growers.
 National Barley Growers Association.
 National Cattlemen's Beef Association.
 National Chicken Council.
 National Confectioner's Association of the U.S.
 National Corn Grower's Association.
 National Council of Farmer Cooperatives.
 National Cotton Council of America.
 National Food Processors Association.
 National Grain and Feed Association.
 National Grain and Sorghum Producers Association.
 National Grain Trade Council.
 National Grange.
 National Milk Producers Federation.
 National Oilseed Processors Association.
 National Pork Producers Council.
 National Renderers Association.
 National Sunflower Association.
 North American Export Grain Association.
 North American Millers' Association.
 Northwest Horticulture Council.
 Pacific Northwest Grain and Feed.
 Pet Food Institute.
 Pioneer Hi-Bred International, Inc.
 Ralston Purina Company.
 Sunkist Growers.
 Sweetener Users Association.
 The Fertilizer Institute.
 The IAMS Company.
 Transportation, Elevator, & Grain Merchants Association.
 USA Poultry and Egg Export Council.
 USA Rice Federation.
 U.S. Apple Association.
 U.S. Dairy Export Council.
 U.S. Meat Export Federation.
 U.S. Poultry and Egg Association.
 U.S. Rice Producers Association.
 U.S. Wheat Associates, Inc.
 United Egg Association.
 United Egg Producers.
 World Perspectives Inc.

AMERICAN FARM
 BUREAU FEDERATION,
 Park Ridge, IL, June 18, 1999.

Hon. SPENCER ABRAHAM,
 U.S. Senate, Washington, DC.

DEAR SENATOR ABRAHAM: The American Farm Bureau Federation strongly supports S. Res. 101, expressing the sense of the Senate establishing agriculture as a top priority of this Administration during the next round of multilateral trade negotiations. We ask you to support and cosponsor this resolution. Exports are agriculture's source of future growth in sales and income.

As the host of the 1999 World Trade Organization (WTO) Ministerial, the United States

has a tremendous opportunity to influence the agenda for the next round of WTO negotiations. The U.S. also has the most to gain from the next round. The United States is the largest, most dynamic economy in the world. Further trade liberalization is needed to open new market opportunities for the ever-increasing output of U.S. agriculture. America's farmers and ranchers must have the freedom to compete in the international marketplace, and with the help of strong leadership by U.S. trade negotiators in Seattle later this year, that goal can begin to be realized.

S. Res. 101 embodies the procedure and policy developed through a consensus process by the Seattle Round Agricultural Committee (SRAC). The SRAC represents over 70 agricultural organizations, agribusinesses, and food processors, supporting the new round of multilateral trade negotiations under the auspices of the WTO. The fact is that 96 percent of the world's consumers live outside the U.S. and in many developing countries the demand for food and agricultural products is growing as income and population increase.

We are counting on this administration and Congress to ensure that U.S. farmers and ranchers have a significant place at the negotiating table, and are armed with the tools they need to be successful. The 1999 WTO Negotiations is the best opportunity for the U.S. agriculture to achieve more open and freer global markets.

Sincerely,

DEAN KLECKNER,
 President.

**BIDEN (AND OTHERS) AMENDMENT
 NO. 1285**

Mr. BIDEN (for himself, Mr. SCHUMER, Mr. ROBB, Mr. DASCHLE, Mr. REID, Mr. HARKIN, Mr. LEAHY, Mr. AKAKA, Mr. BINGAMAN, Mr. DURBIN, Mr. GRAHAM, Mr. LIEBERMAN, Mr. HOLLINGS, Mr. JOHNSON, Mr. KENNEDY, Mr. KERRY, Mr. KOHL, Mr. LAUTENBERG, Mr. LEVIN, Mrs. LINCOLN, Mrs. MURRAY, Mr. REED, Mr. WELLSTONE, Mr. BREAUX, Mr. MOYNIHAN, Mr. BAYH, Mr. DORGAN, Mr. BRYAN, Mr. KERRY, Mr. CLELAND, Mr. SARBAKES, Mr. ROCKEFELLER, Mr. DODD, Mrs. BOXER, Ms. LANDRIEU, Ms. MIKULSKI, Mr. FEINGOLD, Mr. BYRD, Mr. SPECTER, Ms. COLLINS, Ms. SNOWE, Mr. TORRICELLI, Mr. JEFFORDS, and Mr. EDWARDS) proposed an amendment to the bill, S. 1217, *supra*; as follows:

On page 32, after line 7, insert the following:

**COMMUNITY ORIENTED POLICING SERVICES
 VIOLENT CRIME REDUCTION PROGRAMS**

For activities authorized by the Violent Crime Control and Law Enforcement Act of 1994 (Public Law 104-322) (referred to under this heading as the "1994 Act"), including administrative costs, \$325,000,000 to remain available until expended for Public Safety and Community Policing Grants pursuant to title I of the 1994 Act, of which \$140,000,000 shall be derived from the Violent Crime Reduction Trust Fund: *Provided*, That \$180,000,000 shall be available for school resource officers: *Provided further*, That not to exceed \$17,325,000 shall be expended for program management and administration: *Provided further*, That of the unobligated balances available in this program, \$170,000,000 shall be used for innovative community policing programs, of which \$90,000,000 shall be used for the Crime Identification Technology Initiative, \$25,000,000 shall be used for the

Bulletproof Vest Program, and \$25,000,000 shall be used for the Methamphetamine Program.

Provided further, That the funds made available under this heading for the Methamphetamine Program shall be expended as directed in Senate Report 106-76: *Provided further*, That of the funds made available under this heading for school resource officers, \$900,000 shall be for a grant to King County, Washington.

On page 21, line 16, strike "\$3,156,895,000" and insert "\$3,151,895,000".

On page 26, line 13, strike "\$1,547,450,000" and insert "\$1,407,450,000".

On page 27, line 13, strike "\$350,000,000" and insert "\$260,000,000".

On page 30, line 21, strike all after "Initiative" through "Program" on line 23.

On page 35, line 1, strike "\$218,000,000" and insert "\$38,000,000".

COCHRAN AMENDMENTS NOS. 1286-1288

(Ordered to lie on the table.)

Mr. COCHRAN submitted three amendments intended to be proposed by him to the bill, S. 1217, *supra*; as follows:

AMENDMENT NO. 1286

On page 111, between lines 7 and 8, insert the following:

SEC. _____. SENSE OF THE SENATE REGARDING MEDICARE.

(a) FINDINGS.—The Senate finds the following:

(1) The Balanced Budget Act of 1997 (BBA) ushered in the single largest change to the medicare program under title XVIII of the Social Security Act since the program's inception in 1965.

(2) As a result of the Balanced Budget Act of 1997, hospitals in all parts of the country, both in urban and rural areas, are beginning to reduce health care services as hospitals implement the provisions of such Act.

(3) Beginning 5 years after the date of enactment of the Balanced Budget Act of 1997, total medicare margins for all hospitals will be negative 4.4 percent, and such margins for rural hospitals will be negative 7.1 percent.

(4) The Congressional Budget Office estimated immediately prior to the enactment of the Balanced Budget Act of 1997 that the provisions of such Act would result in \$53,000,000,000 of savings to the medicare program because of payment cuts to hospitals; but

(5) Actual savings to the medicare program as a result of such cuts will be more in the range of \$71,000,000,000, an \$18,000,000,000 increase in the estimate described in paragraph (4).

(6) The Congressional Budget Office now projects that the provisions of the Balanced Budget Act of 1997 will result in a total \$206,000,000,000 of savings to the medicare program, double the level of estimated savings when such Act was enacted 18 months ago.

(7) The passage and implementation of the Balanced Budget Act of 1997 has proved especially devastating to rural hospitals, as their patient base is typically older, poorer, and sicker, than non-rural hospitals and their most important payment source is the medicare program.

(8) The provisions of the Balanced Budget Act of 1997 have strained the resources of even the most fiscally healthy of these facilities, as rural hospitals are no longer able to recruit and retain qualified health care professionals, including physicians, and such hospitals no longer have access to capital for equipment replacement, maintenance, or repair.

(9) Rural hospitals are now being forced to severely limit, or even eliminate, the type and scope of health care services they provide, limiting access to health care and forcing patients to travel long distances.

(10) Rural hospitals are often the largest employers for many miles, and the only employer of highly skilled workers in the community.

(11) The systematic reduction of health care delivery prompted by the passage of the Balanced Budget Act of 1997 has the potential to deal a severe blow to the economic well being of many of our Nation's small towns.

(12) The concurrent resolution on the budget for fiscal year 2000 recognized the problems associated with the provisions of the Balanced Budget Act of 1997 and set aside funding to address the unintended consequences associated with the implementation of such provisions.

(b) SENSE OF THE SENATE.—It is the sense of the Senate that Congress and the President work expeditiously to develop proposals that would—

(1) reject—

(A) further reductions in the medicare program under title XVIII of the Social Security Act; and

(B) extensions of the provisions of the Balanced Budget Act of 1997; and

(2) target new resources from the onbudget surplus, as set forth in the concurrent resolution on the budget for fiscal year 2000, for the medicare program in order to address the unintended consequences that the Balanced Budget Act of 1997 has had on hospitals, and especially on hospitals located in rural areas.

AMENDMENT NO. 1287

On page 27, line 9, after the colon insert “Provided further, That \$1,000,000 shall be available to the National Institute of Justice for research and development of next generation backscatter X-ray personnel scanning devices to assist in the detection of illegal drugs and narcotics.”

AMENDMENT NO. 1288

On page 25, line 5, before “and” insert “of which \$2,000,000 shall be made available to the Department of Psychiatry and Human Behavior at the University of Mississippi School of Medicine for research in addictive disorders and their connection to youth violence”.

LUGAR (AND OTHERS) AMENDMENT NO. 1289

Mr. LUGAR (for himself, Mr. GRAHAM, Mr. MACK, Mr. HATCH, Mr. KERREY, and Mr. LIEBERMAN) proposed an amendment to the bill, S. 1217, supra; as follows:

On page 78, between lines 8 and 9, insert the following:

NATIONAL ENDOWMENT FOR DEMOCRACY

For grants by the Department of State to the National Endowment for Democracy as authorized by the National Endowment for Democracy Act, \$30,000,000, to remain available until expended: *Provided*, That, in lieu of the dollar amount specified under the heading “CAPITAL INVESTMENT FUND” in this Act, the dollar amount under that heading shall be considered to be \$50,000,000.

DURBIN (AND OTHERS) AMENDMENT NO. 1290

(Ordered to lie on the table.)

Mr. DURBIN (for himself, Ms. COLLINS, Mrs. MURRAY, Mr. KOHL, Ms. MI-

KULSKI, Mr. REID, and Mr. JEFFORDS) submitted an amendment intended to be proposed by them 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 3% 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.

WELLSTONE (AND OTHERS) AMENDMENT NO. 1291

Mr. WELLSTONE (for himself, Mrs. MURRAY, and Mr. DURBIN) proposed an amendment to the bill, S. 1217, supra; as follows:

At the end of the bill, add the following title:

TITLE ____ —CHILDREN WHO WITNESS DOMESTIC VIOLENCE PROTECTION ACT

SEC. ____ 01. SHORT TITLE.

This title may be cited as the “Children Who Witness Domestic Violence Protection Act”.

SEC. ____ 02. FINDINGS.

Congress finds the following:

(1) Witnessing domestic violence has a devastating impact on children, placing the children at high risk for anxiety, depression, and, potentially, suicide. Many children who witness domestic violence exhibit more aggressive, antisocial, fearful, and inhibited behaviors.

(2) Children exposed to domestic violence have a high risk of experiencing learning difficulties and school failure. Research finds that children residing in domestic violence shelters exhibit significantly lower verbal and quantitative skills when compared to a national sample of children.

(3) Domestic violence is strongly correlated with child abuse. Studies have found that between 50 and 70 percent of men who abuse their female partners also abuse their children. In homes in which domestic violence occurs, children are physically abused and neglected at a rate 15 times higher than the national average.

(4) Men who witnessed parental abuse during their childhood have a higher risk of becoming physically aggressive in dating and marital relationships.

(5) Exposure to domestic violence is a strong predictor of violent delinquent behavior among adolescents. It is estimated that between 20 percent and 40 percent of chronically violent adolescents have witnessed extreme parental conflict.

(6) Women have an increased risk of experiencing battering after separation from an abusive partner. Children also have an increased risk of suffering harm during separation.

(7) Child visitation disputes are more frequent when families have histories of domestic violence, and the need for supervised visitation centers far exceeds the number of

available programs providing those centers, because courts therefore—

- (A) order unsupervised visitation and endanger parents and children; or
- (B) prohibit visitation altogether.

(8) Recent studies have demonstrated that up to 50 percent of children who appear before juvenile courts in matters involving allegations of abuse and neglect have been exposed to domestic violence in their homes.

SEC. 03. DEFINITIONS.

In this title:

(1) **DOMESTIC VIOLENCE.**—The term “domestic violence” includes an act or threat of violence, not including an act of self defense, committed by a current or former spouse of the victim, by a person with whom the victim shares a child in common, by a person who is cohabiting with or has cohabited with the victim, by a person who is or has been in a social relationship of a romantic or intimate nature with the victim, by a person similarly situated to a spouse of the victim under the domestic or family violence laws of the jurisdiction of the victim, or by any other person against a victim who is protected from that person’s act under the domestic or family violence laws of the jurisdiction.

(2) **INDIAN TRIBAL GOVERNMENT.**—The term “Indian tribal government” has the meaning given the term “tribal organization” in section 102 of the Older Americans Act of 1965 (42 U.S.C. 3002).

(3) **STATE.**—The term “State” means each of the several States of the United States, the District of Columbia, the Commonwealth of Puerto Rico, the United States Virgin Islands, Guam, American Samoa, and the Commonwealth of the Northern Mariana Islands.

(4) WITNESS DOMESTIC VIOLENCE.

(A) **IN GENERAL.**—The term “witness domestic violence” means to witness—

(i) an act of domestic violence that constitutes actual or attempted physical assault; or

(ii) a threat or other action that places the victim in fear of domestic violence.

(B) **WITNESS.**—In subparagraph (A), the term “witness” means to—

(i) directly observe an act, threat, or action described in subparagraph (A), or the aftermath of that act, threat, or action; or

(ii) be within earshot of an act, threat, or action described in subparagraph (A), or the aftermath of that act, threat, or action.

SEC. 04. GRANTS TO ADDRESS THE NEEDS OF CHILDREN WHO WITNESS DOMESTIC VIOLENCE.

(a) **IN GENERAL.**—The Family Violence Prevention and Services Act (42 U.S.C. 10401 et seq.) is amended by adding at the end the following:

“SEC. 319. MULTISYSTEM INTERVENTIONS FOR CHILDREN WHO WITNESS DOMESTIC VIOLENCE.

“(a) GRANTS AUTHORIZED.—

“(1) **AUTHORITY.**—The Secretary, acting through the Director of Community Services, in the Administration for Children and Families, is authorized to award grants to eligible entities to conduct programs to encourage the use of domestic violence intervention models using multisystem partnerships to address the needs of children who witness domestic violence.

“(2) **TERM AND AMOUNT.**—Each grant awarded under this section shall be awarded for a term of 3 years and in an amount of not more than \$500,000 for each such year.

“(3) **ELIGIBLE ENTITIES.**—To be eligible to receive a grant under this section, an entity shall—

“(A) be a nonprofit private organization;

“(B)(i) demonstrate recognized expertise in the area of domestic violence and the impact of domestic violence on children; or

“(ii) enter into a memorandum of understanding regarding the intervention program that—

“(I) is entered into with the State or tribal domestic violence coalition and entities carrying out domestic violence programs that provide shelter or related assistance in the jurisdiction in which the intervention program will be operated; and

“(II) demonstrates collaboration on the intervention program with the coalition and entities and the support of the coalition and entities for the intervention program; and

“(C) demonstrate a history of providing advocacy, health care, mental health, or other crisis-related services to children.

“(b) **USE OF FUNDS.**—An entity that receives a grant under this section shall use amounts provided through the grant to conduct a program to design or replicate, and implement, domestic violence intervention models that use multisystem partners to respond to the needs of children who witness domestic violence. Such a program shall—

“(1)(A) involve collaborative partnerships with—

“(i) local entities carrying out domestic violence programs that provide shelter or related assistance; and

“(ii) partners that are courts, schools, social service providers, health care providers, police, early childhood agencies, entities carrying out Head Start programs under the Head Start Act (42 U.S.C. 9831 et seq.), or entities carrying out child protection, welfare, job training, housing, battered women’s service, or children’s mental health programs; and

“(B) be carried out to design and implement protocols and systems to identify, refer, and appropriately respond to the needs of children who witness domestic violence and who participate in programs administered by the partners;

“(2) include guidelines to evaluate the needs of a child and make appropriate intervention recommendations;

“(3) include institutionalized procedures to enhance or ensure the safety and security of a battered parent, and as a result, the child of the parent;

“(4) provide direct counseling and advocacy for adult victims of domestic violence and their children who witness domestic violence;

“(5) include the development or replication of a mental health treatment model to meet the needs of children for whom such treatment has been identified as appropriate;

“(6) include policies and protocols for maintaining the confidentiality of the battered parent and child;

“(7) provide community outreach and training to enhance the capacity of professionals who work with children to appropriately identify and respond to the needs of children who witness domestic violence;

“(8) include procedures for documenting interventions used for each child and family; and

“(9) include plans to perform a systematic outcome evaluation to evaluate the effectiveness of the interventions.

“(c) **APPLICATION.**—To be eligible to receive a grant under this section, an entity shall prepare and submit to the Secretary an application at such time, in such manner, and containing such information as the Secretary may require.

“(d) **TECHNICAL ASSISTANCE.**—Not later than 90 days after the date of enactment of this section, the Secretary shall identify successful programs providing multisystem and mental health interventions to address the needs of children who witness domestic violence. Not later than 60 days before the Secretary solicits applications for grants under this section, the Secretary shall enter into

an agreement with 1 or more entities carrying out the identified programs to provide technical assistance to the applicants and recipients of the grants. The Secretary may use not more than 5 percent of the amount appropriated for a fiscal year under subsection (e) to provide the technical assistance.

“(e) AUTHORIZATION OF APPROPRIATIONS.—

“(1) **IN GENERAL.**—There is authorized to be appropriated to carry out this section \$5,000,000 for each of fiscal years 2000 through 2002.

“(2) **AVAILABILITY.**—Amounts appropriated under paragraph (1) shall remain available until expended.

“(f) **DEFINITIONS.**—In this section, the terms ‘domestic violence’ and ‘witness domestic violence’ have the meanings given the terms in section 03 of the Children Who Witness Domestic Violence Prevention Act.”

(b) **ADMINISTRATION.**—Section 305(a) of the Family Violence Prevention and Services Act (42 U.S.C. 10404(a)) is amended—

(1) by striking “an employee” and inserting “1 or more employees”; and

(2) by striking “The individual” and inserting “Each individual”.

SEC. 05. COMBATTING THE IMPACT OF EXPERIENCING OR WITNESSING DOMESTIC VIOLENCE ON ELEMENTARY AND SECONDARY SCHOOL CHILDREN.

(a) **AMENDMENT.**—Subpart 2 of part A of title IV of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 7131 et seq.) is amended by adding at the end the following:

“SEC. 4124. GRANTS TO COMBAT THE IMPACT OF EXPERIENCING OR WITNESSING DOMESTIC VIOLENCE ON ELEMENTARY AND SECONDARY SCHOOL CHILDREN.

“(a) GRANTS AUTHORIZED.—

“(1) **AUTHORITY.**—The Secretary is authorized to award grants to and enter into contracts with elementary schools and secondary schools that work with experts described in paragraph (2), to enable the schools—

“(A) to provide training to school administrators, faculty, and staff, with respect to issues concerning children experiencing domestic violence in dating relationships and witnessing domestic violence, and the impact of the violence described in this subparagraph on children;

“(B) to provide educational programming to students regarding domestic violence and the impact of experiencing or witnessing domestic violence on children;

“(C) to provide support services for students and school personnel for the purpose of developing and strengthening effective prevention and intervention strategies with respect to issues concerning children experiencing domestic violence in dating relationships and witnessing domestic violence, and the impact of the violence described in this subparagraph on children; and

“(D) to develop and implement school system policies regarding identification and referral procedures for students who are experiencing or witnessing domestic violence.

“(2) **EXPERTS.**—The experts referred to in paragraph (1) are experts on domestic violence from the educational, legal, youth, mental health, substance abuse, and victim advocacy fields, and State and local domestic violence coalitions and community-based youth organizations.

“(3) **AWARD BASIS.**—The Secretary shall award grants and contracts under this section on a competitive basis.

“(4) **POLICY DISSEMINATION.**—The Secretary shall disseminate to elementary schools and secondary schools any Department of Education policy guidance regarding preventing

domestic violence and the impact of experiencing or witnessing domestic violence on children.

“(b) USES OF FUNDS.—Funds provided under this section may be used for the following purposes:

“(1) To provide training for school administrators, faculty, and staff that addresses issues concerning children experiencing domestic violence in dating relationships and witnessing domestic violence, and the impact of the violence described in this paragraph on children.

“(2) To provide education programs for students that are developmentally appropriate for the students' grade levels and are designed to meet any unique cultural and language needs of the particular student populations.

“(3) To develop and implement school system policies regarding identification and referral procedures for students who are experiencing or witnessing domestic violence.

“(4) To provide the necessary human resources to respond to the needs of students and school personnel when faced with the issue of domestic violence, such as a resource person who is either on-site or on-call, and who is an expert in domestic violence as described in subsection (a)(2).

“(5) To provide media center materials and educational materials to schools that address issues concerning children experiencing domestic violence in dating relationships and witnessing domestic violence, and the impact of the violence described in this paragraph on children.

“(6) To conduct evaluations to assess the impact of programs assisted under this section in order to enhance the development of the programs.

“(c) CONFIDENTIALITY.—Policies, programs, training materials, and evaluations developed and implemented under subsection (b) shall address issues of victim safety and confidentiality that are consistent with applicable Federal and State laws.

“(d) APPLICATION.—

“(1) IN GENERAL.—To be eligible to be awarded a grant or contract under this section for any fiscal year, an elementary school or secondary school, in consultation with an expert described in subsection (a)(2), shall submit an application to the Secretary at such time and in such manner as the Secretary shall prescribe.

“(2) CONTENTS.—Each application submitted under paragraph (1) shall—

“(A) describe the need for funds provided under the grant or contract and the plan for implementation of any of the uses described in subsection (b);

“(B) describe how the domestic violence experts described in subsection (a)(2) shall work in consultation and collaboration with the elementary school or secondary school; and

“(C) provide measurable goals and expected results from the use of the funds provided under the grant or contract.

“(e) DEFINITIONS.—In this section, the terms 'domestic violence' and 'witness domestic violence' have the meanings given to the terms in section —03 of the Children Who Witness Domestic Violence Protection Act.

“(f) APPLICABILITY.—The provisions of this part (other than this section) shall not apply to this section.”.

(b) AUTHORIZATION OF APPROPRIATIONS.—Section 4004 of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 7104) is amended—

(1) in paragraph (1), by striking “and” after the semicolon;

(2) in paragraph (2) by striking the period and inserting “; and”; and

(3) by adding at the end the following:

“(3) \$5,000,000 for each of the fiscal years 2000 through 2002 to carry out section 4124.”.

SEC. —06. CHILD WELFARE WORKER TRAINING ON DOMESTIC VIOLENCE.

(a) DEFINITIONS.—In this section:

(1) GRANTEE.—The term “grantee” means a recipient of a grant under this section.

(2) SECRETARY.—The term “Secretary” means the Secretary of Health and Human Services.

(b) GRANTS AUTHORIZED.—

(1) AUTHORITY.—The Attorney General and the Secretary are authorized to jointly award grants to eligible States, Indian tribal governments, and units of local government, in order to encourage agencies and entities within the jurisdiction of the States, organizations, and units to recognize and treat, as part of their ongoing child welfare responsibilities, domestic violence as a serious problem threatening the safety and well-being of both children and adults.

(2) TERM AND AMOUNT.—Each grant awarded under this section shall be awarded for a term of 3 years and in an amount of not less than \$250,000.

(c) USE OF FUNDS.—Funds provided under this section may be used to support child welfare service agencies in carrying out, with the assistance of entities carrying out community-based domestic violence programs, activities to achieve the following purposes:

(1) To provide training to the staff of child welfare service agencies and domestic violence programs with respect to the issue of domestic violence and the impact of the violence on children and their nonabusive parents, which training shall—

(A) include training for staff, supervisors, and administrators, including staff responsible for screening, intake, assessment, and investigation of reports of child abuse and neglect; and

(B) be conducted in collaboration with child welfare experts, domestic violence experts, entities carrying out community-based domestic violence programs, relevant law enforcement agencies, probation officers, prosecutors, and judges.

(2) To provide assistance in the modification of policies, procedures, programs, and practices of child welfare service agencies and domestic violence programs in order to ensure that the agencies—

(A) recognize the overlap between child abuse and domestic violence in families, the dangers posed to both child and adult victims of domestic violence, and the physical, emotional, and developmental impact of domestic violence on children;

(B) develop relevant protocols for screening, intake, assessment, and investigation of and followup to reports of child abuse and neglect, that—

(i) address the dynamics of domestic violence and the relationship between child abuse and domestic violence; and

(ii) enable the agencies to assess the danger to child and adult victims of domestic violence;

(C) identify and assess the presence of domestic violence in child protection cases, in a manner that ensures the safety of all individuals involved and the protection of confidential information;

(D) increase the safety and well-being of children who witness domestic violence, including increasing the safety of nonabusive parents of the children;

(E) develop appropriate responses in cases of domestic violence, including safety plans and appropriate services for both the child and adult victims of domestic violence;

(F) establish and enforce procedures to ensure the confidentiality of information relating to families that is shared between child welfare service agencies and community

based domestic violence programs, consistent with law (including regulations) and guidelines:

(G) provide appropriate supervision to agency staffs who work with families in which there has been domestic violence, including supervision concerning issues regarding—

(i) promoting staff safety; and

(ii) protecting the confidentiality of child and adult victims of domestic violence; and

(H) develop protocols with law enforcement, probation, and other justice agencies in order to ensure that justice system interventions and protections are readily available for victims of domestic violence served by the social service agency.

(d) APPLICATION.—

(1) IN GENERAL.—To be eligible to receive a grant under this section, a State, Indian tribal government, or unit of local government shall submit an application to the Attorney General and the Secretary at such time and in such manner as the Attorney General and the Secretary shall prescribe.

(2) CONTENTS.—Each application submitted under paragraph (1) shall contain information that—

(A) describes the specific activities that will be undertaken to achieve 1 or more of the purposes described in subsection (c);

(B) lists the child welfare service agencies and domestic violence service agencies in the jurisdiction of the applicant that will be responsible for carrying out the activities; and

(C) provides documentation from 1 or more community-based domestic violence programs that the entities carrying out such programs—

(i) have been involved in the development of the application; and

(ii) will assist in carrying out the specific activities described in subparagraph (A), which may include assisting as subcontractors.

(e) PRIORITY.—In awarding grants under this section, the Attorney General and the Secretary shall give priority to applicants who demonstrate that entities that carry out domestic violence programs will be substantially involved in carrying out the specific activities described in subsection (d)(2)(A), and to applicants who demonstrate a commitment to educate the staff of child welfare service agencies about—

(1) the impact of domestic violence on children;

(2) the special risks of child abuse and neglect; and

(3) appropriate services and interventions for protecting both the child and adult victims of domestic violence.

(f) EVALUATION, REPORTING, AND DISSEMINATION.—

(1) EVALUATION AND REPORTING.—Each grantee shall annually submit to the Attorney General and the Secretary a report, which shall include—

(A) an evaluation of the effectiveness of activities funded with a grant awarded under this section; and

(B) such additional information as the Attorney General and the Secretary may require.

(2) DISSEMINATION.—Not later than 6 months after the expiration of the 3-year period beginning on the initial date on which grants are awarded under this section, the Attorney General and the Secretary shall distribute to each State child welfare service agency and each State domestic violence coalition, and to Congress, a summary of information on—

(A) the activities funded with grants under this section; and

(B) any related initiatives undertaken by the Attorney General or the Secretary to

promote attention by the staff of child welfare service agencies and community-based domestic violence programs to domestic violence and the impact of domestic violence on child and adult victims of domestic violence.

(g) TECHNICAL ASSISTANCE.—

(1) IDENTIFICATION OF SUCCESSFUL PROGRAMS.—Not later than 90 days after the date of enactment of this section, the Secretary shall identify successful programs providing training to child welfare and domestic violence programs to address the needs of children who witness domestic violence.

(2) AGREEMENT.—Not later than 60 days before the Secretary solicits applications for grants under this section, the Secretary shall enter into an agreement with 1 or more entities carrying out the training programs identified under paragraph (1) to provide technical assistance to the applicants and recipients of the grants.

(3) FUNDING.—The Secretary may use not more than 5 percent of the amount appropriated for a fiscal year under subsection (h) to provide technical assistance pursuant to the agreement under paragraph (2).

(h) AUTHORIZATION OF APPROPRIATIONS.—

(1) IN GENERAL.—There is authorized to be appropriated to carry out this section \$5,000,000 for each of fiscal years 2000 through 2002.

(2) AVAILABILITY.—Amounts appropriated under paragraph (1) shall remain available until expended.

SEC. 07. SAFE HAVENS FOR CHILDREN.

(a) GRANTS AUTHORIZED.—The Attorney General may award grants to States (including State courts) and Indian tribal governments in order to enable them to enter into contracts and cooperative agreements with public or private nonprofit entities (including tribal organizations and nonprofit organizations operating within the boundaries of an Indian reservation) to assist those entities in establishing and operating supervised visitation centers for purposes of facilitating supervised visitation and visitation exchange of children by and between parents. Not less than 50 percent of the total amount awarded to a State or Indian tribal government under this subsection for any fiscal year shall be used to enter into contracts and cooperative agreements with private nonprofit entities.

(b) CONSIDERATIONS.—In awarding grants under subsection (a), the Attorney General shall consider—

(1) the number of families to be served by the proposed visitation center;

(2) the extent to which the proposed supervised visitation center will serve underserved populations (as defined in section 2003 of title I of the Omnibus Crime Control and Safe Streets Act of 1968 (42 U.S.C. 3796gg-2));

(3) with respect to an applicant for a contract or cooperative agreement, the extent to which the applicant demonstrates cooperation and collaboration with nonprofit, nongovernmental entities in the local community served, including the State or tribal domestic violence coalition, State or tribal sexual assault coalition, local shelters, and programs for domestic violence and sexual assault victims;

(4) the extent to which the applicant demonstrates coordination and collaboration with State, tribal, and local court systems, including mechanisms for communication and referral; and

(5) the extent to which the applicant demonstrates implementation of domestic violence and sexual assault training for all staff members.

(c) USE OF FUNDS.—Amounts provided under a grant, contract, or cooperative agreement awarded under this section may be used only to establish and operate supervised visitation centers.

(d) APPLICATION.—

(1) IN GENERAL.—The Attorney General shall award grants for contracts and cooperative agreements under this section in accordance with such regulations as the Attorney General may establish by regulation, which regulations shall establish a multiyear grant process.

(2) CONTENTS.—Each application submitted under paragraph (1) shall—

(A) demonstrate recognized expertise in the area of domestic violence and a record of high quality service to victims of domestic violence or sexual assault;

(B) demonstrate collaboration with and support of the State or tribal domestic violence coalition, State or tribal sexual assault coalition, or local domestic violence shelter, program, or rape crisis center in the locality in which the supervised visitation center will be operated;

(C) provide supervised visitation and visitation exchange services over the duration of a court order to promote continuity and stability;

(D) ensure that any fees charged to individuals for use of services are based on an individual's income;

(E) demonstrate that adequate security measures, including adequate facilities, procedures, and personnel capable of preventing violence, are in place for the operation of supervised visitation; and

(F) describe standards by which the supervised visitation center will operate.

(3) PRIORITY.—In awarding grants for contracts and cooperative agreements under this section, the Attorney General shall give priority to States that, in making a custody determination—

(A) consider domestic violence; and

(B) require findings on the record.

(e) ANNUAL REPORT.—Not later than 120 days after the last day of each fiscal year, the Attorney General shall submit to Congress a report that includes information concerning—

(1) the total number of individuals served and the total number of individuals turned away from services (categorized by State), the number of individuals from underserved populations served and the number turned away from services, and the factors that necessitate the supervised visitation or visitation exchange, such as domestic violence, child abuse, sexual assault, and emotional or other physical abuse, or any combination of such factors;

(2) the number of supervised visitations or visitation exchanges ordered during custody determinations under a separation or divorce decree or protection order, through child protection services or other social services agencies, or by any other order of a civil, criminal, juvenile, or family court;

(3) the process by which children or abused partners are protected during visitations, temporary custody transfers, and other activities for which the supervised visitation centers are established under this section;

(4) safety and security problems occurring during the reporting period during supervised visitations or at visitation centers including the number of parental abduction cases;

(5) the number of parental abduction cases in a judicial district using supervised visitation services, both as identified in criminal prosecutions and in custody violations; and

(6) program standards for operating supervised visitation centers established throughout the United States.

(f) AUTHORIZATION OF APPROPRIATIONS.—

(1) IN GENERAL.—There is authorized to be appropriated from the Violent Crime Reduction Trust Fund established under section 31001 of the Violent Crime Control & Law Enforcement Act of 1994 (42 U.S.C. 14211) to carry out this section \$3,000,000 for each of fiscal years 2000 through 2002.

carry out this section \$20,000,000 for each of fiscal years 2000 through 2002.

(2) AVAILABILITY.—Amounts made available under paragraph (1) shall remain available until expended.

(3) DISTRIBUTION.—Not less than 95 percent of the total amount made available to carry out this section for each fiscal year shall be used to award grants, contracts, or cooperative agreements.

(4) ALLOTMENT FOR INDIAN TRIBES.—

(A) IN GENERAL.—Subject to subparagraph (B), not less than 5 percent of the total amount made available to carry out this section for each fiscal year shall be available for grants to, or contracts or cooperative agreements with, tribal organizations and nonprofit organizations operating within the boundaries of an Indian reservation.

(B) REALLOTMENT OF FUNDS.—If, beginning 9 months after the first day of any fiscal year for which amounts are made available under this paragraph, any amount made available under this paragraph remains unobligated, the unobligated amount may be allocated without regard to subparagraph (A).

SEC. 08. LAW ENFORCEMENT OFFICER TRAINING.

(a) GRANTS AUTHORIZED.—The Attorney General shall award grants to nonprofit domestic violence programs, shelters, or organizations in collaboration with local police departments, for purposes of training local police officers regarding appropriate treatment of children who have witnessed domestic violence.

(b) USE OF FUNDS.—A domestic violence agency working in collaboration with a local police department may use amounts provided under a grant under this section—

(1) to train police officers in child development and issues related to witnessing domestic violence so they may appropriately—

(A) apply child development principles to their work in domestic violence cases;

(B) recognize the needs of children who witness domestic violence;

(C) meet children's immediate needs at the scene of domestic violence;

(D) call for immediate therapeutic attention to be provided to the child by an advocate from the collaborating domestic violence program, shelter, or organization; and

(E) refer children for followup services; and

(2) to establish a collaborative working relationship between police officers and local domestic violence programs, shelters, and organizations.

(c) APPLICATION.—

(1) IN GENERAL.—To be eligible to be awarded a grant under this section for any fiscal year, a local domestic violence program, shelter, or organization, in collaboration with a local police department, shall submit an application to the Attorney General at such time and in such manner as the Attorney General shall prescribe.

(2) CONTENTS.—Each application submitted under paragraph (1) shall—

(A) describe the need for amounts provided under the grant and the plan for implementation of the uses described in subsection (c);

(B) describe the manner in which the local domestic violence program, shelter, or organization shall work in collaboration with the local police department; and

(C) provide measurable goals and expected results from the use of amounts provided under the grant.

(d) AUTHORIZATION OF APPROPRIATIONS.—

(1) IN GENERAL.—There is authorized to be appropriated from the Violent Crime Reduction Trust Fund established under section 31001 of the Violent Crime Control & Law Enforcement Act of 1994 (42 U.S.C. 14211) to carry out this section \$3,000,000 for each of fiscal years 2000 through 2002.

(2) AVAILABILITY.—Amounts made available under paragraph (1) shall remain available until expended.

SEC. 09. REAUTHORIZATION OF CRISIS NURSERIES.

(a) AUTHORITY TO ESTABLISH DEMONSTRATION GRANT PROGRAMS.—The Secretary of Health and Human Services may establish demonstration programs under which grants are awarded to States to assist private and public agencies and organizations in providing crisis nurseries for children who are abused and neglected, are at risk of abuse or neglect, are witnessing domestic violence, or are in families receiving child protective services.

(b) AUTHORIZATION OF APPROPRIATIONS.—There is authorized to be appropriated to carry out this section \$15,000,000 for each of fiscal years 2000 through 2002.

**GRAHAM (AND OTHERS)
AMENDMENT NO. 1292**

Mr. GRAHAM (for himself, Mr. DURBIN, Mr. HARKIN, Mr. LAUTENBERG, Mr. CONRAD, Mr. REED, Mr. WELLSTONE, Mrs. MURRAY, Mr. FEINGOLD, and Mr. JOHNSON) proposed an amendment to the bill, S. 1217, *supra*; as follows:

At the appropriate place in title I, insert the following:

SEC. AUTHORITY TO RECOVER TOBACCO-RELATED COSTS.

Nothing in this Act shall be construed to prohibit the Department of Justice from expending amounts made available under this title for tobacco-related litigation or for the payment of expert witnesses called to provide testimony in such litigation.

**DURBIN (AND FITZGERALD)
AMENDMENT NO. 1293**

(Ordered to lie on the table.)

Mr. DURBIN (for himself and Mr. FITZGERALD) submitted an amendment intended to be proposed by them to the bill, S. 1217, *supra*; as follows:

At the appropriate place in the bill, insert the following:

SEC. INS GOVERNMENTAL LIAISON FUNCTIONS.

(a) ALLOCATION OF FUNDS.—Of the funds appropriated by this Act under the heading “Immigration and Naturalization Service, Salaries and Expenses” and available to the Office of the Commissioner of Immigration and Naturalization, \$10,000,000 shall be made available for additional staff and necessary support in the various regional offices and service centers of the INS, who shall carry out their functions under procedures that—

(1) require INS governmental liaisons to work exclusively and directly with offices of Congress or Federal agencies other than INS, with no other responsibilities, and respond to telephone governmental inquiries within three days and written governmental inquiries within 30 days;

(2) set a national standard for customer service and treat customers with respect, including a plan to avoid long delays at INS information booths or offices and busy signals on information lines;

(3) require mandatory employee sensitivity training;

(4) provide clear, concise guidelines for how, when, and where governmental offices are to submit casework inquiries and any special procedures for each form or application; and

(5) provide for the scheduling of quarterly meetings between the INS district director (or designee) and the State or district direc-

tor of the Member of Congress to discuss outstanding cases and other relevant issues.

(b) BIANNUAL REPORTS.—Not later than 6 months after the date of enactment of this Act, and every 6 months thereafter, the Commissioner of Immigration and Naturalization shall submit a report to Congress setting forth the status of responding to written governmental inquiries that are pending as of the date of the report. The contents of such report shall be itemized by congressional district.

(c) DISCIPLINARY ACTIONS.—

(1) IN GENERAL.—The Attorney General, acting through the Commissioner of Immigration and Naturalization, shall by regulation establish a system of disciplinary actions that may be taken against any INS district director or local service manager who does not demonstrate progress in responding to written governmental inquiries within the 30-day period specified in that subsection.

(2) HEARING.—In any case in which administrative review is conducted to determine whether to take a disciplinary action against an individual under paragraph (1), the review shall include an opportunity for the individual to be heard.

(d) DEFINITIONS.—In this section:

(1) GOVERNMENTAL INQUIRY.—The term “governmental inquiry” means an inquiry from the office of a Member of Congress or Federal agency other than INS with respect to the status of any case INS is adjudicating regarding an alien.

(2) GOVERNMENTAL LIAISON.—The term “governmental liaison” means an individual whose responsibility is to respond to any office of a Member of Congress or Federal agency other than INS on any casework or other inquiry of INS and who has the authority and access to obtain the information necessary for such response from other INS employees or offices.

(3) INS.—The term “INS” means the Immigration and Naturalization Service.

BROWNBACK AMENDMENT NO. 1294

(Ordered to lie on the table.)

Mr. BROWNBACK submitted an amendment intended to be proposed by him to the bill, S. 1217, *supra*; as follows:

At the appropriate place, insert the following:

SEC. REPEAL OF FCC GENERAL REGULATORY AUTHORITY.

The Communications Act of 1934 (47 U.S.C. 151 et seq.) is amended—

(1) by striking subsection (i) of section 4 (47 U.S.C. 154) and redesignating subsections (j) through (o) as subsections (i) through (n);

(2) by striking the last sentence of section 201(b) (47 U.S.C. 201(b)); and

(3) by striking subsection (r) of section 303 (47 U.S.C. 303) and redesignating subsections (s) through (y) as (r) through (x).

SMITH (AND WYDEN) AMENDMENT NO. 1295

(Ordered to lie on the table.)

Mr. SMITH of Oregon (for himself and Mr. WYDEN) submitted an amendment intended to be proposed by them to the bill, S. 1217, *supra*; as follows:

At the appropriate place, insert the following:

SEC. TREATMENT OF VESSEL AS AN ELIGIBLE VESSEL.

Notwithstanding paragraphs (1) through (3) of section 208(a) of the American Fisheries Act (title II of division C of the Omnibus Consolidated and Emergency Supplemental Appropriations Act of 1999 (Public Law 105-

277)), the catcher vessel HAZEL LORRAINE (United States Official Number 592211) shall be considered to be a vessel that is eligible to harvest the directed fishing allowance under section 206(b)(1) of that Act pursuant to a federal fishing permit in the same manner as, and subject to the same requirements and limitations on that harvesting as apply to, catcher vessels that are eligible to harvest that directed fishing allowance under section 208(a) of that Act.

**COLLINS (AND OTHERS)
AMENDMENT NO. 1296**

Ms. COLLINS (for herself, Mr. GREGG, Mr. HOLLINGS, Mr. TORRICELLI, Mr. FEINGOLD, Mr. SMITH of New Hampshire, and Mr. LIEBERMAN) proposed an amendment to the bill, S. 1217, *supra*; as follows:

On page 111, between lines 7 and 8, insert the following:

SEC. 620 (a) FINDINGS.—The Senate makes the following findings:

(1) When telephone area codes were first introduced in 1947, 86 area codes covered all of North America. There are now more than 215 area codes, and an additional 70 area codes may be required in the next 2 years.

(2) The current system for allocating numbers to telecommunications carriers is woefully inefficient, leading to the exhaustion of a telephone area code long before all the telephone numbers covered by the area code are actually in use.

(3) The proliferation of new telephone area codes causes economic dislocation for businesses and unnecessary cost, confusion, and inconvenience for households.

(4) Principles and approaches exist that would increase the efficiency with which telecommunications carriers use telephone numbering resources.

(5) The May 27, 1999, rulemaking proceeding of the Federal Communications Commission relating to numbering resource optimization seeks to address the growing problem of the exhaustion of telephone area codes.

(b) SENSE OF SENATE.—It is the sense of the Senate that—

(1) the Federal Communications Commission shall release its report and order on numbering resource optimization not later than December 31, 1999;

(2) such report and order should minimize any disruptions and costs to consumers and businesses associated with the implementation of such report and order; and

(3) such report and order should apply not only to large metropolitan areas but to all areas of the United States that are facing the problem of exhaustion of telephone numbers.

**HUTCHISON (AND OTHERS)
AMENDMENT NO. 1297**

Mrs. HUTCHISON (for herself, Mr. KYL, and Mr. ABRAHAM) proposed an amendment to the bill, S. 1217, *supra*; as follows:

On page 19, line 23, after the colon, insert the following: “Provided further, That any Border Patrol agent classified in a GS-1896 position who completes a 1-year period of service at a GS-9 grade and whose current rating of record is fully successful or higher shall be classified at a GS-11 grade and receive pay at the minimum rate of basic pay for a GS-11 position.”

**COVERDELL (AND DEWINE)
AMENDMENT NO. 1298**

(Ordered to lie on the table.)

Mr. COVERDELL (for himself and Mr. DEWINE) submitted an amendment intended to be proposed by them to the bill, S. 1217, *supra*; as follows:

On page 17, line 16, strike “\$798,187,000” and insert the following: “\$822,187,000, of which not to exceed \$24,000,000 shall be used to carry out section 851(a)(5) of the Western Hemisphere Drug Elimination Act”.

On page 98, line 24, strike “\$251,300,000” and insert “\$227,300,000”.

MURRAY (AND OTHERS)
AMENDMENT NO. 1299

(Ordered to lie on the table.)

Mrs. MURRAY (for herself, Mr. INOUYE, Mrs. FEINSTEIN, Mrs. BOXER, and Mr. WYDEN) submitted an amendment intended to be proposed by them to the bill, S. 1217, *supra*; as follows:

On page 59, line 12, strike “\$20,000,000” and insert “\$18,000,000”.

On page 59, line 14, after “Alaska:” insert the following: “*Provided further*, That of the amounts provided, \$8,000,000 shall be made available to Pacific coastal tribes (as defined by the Secretary of Commerce) through the Department of Commerce.”

HUTCHISON (AND OTHERS)
AMENDMENT NO. 1300

Mrs. HUTCHISON (for herself, Mr. KYL, Mr. ABRAHAM, Mr. HATCH, and Mr. LEAHY) proposed an amendment to the bill, S. 1217, *supra*; as follows:

On page 19, line 23, after the colon, insert the following: “*Provided further*, that the Commissioner shall within 90 days develop a plan for coordinating and linking all relevant Immigration and Naturalization Service data bases with those of the Justice Department and other federal law enforcement agencies, to determine criminal history, fingerprint identification, and record of prior deportation and, upon the approval of the Committees on the Judiciary and the Commerce-Justice-State Appropriations Subcommittees, shall implement the plan within FY 2000.”

ENZI (AND OTHERS) AMENDMENT
NO. 1301

Mr. ENZI (for himself, Mr. BURNS, and Mr. FITZGERALD) proposed an amendment to the bill, S. 1217, *supra*; as follows:

At the appropriate place, insert:

SEC. . PROHIBITION ON REQUIREMENT FOR USE OF ACCOUNTING METHOD NOT CONFORMING TO GENERALLY ACCEPTED ACCOUNTING PRINCIPLES.

(a) PROHIBITION.—No part of any appropriations contained in this Act shall be used by the Federal Communications Commission to require any person subject to its jurisdiction under the Communications Act of 1934, as amended (47 U.S.C. 151 et seq.) to utilize for any purpose any form or method of accounting that does not conform to Generally Accepted Accounting Principles established by the Financial Accounting Standards Board.

LAUTENBERG (AND OTHERS)
AMENDMENT NO. 1302

Mr. LAUTENBERG (for himself, Mr. HARKIN, Mr. BIDEN, and Mr. DORGAN) proposed an amendment to the bill, S. 1217, *supra*; as follows:

On page 2, between lines 3 and 4, insert the following:

For carrying out a media campaign to prevent alcohol consumption by individuals in the United States who have not attained the age of 21, \$25,000,000 which shall become available on October 1, 2000 and remain available through September 30, 2001.

WELLSTONE AMENDMENT NO. 1303

Mr. WELLSTONE proposed an amendment to the bill, S. 1217, *supra*; as follows:

On page 45, after line 9, insert the following:

SEC. . INAPPLICABILITY OF AMENDMENTS.

Section 3626 of title 18, United States Code, is amended by adding at the end the following:

“(h) INAPPLICABILITY OF AMENDMENTS.—A civil action that seeks to remedy conditions that pose a threat to the health of individuals who are juveniles or mentally ill shall be governed by the terms of this section, as in effect on the day before the date of enactment of the Prison Litigation Reform Act of 1995 and the amendments made by that Act (18 U.S.C. 3601 note).”

HARKIN (AND OTHERS)
AMENDMENT NO. 1304

Mr. HARKIN (for himself, Mr. HATCH, Mr. GRASSLEY, Mr. BROWNBACK, Mr. BINGAMAN, Mr. BIDEN, Mr. JOHNSON, Mr. ROCKEFELLER, Mrs. MURRAY, Mr. AKAKA, Mr. FEINGOLD, Mr. LAUTENBERG, and Mr. BRYAN) proposed an amendment to the bill, S. 1217, *supra*; as follows:

On page 25, line 20, strike “\$452,100,000” and insert “\$552,100,000”.

On page 66, line 20, strike “\$18,123,000” and insert “\$9,652,000”.

On page 66, line 20, strike “\$15,222,000” and insert “\$6,751,000”.

On page 111, after line 7, insert the following:

SEC. . (a) The total discretionary amount made available by this Act is reduced by \$92,000,000: *Provided*, That the reduction pursuant to this subsection shall be taken pro rata from travel, supplies, and printing expenses made available to the agencies funded by this Act, except for activities related to the 2000 census.

(b) Not later than 30 days after the date of enactment of this Act, the Director of the Office of Management and Budget shall submit to the Committees on Appropriations of the House of Representatives and the Senate a listing of the amounts by account of the reductions made pursuant to the provisions of subsection (a).

BOXER AMENDMENT NO. 1305

Mrs. BOXER proposed an amendment to the bill, S. 1217, *supra*; as follows:

On page 111, between lines 7 and 8, insert the following:

SEC. 6 . PROHIBITION OF TRANSFER OF A FIRE-ARM TO AN INTOXICATED PERSON.

(a) PROHIBITION OF TRANSFER.—Section 922(d) of title 18, United States Code, is amended—

(1) by redesignating paragraphs (8) and (9) as paragraphs (9) and (10), respectively; and

(2) by inserting after paragraph (7) the following:

“(8) is intoxicated;”.

(b) DEFINITION OF INTOXICATED.—Section 921(a) of title 18, United States Code, is amended by adding at the end the following:

“(35) The term ‘intoxicated’, in reference to a person, means being in a mental or

physical condition of impairment as a result of the presence of alcohol in the body of the person.”

BOXER (AND OTHERS)
AMENDMENT NO. 1306

Mrs. BOXER (for herself, Mr. BIDEN, Mr. KERRY, Mr. DURBIN, Mr. FEINGOLD, and Mr. REID) proposed an amendment to the bill, S. 1217, *supra*; as follows:

On page 83, at the end of line 19, before the period insert the following: “: *Provided further*, that of the amounts made available for the Inter-American Tropical Tuna Commission in Fiscal Year 2000, not more than \$2,350,000 may be obligated and expended: *Provided further*, that no tuna may be imported in any year from any High Contracting Party to the Convention establishing the Commission (TIAS 2044; 1 UST 231) unless the Party has paid a share of the joint expenses of the Commission proportionate to the share of the total catch from the previous year from the fisheries covered by the Convention which is utilized by that Party”.

LANDRIEU AMENDMENT NO. 1307

Ms. LANDRIEU proposed an amendment to the bill, S. 1217, *supra*; as follows:

On page 89, between lines 8 and 9, insert the following:

SEC. 408. (a) Each of the amounts appropriated by this Act (other than the accounts specified in subsection (b)) shall be reduced by the percentage that results in a total reduction in appropriations under this Act of \$20,000,000.

(b) In addition to the amounts appropriated by this Act under the following accounts, there are hereby appropriated under such accounts, out of any money in the Treasury not otherwise appropriated, the following amounts for the following purposes:

(1) For “Contributions to International Organizations”, \$7,000,000, which amount shall be available only for contributions to the International Criminal Tribunal for the former Yugoslavia and the International Criminal Tribunal for Rwanda.

(2) For “Contributions for International Peacekeeping Activities”, \$13,000,000, which amount shall be available only for contributions to the International Criminal Tribunal for the former Yugoslavia and the International Criminal Tribunal for Rwanda.

GREGG (AND HOLLINGS)
AMENDMENT NO. 1308

Mr. GREGG (for himself and Mr. HOLLINGS) proposed an amendment to the bill, S. 1217, *supra*; as follows:

On page 8, line 13, strike “\$25,000,000” and insert “\$27,000,000”.

On page 8, line 23, insert before the period: “; and of which \$1,000,000 shall be for the task force coordinated by the Office of the United States Attorney for the Eastern District of Wisconsin, and \$1,000,000 shall be for the task forces coordinated by the Office of the United States Attorney for the Western District of New York and task forces coordinated by the Office of the United States Attorney for the Northern District of New York”.

On page 19, line 23, after the colon, insert the following: “*Provided further*, That any Border Patrol agent classified in a GS-1896 position who completes a one-year period of service at a GS-9 grade and whose current rating of record is fully successful or higher shall be classified at a GS-11 grade and receive pay at the minimum rate of basic pay

for a GS-11 position: *Provided further*, That the Commissioner shall have the authority to provide a language proficiency bonus, as a recruitment incentive, to graduates of the Border Patrol Academy from funds otherwise provided for language training: [*Provided further*, the Commissioner shall fully coordinate and link all Immigration and Naturalization Service databases, including IDENT, with databases of the Department of Justice and other federal law enforcement agencies containing information on criminal histories and records of prior deportations:] *Provided further*, That the Immigration and Naturalization Service shall only accept cash or a cashier's check when receiving or processing applications for benefits under the Immigration and Nationality Act:”.

On page 27, line 15, after “Initiative,” insert the following: “of which \$500,000 is available for a new truck safety initiative in the State of new Jersey.”

On page 27, line 15, after “Initiative,” insert the following: “of which \$100,000 shall be used to award a grant to Charles Mix County, South Dakota, to upgrade the 911 emergency telephone system.”

On page 29, line 16, before the semicolon, insert the following: “, of which \$300,000 shall be used to award a grant to the Wakpa Sica Historical Society”.

On page 32, line 23, strike “.” and insert the following: “, of which \$500,000 shall be made available for the Youth Advocacy Program.”

At the end of title I, insert the following:

“SEC. . No funds provided in this Act may be used by the Office of Justice Programs to support a grant to pay for State and local law enforcement overtime in extraordinary, emergency situations unless the Appropriations Committees of both Houses of Congress are notified in accordance with the procedures contained in Section 605 of this Act.”

At the end of title I, insert the following:

“SEC. . Hereafter, notwithstanding any other provision of law, the Attorney General shall grant a national interest waiver under section 203(b)(2)(B) of the Immigration and Nationality Act (8 U.S.C. 1153(b)(2)(B)) on behalf of any alien physician with respect to whom a petition for preference classification has been filed under section 203(b)(2)(A) of such Act (8 U.S.C. 1153(b)(2)(A)) if—

(1) the alien physician seeks to work in an area designated by the Secretary of Health and Human Services as having a shortage of health care professionals or at a health care facility under the jurisdiction of the Department of Veterans Affairs; and

(2) a Federal agency or a State department of public health has previously determined that the alien physician's work in such an area or at such facility was in the public interest.”

On page 57, line 16, delete “\$1,776,728,000” and insert in lieu thereof: “\$1,782,728,000”; and

On page 57, line 17, before the colon, insert “, of which \$6,000,000 shall be used by the National Ocean Service as response and restoration funding for coral reef assessment, monitoring, and restoration, and from available funds, \$1,000,000 shall be made available for essential fish habitat activities, and \$250,000 shall be made available for a bull trout habitat conservation plan”.

On page 58, line 20, before the period, insert the following: “: *Provided further*, That the Secretary may proceed as he deems necessary to have the National Oceanic and Atmospheric Administration occupy and operate its research facilities which are located at Lafayette, Louisiana.”

On page 66, line 15, delete “\$34,759,000” and insert in lieu thereof “\$35,903,000”.

On page 66, line 20, delete “\$18,123,000” and insert in lieu thereof: “\$8,002,000”.

On page 66, line 20, delete “\$15,222,000” and insert in lieu thereof: “5,101,000”.

On page 73, line 6, insert before the period: “: *Provided*, That \$9,611,000 is appropriated for salary adjustments pursuant to this section and such funds shall be transferred to and merged with appropriations in Title III of this Act”.

On page 88, line 17, strike “may” and insert “should”.

On page 98, line 24 delete “\$251,300,000” and insert in lieu thereof: “\$246,300,000”.

On page 100, line 2, strike “(d)” and insert in lieu thereof: “(e)”.

On page 100, line 9, strike “.”, insert the following: “: *Provided further*, That during fiscal year 2000, debentures guaranteed under Title III of the Small Business Investment Act of 1958, as amended, shall not exceed the amount authorized under section 20(e)(1)(C)(ii).”.

DOMENICI AMENDMENT NO. 1309

Mr. GREGG (for Mr. DOMENICI) proposed an amendment to the bill, S. 1217, *supra*; as follows:

At an appropriate place in the bill, add the following new section:

SEC. . For fiscal year 2000, the Director of the United States Marshals Service shall, within available funds, provide a magnetometer and not less than one qualified guard at each unsecured entrance to the real property (including offices, buildings, and related grounds and facilities) that is leased to the United States as a place of employment for Federal employees at 625 Silver, S.W., in Albuquerque, New Mexico.

COVERDELL (AND OTHERS) AMENDMENT NO. 1310

Mr. GREGG (for Mr. COVERDELL (for himself, Mr. KYL, Mr. SESSIONS, Mr. ABRAHAM, Mr. DEWINE, and Mrs. SNOWE) proposed an amendment to the bill, S. 1217, *supra*; as follows:

On page 99, line 9, insert before the period the following: “*Provided further*, That \$1,800,000 shall be made available to carry out the drug-free workplace demonstration program under section 27 of the Small Business Act (15 U.S.C. 654)”.

STEVENS AMENDMENT NO. 1311

Mr. GREGG (for Mr. STEVENS) proposed an amendment to the bill, S. 1217, *supra*; as follows:

S. 1217 is amended as follows:

At page 59, line 12 strike “\$20,000,000” and insert in lieu thereof “\$18,000,000”.

At page 59, line 14 strike “Alaska” and insert in lieu thereof “\$20,000,000 is made available as a direct payment to the State of Alaska.”

At page 59, lines 22 and 23 strike the comma and the phrase “subject to express authorization”

At page 60, lines 2 and 3 strike the comma and the phrase “subject to express authorization”

At page 76, line 11 strike the comma and the phrase “subject to express authorization”

At the appropriate place in “TITLE VI—GENERAL PROVISIONS” insert the following new section:

“SEC. . (a) To implement the June 3, 1999 Agreement of the United States and Canada on the Treaty Between the Government of the United States of America and the Government of Canada Concerning Pacific Salmon (the “1999 Agreement”) \$140,000,000 is authorized only for use and expenditure as described in subsection (b).

(b)(1) \$75,000,000 for grants to provide the initial capital for a Northern Boundary and Transboundary Rivers Restoration and Enhancement Fund to be held by the Pacific Salmon Commission and administered jointly by the Pacific Salmon Commission Commissioner for the State of Alaska with Canada according to a trust agreement to be entered into by the United States and Canada for the purposes of research, habitat restoration, and fish enhancement to promote abundance-based, conservation-oriented fishing regimes.

(2) \$65,000,000 for grants to provide the initial capital for a Southern Boundary and Transboundary Rivers Restoration and Enhancement Fund to be held by the Pacific Salmon Commission and administered jointly with Canada by the Pacific Salmon Commission Commissioners for the States of Washington, Oregon, and California according to a trust agreement to be entered into by the United States and Canada for the purposes of research, habitat restoration, and fish enhancement to promote abundance-based, conservation-oriented fishing regimes.

(3)(i) Amounts provided by grants under paragraphs (1) and (2) may be held in interest-bearing accounts prior to the disbursement of such funds for programs purposes, and any interest earned by be retained for program purposes without further appropriation by Congress;

(ii) the Northern Boundary and Transboundary Rivers Restoration and Enhancement Fund and Southern Boundary and Transboundary Rivers Restoration and Enhancement Fund are subject to the laws governing federal appropriations and funds and to unrescinded circulars of the Office of Management and Budget, including the audit requirements of Office of Management and Budget Circular Nos. A-110, A-122 and A-133; and

(iii) Recipients of funds from the Northern Boundary and Transboundary Rivers Restoration and Enhancement Fund and Southern Boundary and Transboundary Rivers Restoration and Enhancement Fund, which for the purposes of this subparagraph shall include interest earned pursuant to subparagraph (i), shall keep separate accounts and such records as may be reasonably necessary to disclose the use of the funds as well as facilitate effective audits.

(c) The President shall submit a request for funds to implement this section as part of this official budget request for the Fiscal Year 2001.”

STEVENS AMENDMENT NO. 1312

Mr. GREGG (for Mr. STEVENS) proposed an amendment to the bill, S. 1217, *supra*; as follows:

S. 1217 is amended as follows:

At the appropriate place in “TITLE VI—GENERAL PROVISIONS” insert the following new section:

“SEC. . Funds made available under Public Law 105-277 for costs associated with implementation of the American Fisheries Act of 1998 (Division C, title II, of Public Law 105-277) for vessel documentation activities shall remain available until expended.”

CHAFEE AMENDMENT NO. 1313

Mr. GREGG (for Mr. CHAFEE) proposed an amendment to the bill, S. 1217, *supra*; as follows:

On page 57, line 17, before the colon, insert the following: “, of which \$112,520,000 shall be used for resource information activities of the National Marine Fisheries Service and \$806,000 shall be used for the Narragansett Bay cooperative study conducted by the

Rhode Island Department of Environmental Management in cooperation with the Federal Government.”

COCHRAN AMENDMENT NO. 1314

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

On page 25, line 5, before “and” insert “of which \$2,000,000 shall be made available to the Department of Psychiatry and Human Behavior at the University of Mississippi School of Medicine for research in addictive disorders and their connection to youth violence”.

DEWINE (AND LEAHY) AMENDMENT NO. 1315

Mr. GREGG (for Mr. DEWINE (for himself and Mr. LEAHY)) proposed an amendment to the bill, S. 1217, supra; as follows:

“On page 27, lines 14 and 15, strike “for the Crime Identification Technology Initiative” and insert “to carry out section 102 of the Crime Identification Technology Act of 1998 (42 U.S.C. 14601), including for grants for law enforcement equipment for discretionary grants to States, Local units of Government, and Indian Tribes”.

GRAMS (AND OTHERS) AMENDMENT NO. 1316

Mr. GREGG (for Mr. GRAMS (for himself, Mrs. BOXER, and Mr. DURBIN)) proposed an amendment to the bill, S. 1217, supra; as follows:

On page 81, line 25, insert the following after “reforms”: “*Provided further*, That any additional amount provided, not to exceed \$107 million, which is owed by the United Nations to the United States as a reimbursement, including any reimbursement under the Foreign Assistance Act of 1961 or the United Nations Participation Act of 1945, that was owed to the United States before the date of enactment of this Act shall be applied or used, without fiscal year limitation, to reduce any amount owed by the United States to the United Nations, except that any such reduction pursuant to the authority in this paragraph shall not be made unless expressly authorized by the enactment of a separate Act that makes payment of arrearages contingent upon United Nations reform”.

GREGG AMENDMENT NO. 1317

Mr. GREGG proposed an amendment to the bill, S. 1217, supra; as follows:

At the end of title IV, insert the following:

SEC. . None of the funds appropriated or otherwise made available in this Act for the United Nations may be used by the United Nations for the promulgation or enforcement of any treaty, resolution, or regulation authorizing the United Nations, or any of its specialized agencies or affiliated organizations, to tax any aspect of the Internet.

GREGG (AND HOLLINGS) AMENDMENT NO. 1318

Mr. GREGG (for himself and Mr. HOLLINGS) proposed an amendment to the bill, S. 1217, supra; as follows:

At the end of title I, insert the following:

“SEC. . Section 286(q)(1)(A) of the Immigration and Nationality Act of 1953 (8 U.S.C. 1356(q)(1)(A)), as amended, is further amended—

- (1) by deleting clause (ii);
- (2) by renumbering clause (iii) as (ii); and
- (3) by striking “, until September 30, 2000,” in clause (iv) and renumbering that clause as (iii)”.

ASHCROFT AMENDMENT NO. 1319

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

On page 111, between lines 7 and 8, insert the following:

SEC. 620. (a) FINDINGS.—The Senate makes the following findings:

(1) Iran has been designated as a state sponsor of terrorism by the Secretary of State and continues to be among the most active supporters of terrorism in the world.

(2) According to the State Department’s annual report entitled “Patterns of Global Terrorism”, Iran supports Hezbollah, Hamas, and the Palestinian Islamic Jihad, terrorist organizations which oppose the Middle East peace process, continue to work for the destruction of Israel, and have killed United States citizens.

(3) A United States district court ruled in March 1998 that Iran should pay \$247,000,000 to the family of Alisa Flatow, a United States citizen killed in a bomb attack orchestrated by the Palestinian Islamic Jihad in Gaza in April 1995.

(4) The Government of Iran continues to maintain a repressive political regime in which the civil liberties of the people of Iran are denied.

(5) The State Department Country Report on Human Rights states that the human rights record of the Government of Iran remains poor, including “extra judicial killings and summary executions; disappearances; widespread use of torture and other degrading treatment; harsh prison conditions; arbitrary arrest and detention; lack of due process; unfair trials; infringement on citizen’s privacy; and restrictions on freedom of speech, press, assembly, association, religion, and movement”.

(6) Religious minorities in Iran have been persecuted solely because of their faith, and the Government of Iran has detained 13 members of Iran’s Jewish community without charge.

(7) Recent student-led protests in Iran were repressed by force, with possibly five students losing their lives and hundreds more being imprisoned.

(8) The Government of Iran is pursuing an aggressive ballistic missile program with foreign assistance and is seeking to develop weapons of mass destruction which threaten United States allies and interests.

(9) Despite the continuation by the Government of Iran of repressive activities in Iran and efforts to threaten United States allies and interests in the Near East and South Asia, the President waived provisions of the Iran and Libya Sanctions Act of 1996 (Public Law 104-172; 50 U.S.C. 1701 note) intended to impede development of the energy sector in Iran.

(b) SENSE OF SENATE.—It is the sense of the Senate that—

(1) the President should condemn in the strongest possible terms the failure of the Government of Iran to implement genuine political reforms and protect the civil liberties of the people of Iran, which failure was most recently demonstrated in the violent repression of student-led protests in Teheran and other cities by the Government of Iran;

(2) the President should support democratic opposition groups in Iran more aggressively;

(3) the detention of 13 members of the Iranian Jewish community by the Government

of Iran is a deplorable violation of due process and a clear example of the policies of the Government of Iran to persecute religious minorities; and

(4) the decision of the President to waive provisions of the Iran and Libya Sanctions Act of 1996 intended to impede development of the energy sector in Iran was regrettable and should be reversed as long as Iran continues to threaten United States interests and allies in the Near East and South Asia through state sponsorship of terrorism and efforts to acquire weapons of mass destruction and the missiles to deliver such weapons.

HATCH AMENDMENT NO. 1320

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

At the appropriate place, insert:

SECTION 1. HATE CRIMES.

(a) DECLARATIONS.—Congress declares that—

(1) further efforts must be taken at all levels of government to respond to the staggering brutality of hate crimes that have riveted public attention and shocked the Nation;

(2) hate crimes are prompted by bias and are committed to send a message of hate to targeted communities, usually defined on the basis of immutable traits;

(3) the prominent characteristic of a hate crime is that it devastates not just the actual victim and the victim’s family and friends, but frequently savages the community sharing the traits that caused the victim to be selected;

(4) any efforts undertaken by the Federal Government to combat hate crimes must respect the primacy that States and local officials have traditionally been accorded in the criminal prosecution of acts constituting hate crimes; and

(5) an overly broad reaction by the Federal Government to this serious problem might ultimately diminish the accountability of State and local officials in responding to hate crimes and transgress the constitutional limitations on the powers vested in Congress under the Constitution.

(b) STUDIES.—

(1) COLLECTION OF DATA.—

(A) DEFINITION OF HATE CRIME.—In this paragraph, the term “hate crime” means—

(i) a crime described in subsection (b)(1) of the first section of the Hate Crime Statistics Act (28 U.S.C. 534 note); and

(ii) a crime that manifests evidence of prejudice based on gender or age.

(B) COLLECTION FROM CROSS-SECTION OF STATES.—Not later than 120 days after the date of enactment of this Act, the Comptroller General of the United States, in consultation with the National Governors’ Association, shall select 10 jurisdictions with laws classifying certain types of crimes as hate crimes and 10 jurisdictions without such laws from which to collect data described in subparagraph (C) over a 12-month period.

(C) DATA TO BE COLLECTED.—The data to be collected are—

(i) the number of hate crimes that are reported and investigated;

(ii) the percentage of hate crimes that are prosecuted and the percentage that result in conviction;

(iii) the length of the sentences imposed for crimes classified as hate crimes within a jurisdiction, compared with the length of sentences imposed for similar crimes committed in jurisdictions with no hate crime laws; and

(iv) references to and descriptions of the laws under which the offenders were punished.

(D) COSTS.—Participating jurisdictions shall be reimbursed for the reasonable and necessary costs of compiling data under this paragraph.

(2) STUDY OF TRENDS.—

(A) IN GENERAL.—Not later than 18 months after the date of enactment of this Act, the Comptroller General of the United States and the General Accounting Office shall complete a study that analyzes the data collected under paragraph (1) and under the Hate Crime Statistics Act of 1990 to determine the extent of hate crime activity throughout the country and the success of State and local officials in combating that activity.

(B) IDENTIFICATION OF TRENDS.—In the study conducted under subparagraph (A), the Comptroller General of the United States and the General Accounting Office shall identify any trends in the commission of hate crimes specifically by—

- (i) geographic region;
- (ii) type of crime committed; and
- (iii) the number of hate crimes that are prosecuted and the number for which convictions are obtained.

(c) MODEL STATUTE.—

(1) IN GENERAL.—To encourage the identification and prosecution of hate crimes throughout the country, the Attorney General shall, through the National Conference of Commissioners on Uniform State Laws of the American Law Institute or another appropriate forum, and in consultation with the States, develop a model statute to carry out the goals described in subsection (a) and criminalize acts classified as hate crimes.

(2) REQUIREMENTS.—In developing the model statute, the Attorney General shall—

(A) include in the model statute crimes that manifest evidence of prejudice; and

(B) prepare an analysis of all reasons why any crime motivated by prejudice based on any traits of a victim should or should not be included.

(d) SUPPORT FOR CRIMINAL INVESTIGATIONS AND PROSECUTIONS BY STATE AND LOCAL LAW ENFORCEMENT OFFICIALS.—

(1) ASSISTANCE OTHER THAN FINANCIAL ASSISTANCE.—

(A) IN GENERAL.—At the request of a law enforcement official of a State or a political subdivision of a State, the Attorney General, acting through the Director of the Federal Bureau of Investigation, shall provide technical, forensic, prosecutorial, or any other form of assistance in the criminal investigation or prosecution of any crime that—

(i) constitutes a crime of violence (as defined in section 16 of title 18, United States Code);

(ii) constitutes a felony under the laws of the State; and

(iii) is motivated by prejudice based on the victim's race, ethnicity, or religion or is a violation of the State's hate crime law.

(B) PRIORITY.—In providing assistance under subparagraph (A), the Attorney General shall give priority to crimes committed by offenders who have committed crimes in more than 1 State.

(2) GRANTS.—

(A) IN GENERAL.—There is established a grant program within the Department of Justice to assist State and local officials in the investigation and prosecution of hate crimes.

(B) ELIGIBILITY.—A State or political subdivision of a State applying for assistance under this paragraph shall—

(i) describe the purposes for which the grant is needed; and

(ii) certify that the State or political subdivision lacks the resources necessary to investigate or prosecute the hate crime.

(C) DEADLINE.—An application for a grant under this paragraph shall be approved or disapproved by the Attorney General not later than 24 hours after the application is submitted.

(D) GRANT AMOUNT.—A grant under this paragraph shall not exceed \$100,000 for any single case.

(E) REPORT.—Not later than December 31, 2001, the Attorney General, in consultation with the National Governors' Association, shall submit to Congress a report describing the applications made for grants under this paragraph, the award of such grants, and the effectiveness of the grant funds awarded.

(F) AUTHORIZATION OF APPROPRIATIONS.—There is authorized to be appropriated to carry out this paragraph \$5,000,000 for each of fiscal years 2000 and 2001.

(e) INTERSTATE TRAVEL TO COMMIT HATE CRIME.—

(1) IN GENERAL.—Chapter 13 of title 18, United States Code, is amended by adding at the end the following:

§ 249. Interstate travel to commit hate crime

“(a) IN GENERAL.—A person, whether or not acting under color of law, who—

“(1) travels across a State line or enters or leaves Indian country in order, by force or threat of force, to willfully injure, intimidate, or interfere with, or by force or threat of force to attempt to injure, intimidate, or interfere with, any person because of the person's race, color, religion, or national origin; and

“(2) by force or threat of force, willfully injures, intimidates, or interferes with, or by force or threat of force attempts to willfully injure, intimidate, or interfere with any person because of the person's race, color, religion, or national origin, shall be subject to a penalty under subsection (b).

“(b) PENALTIES.—A person described in subsection (a) who is subject to a penalty under this subsection—

“(1) shall be fined under this title, imprisoned not more than 1 year, or both;

“(2) if bodily injury results or if the violation includes the use, attempted use, or threatened use of a dangerous weapon, explosives, or fire, shall be fined under this title, imprisoned not more than 10 years, or both; or

“(3) if death results or if the violation includes kidnapping or an attempt to kidnap, aggravated sexual abuse or an attempt to commit aggravated sexual abuse, or an attempt to kill—

“(A) shall be fined under this title, imprisoned for any term of years or for life, or both; or

“(B) may be sentenced to death.”.

(2) TECHNICAL AMENDMENT.—The analysis for chapter 13 of title 18, United States Code, is amended by adding at the end the following:

“249. Interstate travel to commit hate crime.”.

SNOWE AMENDMENT NO. 1321

Mr. GREGG (for Ms. SNOWE) proposed an amendment to the bill, S. 1217 supra; as follows:

At the appropriate place, insert the following:

SEC. . NEW ENGLAND FISHERY MANAGEMENT COUNCIL.

Section 302(a)(1)(A) of the Magnuson-Stevens Fishery Conservation and Management Act (16 U.S.C. 1852(a)(1)(A)) is amended—

(1) by striking “17” and inserting “18”; and

(2) by striking “11” and inserting “12”.

HATCH (AND LEAHY) AMENDMENT NO. 1322

Mr. GREGG (for Mr. HATCH (for himself and Mr. LEAHY)) proposed an amendment to the bill, S. 1217 supra; as follows:

At the appropriate place in the bill, insert:

SEC. . PLACE OF HOLDING COURT AT CENTRAL ISLIP, NEW YORK.

The second paragraph of Section 112(c) of title 28, United States Code is amended to read—

“Court for the Eastern District shall be held at Brooklyn, Hauppauge, Hempstead (including the village of Uniondale), and Central Islip.”

SEC. . WEST VIRGINIA CLERK CONSOLIDATION APPROVAL.

Pursuant to the requirements of Section 156(d) of title 28, United States Code, Congress hereby approves the consolidation of the office of the bankruptcy clerk with the office of the district clerk of court in the Southern District of West Virginia.

SEC. . SENIOR JUDGE'S CHAMBERS IN PROVO, UTAH.

The Internal Revenue Service is directed to vacate sufficient space in the Federal Building in Provo, Utah as soon as practicable to provide space for a senior judge's chambers in that building. The General Services Administration is directed to provide interim space for a senior judge's chambers in Provo, Utah and to complete a permanent senior judge's chambers in the Federal Building located in that city as soon as practicable.

KERRY AMENDMENT NO. 1323

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

In the Salaries and Expense Account of the Small Business Administration, insert at the end of the paragraph: “*Provided further*, That \$23,200,000 shall be available to fund grants for Microloan Technical Assistance as authorized by section 7(m) of the Small Business Act.”

HOLLINGS (AND OTHERS) AMENDMENT NO. 1324

Mr. HOLLINGS (for himself, Mr. DASCHLE, Mr. DURBIN, Mrs. FEINSTEIN, Mr. JEFFORDS, Mr. LEAHY, Mr. SCHUMER, Mr. SMITH of Oregon, Mr. WYDEN, Mr. DODD, Mr. LAUTENBERG, Mrs. BOXER, Mr. HARKIN, Mr. TORRICELLI, and Mr. LEVIN) proposed an amendment to the bill, S. 1217, supra; as follows:

At the appropriate place, insert the following:

TITLE ____—HATE CRIMES PREVENTION

SEC. . 01. SHORT TITLE.

This title may be cited as the “Hate Crimes Prevention Act of 1999”.

SEC. . 02. FINDINGS.

Congress finds that—

(1) the incidence of violence motivated by the actual or perceived race, color, national origin, religion, sexual orientation, gender, or disability of the victim poses a serious national problem;

(2) such violence disrupts the tranquility and safety of communities and is deeply divisive;

(3) existing Federal law is inadequate to address this problem;

(4) such violence affects interstate commerce in many ways, including—

(A) by impeding the movement of members of targeted groups and forcing such members to move across State lines to escape the incidence or risk of such violence; and

(B) by preventing members of targeted groups from purchasing goods and services, obtaining or sustaining employment or participating in other commercial activity;

(5) perpetrators cross State lines to commit such violence;

(6) instrumentalities of interstate commerce are used to facilitate the commission of such violence;

(7) such violence is committed using articles that have traveled in interstate commerce;

(8) violence motivated by bias that is a relic of slavery can constitute badges and incidents of slavery;

(9) although many State and local authorities are now and will continue to be responsible for prosecuting the overwhelming majority of violent crimes in the United States, including violent crimes motivated by bias, Federal jurisdiction over certain violent crimes motivated by bias is necessary to supplement State and local jurisdiction and ensure that justice is achieved in each case;

(10) Federal jurisdiction over certain violent crimes motivated by bias enables Federal, State, and local authorities to work together as partners in the investigation and prosecution of such crimes;

(11) the problem of hate crime is sufficiently serious, widespread, and interstate in nature as to warrant Federal assistance to States and local jurisdictions; and

(12) freedom of speech and association are fundamental values protected by the first amendment to the Constitution of the United States, and it is the purpose of this title to criminalize acts of violence, and threats of violence, carried out because of the actual or perceived race, color, religion, national origin, gender, sexual orientation, or disability of the victim, not to criminalize beliefs in the abstract.

SEC. 03. DEFINITION OF HATE CRIME.

In this title, the term "hate crime" has the same meaning as in section 28003(a) of the Violent Crime Control and Law Enforcement Act of 1994 (28 U.S.C. 994 note).

SEC. 04. PROHIBITION OF CERTAIN ACTS OF VIOLENCE.

Section 245 of title 18, United States Code, is amended—

(1) by redesignating subsections (c) and (d) as subsections (d) and (e), respectively; and

(2) by inserting after subsection (b) the following:

"(c)(1) Whoever, whether or not acting under color of law, willfully causes bodily injury to any person or, through the use of fire, a firearm, or an explosive device, attempts to cause bodily injury to any person, because of the actual or perceived race, color, religion, or national origin of any person—

"(A) shall be imprisoned not more than 10 years, or fined in accordance with this title, or both; and

"(B) shall be imprisoned for any term of years or for life, or fined in accordance with this title, or both if—

"(i) death results from the acts committed in violation of this paragraph; or

"(ii) the acts committed in violation of this paragraph include kidnapping or an attempt to kidnap, aggravated sexual abuse or an attempt to commit aggravated sexual abuse, or an attempt to kill.

"(2)(A) Whoever, whether or not acting under color of law, in any circumstance described in subparagraph (B), willfully causes bodily injury to any person or, through the

use of fire, a firearm, or an explosive device, attempts to cause bodily injury to any person, because of the actual or perceived religion, gender, sexual orientation, or disability of any person—

"(i) shall be imprisoned not more than 10 years, or fined in accordance with this title, or both; and

"(ii) shall be imprisoned for any term of years or for life, or fined in accordance with this title, or both, if—

"(I) death results from the acts committed in violation of this paragraph; or

"(II) the acts committed in violation of this paragraph include kidnapping or an attempt to kidnap, aggravated sexual abuse or an attempt to commit aggravated sexual abuse, or an attempt to kill.

"(B) For purposes of subparagraph (A), the circumstances described in this subparagraph are that—

"(i) in connection with the offense, the defendant or the victim travels in interstate or foreign commerce, uses a facility or instrumentality of interstate or foreign commerce, or engages in any activity affecting interstate or foreign commerce; or

"(ii) the offense is in or affects interstate or foreign commerce.

"(3) No prosecution of any offense described in this subsection may be undertaken by the United States, except upon the certification in writing of the Attorney General, the Deputy Attorney General, the Associate Attorney General, or any Assistant Attorney General specially designated by the Attorney General that—

"(A) he or she has reasonable cause to believe that the actual or perceived race, color, national origin, religion, sexual orientation, gender, or disability of any person was a motivating factor underlying the alleged conduct of the defendant; and

"(B) that he or his designee or she or her designee has consulted with State or local law enforcement officials regarding the prosecution and determined that—

"(i) the State does not have jurisdiction or refuses to assume jurisdiction;

"(ii) the State has requested that the Federal Government assume jurisdiction; or

"(iii) actions by State and local law enforcement officials have or are likely to leave demonstratively unvindicated the Federal interest in eradicating bias-motivated violence.".

SEC. 05. DUTIES OF FEDERAL SENTENCING COMMISSION.

(a) AMENDMENT OF FEDERAL SENTENCING GUIDELINES.—Pursuant to its authority under section 994 of title 28, United States Code, the United States Sentencing Commission shall study the issue of adult recruitment of juveniles to commit hate crimes and shall, if appropriate, amend the Federal sentencing guidelines to provide sentencing enhancements (in addition to the sentencing enhancement provided for the use of a minor during the commission of an offense) for adult defendants who recruit juveniles to assist in the commission of hate crimes.

(b) CONSISTENCY WITH OTHER GUIDELINES.—In carrying out this section, the United States Sentencing Commission shall—

(1) ensure that there is reasonable consistency with other Federal sentencing guidelines; and

(2) avoid duplicative punishments for substantially the same offense.

SEC. 06. GRANT PROGRAM.

(a) AUTHORITY TO MAKE GRANTS.—The Office of Justice Programs of the Department of Justice shall make grants, in accordance with such regulations as the Attorney General may prescribe, to State and local programs designed to combat hate crimes committed by juveniles, including programs to

train local law enforcement officers in investigating, prosecuting, and preventing hate crimes.

(b) AUTHORIZATION OF APPROPRIATIONS.—There are authorized to be appropriated such sums as may be necessary to carry out this section.

SEC. 07. AUTHORIZATION FOR ADDITIONAL PERSONNEL TO ASSIST STATE AND LOCAL LAW ENFORCEMENT.

There are authorized to be appropriated to the Department of the Treasury and the Department of Justice, including the Community Relations Service, for fiscal years 2000, 2001, and 2002 such sums as are necessary to increase the number of personnel to prevent and respond to alleged violations of section 245 of title 18, United States Code (as amended by this title).

SEC. 08. SEVERABILITY.

If any provision of this title, an amendment made by this title, or the application of such provision or amendment to any person or circumstance is held to be unconstitutional, the remainder of this title, the amendments made by this title, and the application of the provisions of such to any person or circumstance shall not be affected thereby.

GRAHAM AMENDMENT NO. 1325

Mr. HOLLINGS (for Mr. GRAHAM) proposed an amendment to the bill, S. 1217, *supra*; as follows:

At the end of title I, add the following:

SEC. . (a) In this section:

(1) The term "hate crime" has the meaning given the term in section 28003(a) of the Violent Crime Control and Law Enforcement Act of 1994 (28 U.S.C. 994 note).

(2) The term "older individual" means an individual who is age 65 or older.

(b) The Attorney General shall conduct a study concerning—

(1) whether an older individual is more likely than the average individual to be the target of a crime;

(2) the extent of crimes committed against older individuals; and

(3) the extent to which crimes committed against older individuals are hate crimes.

(c) Not later than 180 days after the date of enactment of this Act, the Attorney General shall submit to Congress a report containing the results of the study.

REED AMENDMENT NO. 1326

Mr. HOLLINGS (for Mr. REED) proposed an amendment to the bill, S. 1217, *supra*; as follows:

At the appropriate place in the bill, insert the following:

SEC. . EXTENSION OF TEMPORARY PROTECTED STATUS FOR CERTAIN NATIONALS OF LIBERIA.

(a) CONTINUATION OF STATUS.—Notwithstanding any other provision of law, any alien described in subsection (b) who, as of the date of enactment of this Act, is registered for temporary protected status in the United States under section 244(c)(1)(A)(iv) of the Immigration and Nationality Act (8 U.S.C. 1254a(c)(1)(A)(iv)), or any predecessor law, order, or regulation, shall be entitled to maintain that status through September 30, 2000.

(b) COVERED ALIENS.—An alien referred to in subsection (a) is a national of Liberia or an alien who has no nationality and who last habitually resided in Liberia.

BRYAN AMENDMENT NO. 1327

Mr. HOLLINGS (for Mr. BRYAN) proposed an amendment to the bill, S. 1217, *supra*; as follows:

At the appropriate place in title II, insert the following:

SEC. 2. SENSE OF SENATE WITH RESPECT TO PROMOTING TRAVEL AND TOURISM.

(a) FINDINGS.—Congress finds that—

(1) an effective public-private partnership of Federal, State, and local governments and the travel and tourism industry can successfully market the United States as the premiere international tourist destination in the world;

(2) the private sector, States, and cities currently spend more than \$1,000,000,000 annually to promote particular destinations within the United States to international visitors;

(3) other nations are spending hundreds of millions of dollars annually to promote the visits of international tourists to their countries, and the United States will miss a major marketing opportunity if it fails to aggressively compete for an increased share of international tourism expenditures as they continue to increase over the next decade;

(4) a well-funded, well-coordinated international marketing effort, combined with additional public and private sector efforts, would help small and large businesses, as well as State and local governments, share in the anticipated growth of the international travel and tourism market in the 21st century; and

(5) a long-term marketing effort should be supported to promote increased travel to the United States for the benefit of every sector of the economy.

(b) SENSE OF THE SENATE.—It is the sense of the Senate that Congress should enact this year, with adequate funding from available resources, legislation that would support international promotional activities by the United States National Tourism Organization to help brand, position, and promote the United States as the premiere travel and tourism destination in the world.

BINGAMAN AMENDMENT NO. 1328

Mr. HOLLINGS (for Mr. BINGAMAN) proposed an amendment to the bill, S. 1217, *supra*; as follows:

On page 65, after line 25, add the following:

SEC. 209. STUDY OF A GENERAL ELECTRONIC EXTENSION PROGRAM

Not later than six months after the enactment of the Act, the Secretary of Commerce shall report to Congress on possible benefits from a general electronic commerce extension program to help small businesses, not limited to manufacturers, in all parts of the nation identify and adopt electronic commerce technology and techniques, so that such businesses can fully participate in electronic commerce. Such a general extension service would be analogous to the Manufacturing Extension Program managed by the National Institute of Standards and Technology, and the Cooperative Extension Service managed by the Department of Agriculture. The report shall address, at a minimum, the following—

(a) the need for or opportunity presented by such a program;

(b) some of the specific services that such a program should provide and to whom;

(c) how such a program would serve firms in rural or isolated areas;

(d) how such a program should be established, organized, and managed;

(e) the estimated costs of such a program; and

(f) the potential benefits of such a program to both small businesses and the economy as a whole.

MURRAY AMENDMENT NO. 1329

Mr. HOLLINGS (for Mrs. MURRAY) proposed an amendment to the bill, S. 1217, *supra*; as follows:

At page 59, line 14 after the colon insert the following proviso: “*Provided further*, That, of the amounts provided, \$6,000,000 shall be made available to Pacific coastal tribes (as defined by the Secretary of Commerce) through the Department of Commerce, which shall allocate the funds to tribes in California and Oregon, and to tribes in Washington after consultation with the Washington State Salmon Recovery Funding Board; *Provided further*, That the Secretary ensure the aforementioned \$6 million be used for restoration of Pacific salmonid populations listed under the Endangered Species Act; *Provided further*, That funds to tribes in Washington shall be used only for grants for planning (not to exceed 10% of grant), physical design, and completion of restoration projects; and *Provided further*, That each tribe receiving a grant in Washington State derived from the aforementioned \$6 million provide a report on the specific use and effectiveness of such recovery project grant in restoring listed Pacific salmonid populations, which report shall be made public and shall be provided to the Committees on Appropriations in the U.S. House of Representatives and the U.S. Senate through the Salmon Recovery Funding Board by December 1, 2000.”

BOXER AMENDMENT NO. 1330

Mr. HOLLINGS (for Mrs. BOXER) proposed an amendment to the bill, S. 1217, *supra*; as follows:

On page 45, between lines 9 and 10, insert the following:

SEC. . (a) In implementing the Institutional Hearing Program and the Institutional Removal Program of the Immigration and Naturalization Service, the Attorney General shall give priority to—

(1) those aliens serving a prison sentence for a serious violent felony, as defined in section 3559(c)(2)(F) of title 18, United States Code; and

(2) those aliens arrested by the Border Patrol and subsequently incarcerated for drug violations.

(b) Not later than March 31, 2000, the Attorney General shall submit a report to Congress describing the steps taken to carry out subsection (a).

DODD AMENDMENT NO. 1331

Mr. HOLLINGS (for Mr. DODD) proposed an amendment to the bill, S. 1217, *supra*; as follows:

At the appropriate place in the bill add the following:

SEC. . NOTIFICATION OF INTENT TO SELL CERTAIN U.S. PROPERTIES.

Consistent with the regular notification procedures established pursuant to Section 34 of the State Department Basic Authorities Act of 1956, the Secretary of State shall notify in writing the Committees on Foreign Relations and Appropriations in the Senate and the Committees on International Relations and Appropriations in the House of Representatives sixty days in advance of any action taken by the Department to enter into any contract for the final sale of properties owned by the United States that have served as United States Embassies, Consulates General, or residences for United States Ambassadors, Chief of Missions, or Consuls General.

TORRICELLI AMENDMENT NO. 1332

Mr. HOLLINGS (for Mr. TORRICELLI) proposed an amendment to the bill, S. 1217, *supra*; as follows:

On page 27, line 15, after “Initiative,” insert “of which \$500,000 is available for a new truck safety initiative in the State of New Jersey.”

TORRICELLI AMENDMENT NO. 1333

Mr. HOLLINGS (for Mr. TORRICELLI) proposed an amendment to the bill, S. 1217, *supra*; as follows:

On page 45, after line 9, insert the following:

SEC. . Notwithstanding any other provision of law, \$190,000 of funds granted to the City of Camden, New Jersey, in 1996 as a part of a Federal local law enforcement block grant may be retained by Camden and spent for the purposes permitted by the grant through the end of fiscal year 2000.

FEINSTEIN AMENDMENT NO. 1334

Mr. HOLLINGS (for Mrs. FEINSTEIN) proposed an amendment to the bill, S. 1217, *supra*; as follows:

On page 111, insert between lines 7 and 8 following:

SEC. 620. Section 203(p)(1)(B) of the Federal Property and Administrative Services Act of 1949 (40 U.S.C. 484(p)(1)(B)) is amended—

- (1) by striking clause (ii);
- (2) by inserting “or public safety” after “law enforcement”;
- (3) by striking “(I)”;
- (4) by striking “(I)” and inserting “(i)”;
- (5) by striking “(II)” and inserting “(ii)”.

FEINSTEIN AMENDMENT NO. 1335

Mr. HOLLINGS (for Mrs. FEINSTEIN) proposed an amendment to the bill, S. 1217, *supra*; as follows:

On page 15, after line 2, insert:

HIGH INTENSITY INTERSTATE GANG ACTIVITY AREAS PROGRAM

For expenses necessary to establish and implement the High Intensity Interstate Gang Activity Areas Program (including grants, contracts, cooperative agreements and other assistance) pursuant to Section 205 or S. 254 as passed by the Senate on May 20, 1999, and consistent with the funding proportions established therein, \$20,000,000.

On page 21, line 16, strike “3,156,895,000” and insert “3,136,895,000.”

DEWINE (AND LEVIN) AMENDMENT NO. 1336

Mr. GREGG (for Mr. DEWINE (for himself and Mr. LEVIN)) proposed an amendment to the bill, S. 1217, *supra*; as follows:

On page 57, line 16, strike “\$1,776,728,00” and insert “\$1,777,118,000”.

On page 57, line 17, before the colon, insert the following: “; of which \$390,000 shall be used by National Ocean Service to upgrade an additional 13 Great Lakes water gauging stations in order to ensure compliance with Year 2000 (Y2K) computer date processing requirements”.

KERRY AMENDMENT NO. 1337

Mr. HOLLINGS (for Mr. KERREY) proposed an amendment to the bill, S. 1217, *supra*; as follows:

On page 34, line 25, after “title”, insert the following: *Provided further*, That of the total amount appropriated not to exceed \$550,000 shall be available to the Lincoln Action Program’s Youth Violence Alternative Project.”

KERREY AMENDMENT NO. 1338

Mr. HOLLINGS (for Mr. KERREY) proposed an amendment to the bill, S. 1217, *supra*; as follows:

On page 26 of S. 1217, line 2 after the word “Programs”, strike the period and insert the following: “*Provided further*, That of the total amount appropriated, not to exceed \$1,000,000 shall be available to the Team-Mates of Nebraska project.”

SCHUMER AMENDMENT NO. 1339

Mr. HOLLINGS (for Mr. SCHUMER) proposed an amendment to the bill, S. 1217, *supra*; as follows:

On page 98, line 16, before the period, insert the following: “*Provided further*, That the Commission shall conduct a study on the effects of electronic communications networks and extended trading hours on securities markets, including effects on market volatility, market liquidity, and best execution practices”.

SCHUMER (AND KOHL) AMENDMENT NO. 1340

Mr. HOLLINGS (for Mr. SCHUMER (for himself and Mr. KOHL)) proposed an amendment to the bill, S. 1217, *supra*; as follows:

On page 8, line 13, strike “\$25,000,000” and insert “\$27,000,000”.

On page 8, line 23, insert before the period “; and of which \$1,000,000 shall be for the task force coordinated by the Office of the United States Attorney for the Eastern District of Wisconsin, and \$1,000,000 shall be for task forces coordinated by the Office of the United States Attorney for the Western District of New York and task forces coordinated by the Office of the United States Attorney for the Northern District of New York.”

JEFFORDS (AND LEAHY) AMENDMENT NO. 1341

Mr. GREGG (for Mr. JEFFORDS (for himself and Mr. LEAHY)) proposed an amendment to the bill, S. 1217, *supra*; as follows:

On page 78, line 8, before the period insert the following: “*Provided further*, That, of the amount appropriated under this heading for the Fulbright program, such sums as may be available may be used for the Tibetan Exchange Program”.

GORTON (AND OTHERS) AMENDMENT NO. 1342

Mr. GREGG (for Mr. GORTON (for himself, Mr. DODD, Mr. MCCAIN, Mr. HOLLINGS, and Mr. ROCKEFELLER)) proposed an amendment to the bill, S. 1217, *supra*; as follows:

At the appropriate place, insert the following:

SEC. . SENSE OF THE SENATE REGARDING THE EUROPEAN COUNCIL NOISE RULE AFFECTING HUSHKITTED AND REENGINEED AIRCRAFT.

(a) FINDINGS.—The Senate finds that—

(1) For more than 50 years, the International Civil Aviation Organization (ICAO)

has been the single entity vested with the authority to establish international noise and emissions standards; through ICAO’s efforts, aircraft noise has decreased by an average of 40 percent since 1970;

(2) ICAO is currently working on an expedited basis on even more stringent international noise standards, taking into account economic reasonableness, technical feasibility and environmental benefits.

(3) International noise and emissions standards are critical to maintaining U.S. aeronautical industries’ economic viability and to obtaining their ongoing commitment to progressively more stringent noise reduction efforts;

(4) European Council (EC) Regulation No. 925/1999, banning certain aircraft meeting the highest internationally recognized noise standards from flying in Europe, undermines the integrity of the ICAO process and undercuts the likelihood that new Stage 4 standards can be developed;

(5) While no regional standard is acceptable, this regulation is particularly offensive; there is no scientific basis for the regulation and it has been carefully crafted to protect European aviation interests while imposing arbitrary, substantial and unfounded cost burdens on United States’ aeronautical industries;

(6) The vast majority of aircraft that will be affected by EC Regulation No. 925/1999 are operated by U.S. flag carriers; and

(7) The implementation of EC Regulation No. 925/1999 will result in a loss of jobs in the United States and may cost the U.S. aviation industry in excess of \$2,000,000.

(b) SENSE OF THE SENATE.—It is the sense of the Senate that—

(1) EC Regulation No. 925/1999 should be rescinded by the EC at the earliest possible time;

(2) that if this is not done, the Department of State should file a petition regarding EC Regulation No. 925/1999 with ICAO pursuant to Article 84 of the Chicago Convention; and

(3) the Departments of Commerce and Transportation and the United States Trade Representative should use all reasonable means available to them to ensure that the goal of having the rule repealed is achieved.

NOTICE OF HEARING

COMMITTEE ON ENERGY AND NATURAL RESOURCES

Mr. THOMAS. Mr. President, I would like to announce for the information of the Senate and the public that an oversight hearing has been scheduled before the Subcommittee on National Parks, Historic Preservation, and Recreation of the Committee on Energy and Natural Resources. The purpose of this hearing is to review the performance management process under the requirements of the Government Performance and Results Act, by the National Park Service.

The hearing will take place on Wednesday, August 4, 1999 at 2:15 p.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) 224-6969.

AUTHORITY FOR COMMITTEES TO MEET

COMMITTEE ON ENERGY AND NATURAL RESOURCES

Mr. GREGG. Mr. President, I ask unanimous consent that the committee on Energy and Natural Resources be granted permission to meet during the session of the Senate on Thursday, July 22, for purposes of conducting a full committee hearing which is scheduled to begin at 9:30 a.m. The purpose of this hearing is to consider the nominations of Curt Herbert to be a Member of the Federal Energy Regulatory Commission and Earl E. Devaney to be Inspector General of the Department of the Interior.

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

COMMITTEE ON ENVIRONMENT AND PUBLIC WORKS

Mr. GREGG. Mr. President, I ask unanimous consent that the full Committee on Environment and Public Works be granted permission to conduct a hearing Thursday, July 22, 9:30 a.m., Hearing Room (SD-406), on legislation relating to habitat restoration/coastal protection issues.

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

COMMITTEE ON FINANCE

Mr. GREGG. Mr. President, the Finance Committee requests unanimous consent to conduct a hearing on Thursday, July 22, 1999 beginning at 2:00 p.m. in room 106 Dirksen.

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

COMMITTEE ON FOREIGN RELATIONS

Mr. GREGG. Mr. President, I ask unanimous consent that the Committee on Foreign Relations be authorized to meet during the session of the Senate on Thursday, July 22, 1999 at 2:30 p.m. to hold a hearing.

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

COMMITTEE ON THE JUDICIARY

Mr. GREGG. Mr. President, I ask unanimous consent that the Committee on the Judiciary be authorized to meet for an executive business meeting, during the session of the Senate on Thursday, July 22, 1999, at 10:00 a.m., in SD-628.

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

COMMITTEE ON THE JUDICIARY

Mr. GREGG. Mr. President, I ask unanimous consent that the Committee on the Judiciary be authorized to meet for an executive business meeting, during the session of the Senate on Thursday, July 22, 1999, following the first vote this, in S-216 of the U.S. Capitol Building.

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

COMMITTEE ON THE JUDICIARY

Mr. GREGG. Mr. President, I ask unanimous consent that the Committee on the Judiciary be authorized