

regulations issued under paragraph (1) shall not defeat the jurisdiction of a court of the United States or provide a defense in any judicial proceeding arising under this chapter.

§ 3264. Definitions

"In this chapter—
"(1) a person is 'accompanying the Armed Forces outside of the United States' if the person—

- "(A) is a dependent of—
"(i) a member of the Armed Forces;
"(ii) a civilian employee of a military department or of the Department of Defense; or
"(iii) a Department of Defense contractor or an employee of a Department of Defense contractor;

"(B) is residing with such member, civilian employee, contractor, or contractor employee outside the United States; and

"(C) is not a national of or ordinarily resident in the host nation;

"(2) the term 'Armed Forces' has the same meaning as in section 101(a)(4) of title 10; and
"(3) a person is 'employed by the Armed Forces outside of the United States' if the person—

"(A) is employed as a civilian employee of the Department of Defense, as a Department of Defense contractor, or as an employee of a Department of Defense contractor;

"(B) is present or residing outside of the United States in connection with such employment; and

"(C) is not a national of or ordinarily resident in the host nation."

(b) CLERICAL AMENDMENT.—The table of chapters at the beginning of part II of title 18, United States Code, is amended by inserting after the item relating to chapter 211 the following:

"212. Criminal Offenses Committed Outside the United States ..... 3621".

DISTRICT OF COLUMBIA APPROPRIATIONS ACT, 2000

DURBIN AMENDMENT NO. 1227

Mr. DURBIN proposed an amendment to the bill, S. 1283, supra; as follows:

At the appropriate place, insert the following:

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

(1) The District of Columbia has recently witnessed a spate of senseless killings of innocent citizens caught in the crossfire of shootings. A Justice Department crime victimization survey found that while the city saw a decline in the homicide rate between 1996 and 1997, the rate was the highest among a dozen cities and more than double the second highest city.

(2) The District of Columbia has not made adequate funding available to fight drug abuse in recent years, and the city has not deployed its resources as effectively as possible. In fiscal year 1998, \$20,900,000 was spent on publicly funded drug treatment in the District compared to \$29,000,000 in fiscal year 1993. The District's Addiction and Prevention and Recovery Agency currently has only 2,200 treatment slots, a 50 percent drop from 1994, with more than 1,100 people on waiting lists.

(3) The District of Columbia has seen a rash of inmate escapes from halfway houses. According to Department of Corrections records, between October 21, 1998 and January 19, 1999, 376 of the 1,125 inmates assigned to halfway houses walked away. Nearly 280 of the 376 escapees were awaiting trial including 2 charged with murder.

(4) The District of Columbia public schools system faces serious challenges in correcting chronic problems, particularly long-standing deficiencies in providing special education services to the 1 in 10 District students needing program benefits, including backlogged assessments, and repeated failure to meet a compliance agreement on special education reached with the Department of Education.

(5) Deficiencies in the delivery of basic public services from cleaning streets to waiting time at Department of Motor Vehicles to a rat population estimated earlier this year to exceed the human population have generated considerable public frustration.

(6) Last year, the District of Columbia forfeited millions of dollars in Federal grants after Federal auditors determined that several agencies exceeded grant restrictions and in other instances, failed to spend funds before the grants expired.

(7) Findings of a 1999 report by the Annie E. Casey Foundation that measured the well-being of children reflected that, with 1 exception, the District ranked worst in the United States in every category from infant mortality to the rate of teenage births to statistics chronicling child poverty.

(b) SENSE OF THE SENATE.—It is the sense of the Senate that in considering the District of Columbia's fiscal year 2001 budget, the Senate will take into consideration progress or lack of progress in addressing the following issues:

(1) Crime, including the homicide rate, implementation of community policing, the number of police officers on local beats, and the closing down of open-air drug markets.

(2) Access to drug abuse treatment, including the number of treatment slots, the number of people served, the number of people on waiting lists, and the effectiveness of treatment programs.

(3) Management of parolees and pretrial violent offenders, including the number of halfway house escapes and steps taken to improve monitoring and supervision of halfway house residents to reduce the number of escapes.

(4) Education, including access to special education services and student achievement.

(5) Improvement in basic city services, including rat control and abatement.

(6) Application for and management of Federal grants.

(7) Indicators of child well-being.

HUTCHISON AMENDMENT NO. 1228

Mrs. HUTCHISON proposed an amendment to the bill, S. 1283, supra; as follows:

At the appropriate place, insert the following:

SEC. . The Mayor, prior to using Federal Medicaid payments to Disproportionate Share Hospitals to serve a small number of childless adults, should consider the recommendations of the Health Care Development Commission that has been appointed by the Council of the District of Columbia to review this program, and consult and report to Congress on the use of these funds.

EDWARDS AMENDMENT NO. 1229

Mrs. HUTCHISON (for Mr. EDWARDS) proposed an amendment to the bill, S. 1283, supra; as follows:

On page 13, line 17, insert the following: "Provided further, That the District of Columbia Public Schools may spend \$500,000 to engage in a Schools Without Violence program based on a model developed by the University of North Carolina, located in Greensboro, North Carolina".

DORGAN AMENDMENTS NOS. 1230-1231

Mrs. HUTCHISON (for Mr. DORGAN) proposed two amendments to the bill, S. 1283, supra; as follows:

AMENDMENT NO. 1230

At the appropriate place, insert the following:

SEC. \_\_\_\_ GAO STUDY OF DISTRICT OF COLUMBIA CRIMINAL JUSTICE SYSTEM.

Not later than 1 year after the date of enactment of this Act, the Comptroller General of the United States shall—

(1) conduct a study of the law enforcement, court, prison, probation, parole, and other components of the criminal justice system of the District of Columbia, in order to identify the components most in need of additional resources, including financial, personnel, and management resources; and

(2) submit to Congress a report on the results of the study under paragraph (1).

AMENDMENT NO. 1231

At the appropriate place, insert the following:

SEC. \_\_\_\_ TERMINATION OF PAROLE FOR ILLEGAL DRUG USE.

(a) ARREST FOR VIOLATION OF PAROLE.—Section 205 of title 24 of the District of Columbia Code is amended—

(1) in the first sentence, by striking "If the" and inserting the following:

"(a) If the"; and

(2) by adding at the end the following:

"(b) Notwithstanding subsection (a), with respect to a prisoner who is convicted of a crime of violence (as defined in §23-1331) and who is released on parole at any time during the term or terms of the prisoner's sentence for that offense, the Board of Parole shall issue a warrant for the retaking of the prisoner in accordance with this section, if the Board, or any member thereof, has reliable information (including positive drug test results) that the prisoner has illegally used a controlled substance (as defined in §33-501) at any time during the term or terms of the prisoner's sentence."

(b) HEARING AFTER ARREST; TERMINATION OF PAROLE.—Section 206 of title 24 of the District of Columbia Code is amended by adding at the end the following:

"(c) Notwithstanding any other provision of this section, with respect to a prisoner with respect to whom a warrant is issued under section 205(b), if, after a hearing under this section, the Board of Parole determines that the prisoner has illegally used a controlled substance (as defined in §33-501) at any time during the term or terms of the prisoner's sentence, the Board shall terminate the parole of that prisoner."

NOTICE OF HEARING

COMMITTEE ON ENERGY AND NATURAL RESOURCES

Mr. MURKOWSKI. Mr. President, I would like to announce for the information of the Senate and the public that a joint oversight hearing has been scheduled before the Committee on Energy and Natural Resources and the Committee on Indian Affairs.

The hearing will take place on Wednesday, July 14, beginning at 9:30 a.m. in Room SH-216 of the Hart Senate Office Building.

The purpose of this hearing is to receive testimony on the Report of the General Accounting Office (GAO) on the Interior Department's Planned Trust Fund Reform.

For further information, please contact the Committee on Indian Affairs at 202-224-2251.

#### AUTHORITY FOR COMMITTEES TO MEET

##### COMMITTEE ON ARMED SERVICES

Mr. CAMPBELL. Mr. President, I ask unanimous consent that the Committee on Armed Services be authorized to meet at 9:30 a.m. on Thursday, July 1, 1999, in open session, to receive testimony on military operations regarding Kosovo.

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

##### COMMITTEE ON FOREIGN RELATIONS

Mr. CAMPBELL. 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 1, 1999 at 10:30 a.m. to hold a hearing.

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

##### COMMITTEE ON INDIAN AFFAIRS

Mr. CAMPBELL. Mr. President, I ask unanimous consent that the Senate Committee on Indian Affairs be authorized to meet during the session of the Senate on Thursday, July 1, 1999 at 9:30 a.m. to conduct a hearing on legislation to create an American Indian Education Foundation. The hearing will be held in room 485 of the Russell Senate Office Building.

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

##### COMMITTEE ON THE JUDICIARY

Mr. CAMPBELL. 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 1, 1999, at 10:00 a.m. in Senate Dirksen, Room 628.

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

##### SELECT COMMITTEE ON INTELLIGENCE

Mr. CAMPBELL. Mr. President, I ask unanimous consent that the Select Committee on Intelligence be authorized to meet during the session of the Senate on Thursday, July 1, 1999 at 2:00 p.m. to hold a closed hearing on intelligence matters.

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

##### SUBCOMMITTEE ON EAST ASIAN AND PACIFIC AFFAIRS

Mr. CAMPBELL. Mr. President, I ask unanimous consent that the Subcommittee on East Asian and Pacific Affairs be authorized to meet during the session of the Senate on Thursday, July 1, 1999 at 2:00 p.m. to hold a hearing.

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

##### SUBCOMMITTEE ON EMPLOYMENT, SAFETY, AND TRAINING

Mr. CAMPBELL. Mr. President, I ask unanimous consent that the Committee on Health, Education, Labor, and Pensions, Subcommittee on Employment, Safety, and Training be au-

thorized to meet for a hearing on "The Workforce Investment Act: Job Training" during the session of the Senate on Thursday, July 1, 1999, at 9:30 a.m.

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

##### SUBCOMMITTEE ON HOUSING AND TRANSPORTATION

Mr. CAMPBELL. Mr. President, I ask unanimous consent that the Subcommittee on Housing and Transportation of the Committee on Banking, Housing, and Urban Affairs be authorized to meet during the session of the Senate on Thursday, July 1, 1999, to conduct a hearing on "The HUD Section 8 Opt-Outs Crisis."

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

##### SUBCOMMITTEE ON OVERSIGHT OF GOVERNMENT MANAGEMENT, RESTRUCTURING AND THE DISTRICT OF COLUMBIA

Mr. CAMPBELL. Mr. President, I ask unanimous consent that the Governmental Affairs Committee Subcommittee on Oversight of Government Management, Restructuring and the District of Columbia be permitted to meet on Thursday, July 1, 1999 at 10:00 a.m. for a hearing on Egg Safety: Are There Cracks in the Federal Food Safety System?

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

#### ADDITIONAL STATEMENTS

##### DOMESTICALLY MANUFACTURED FIREARMS AND CONSUMER SAFETY

• Mr. LEVIN. Mr. President, in 1972, Congress established the Consumer Product Safety Commission (CPSC), an independent regulatory agency designed to "protect the public from unreasonable risks of injuries and deaths associated with consumer products." Since 1972, CPSC has worked to accomplish that goal by developing uniform safety standards, obtaining the recall of dangerous products, and researching, informing and educating consumers about product related hazards. CPSC has jurisdiction over thousands categories of products, from furniture to sporting equipment, appliances, clothing and toys.

Although almost all categories of consumer products are reviewed for safety, there are millions of dangerous products in the United States that go untested. These products, which are among the leading cause of death in the United States, are exempted from oversight by the Consumer Product Safety Commission. They are not subject to any quality and safety standards, nor are their manufacturers required to provide warnings to consumers about their hazards. These products are firearms, and despite the fact that they kill some 35,000 people each year, they are exempt from oversight by the federal agency that provides Americans with lifesaving information.

The fact that guns are one of the only categories of products not subject to regulation is another example of a loophole in our federal firearms law. In the 1968 Gun Control Act, Congress set quality and safety standards for imported guns, yet failed to impose such criteria on domestically manufactured weapons. As a result, many of the guns manufactured today lack even the most basic kind of safety devices.

Gun manufacturers have the ability to include basic safety mechanisms in their firearms that would substantially reduce firearm related deaths. Yet most gun manufacturers have refused to implement even the most basic technology in their products. It would surprise most Americans to know that firearms manufactured in the United States are not required to pass a "drop test," a series of tests and measurements to ensure that guns will not accidentally fire if dropped. Nor are they required to include simple features on firearms, such as load indicators which tell the user the gun is loaded. Many firearms also lack a magazine disconnect safety, a small safety improvement that costs approximately 50 cents, and could save the lives of hundreds of children who die from unintentional shootings. In addition, there are no requirements that firearms are manufactured with internal locking devices or combination locks. These are simple solutions for safety, but until guns are regulated as a consumer product, they are unlikely to be implemented by domestic manufacturers.

Manufacturers should also pursue technology to develop "smart" or "personalized" guns. Although there is no such working weapon that uses this technology now, there are plans by some manufacturers to explore the development of smart guns that recognize their owners through fingerprints, radio emissions or skin conductivity. The NRA and other gun manufacturers, such as Berretta U.S.A. Corp, are opposed to the development of smart gun technology, because they believe it would lead to mandatory safety standards. Yet, personalization concepts that allow only the authorized user access to his firearm, are sure to decrease the number of fatal unintentional injuries, homicides and suicides.

The Consumer Product Safety Commission is capable of monitoring firearms, just as they review baby cribs, hair dryers, basketballs, even toy guns, and the thousands of other products manufactured in the United States. But until Congress amends the Consumer Product Safety Act and revokes this special privilege given to firearms manufacturers, guns manufactured in the United States are unlikely to include even basic safety mechanisms.●

##### SUPPORTING S. 1010—THE MEDICAL INNOVATION TAX CREDIT

• Mr. ABRAHAM. Mr. President, today I would like to give my support to the Medical Innovation Tax Credit Act,