

(3) in section 309(c)(4), by striking “described in paragraph (1)”.

THE INCREASED MANDATORY
MINIMUM SENTENCES ACT OF 1996

DEWINE (AND HELMS)
AMENDMENT NO. 5433

Mr. LOTT (for Mr. DEWINE for himself and Mr. HELMS) proposed an amendment to the bill (S. 1612) to provide for increased mandatory minimum sentences for criminals possessing firearms, and for other purposes; as follows:

Strike all after the enacting clause and insert the following:

SECTION 1. FIREARMS OFFENSES.

(a) IN GENERAL.—Sections 924(c)(1) and 929(a)(1) of title 18, United States code, are each amended by striking “uses or carries” and inserting “possesses”.

(b) AMENDMENT OF SENTENCING GUIDELINES.—

(1) IN GENERAL.—Pursuant to its authority under section 994 of title 28, United States Code, the United States Sentencing Commission shall review and, if appropriate, amend the Federal Sentencing Guidelines and the policy statements of the Commission to provide an appropriate sentence enhancement with respect to any defendant who discharges a firearm during or in relation to any crime of violence or any drug trafficking crime.

(2) CONSISTENCY.—In carrying out this subsection, the United States Commission shall—

(A) ensure that there is reasonable consistency with other Federal Sentencing Guidelines;

(B) avoid duplicative punishment for substantially the same offense; and

(C) take into account any mitigating circumstances that might justify an exception to any amendment made under paragraph (1).

(3) DEFINITIONS.—For purposes of this subsection, the terms “crime of violence” and “drug trafficking crime” have the same meanings as in section 924(c) of title 18, United States Code.

Amend the title so as to read: “A bill to broaden the scope of certain firearms offenses, and for other purposes.”.

PRESIDENTIAL AND EXECUTIVE
OFFICE ACCOUNTABILITY ACT

COATS AMENDMENT NO. 5434

Mr. LOTT (for Mr. COATS) proposed an amendment to the bill (H.R. 3452) to make certain laws applicable to the Executive Office of the President, and for other purposes, as follows:

In section 1(b), strike the items relating to sections 4 through 9, and insert the following:

Sec. 4. Applicability of future employment laws.

Sec. 5. Repeal of section 303 of the Government Employee Rights Act of 1991.

In the table of contents relating to title 3, United States Code (as added by section 2), redesignate the item relating to section 420 as an item relating to section 421.

In the table of contents relating to title 3, United States Code (as added by section 2),

redesignate the item relating to section 430 as an item relating to section 431.

In the table of contents relating to title 3, United States Code (as added by section 2), in the item relating to subchapter III, strike the hyphen and insert a space.

In the table of contents relating to title 3, United States Code (as added by section 2), strike the item relating to section 457.

In the table of contents for title 3, United States Code (as amended by section 2), strike the items relating to subchapters IV and V and insert the following:

“SUBCHAPTER IV—EFFECTIVE DATE
“471. Effective date.”.

In section 401 of title 3, United States Code (as added by section 2), insert before “Except” the following:

“(a) IN GENERAL.—”.

In section 401 of title 3, United States Code (as added by section 2), add at the end the following:

“(b) DEFINITIONS RELATING TO CERTAIN MATTERS.—For purposes of applying this chapter with respect to any practice or other matter—

“(1) to which section 411 relates, the terms ‘employing office’ and ‘covered employee’ shall each be considered to have the meaning given to the term by such section;

“(2) to which section 412 relates, the term ‘covered employee’ means a covered employee described in section 412(a)(2)(B);

“(3) to which section 413 relates, the term ‘covered employee’ excludes interns and volunteers, as described in section 413(a)(2); and

“(4) to which section 416 relates, the term ‘covered employee’ means a covered employee described in section 416(a)(2).”.

In section 411 of title 3, United States Code (as added by section 2), redesignate subsection (d) as subsection (e).

In section 411 of title 3, United States Code (as added by section 2 and so redesignated) insert after subsection (c) the following:

“(d) REGULATIONS TO IMPLEMENT SECTION.—

“(1) IN GENERAL.—The President, or the designee of the President, shall issue regulations to implement paragraphs (1) and (3) of subsection (a) and paragraphs (1) and (3) of subsection (b).

“(2) AGENCY REGULATIONS.—The regulations issued under paragraph (1) shall be the same as substantive regulations promulgated by the appropriate officer of an executive agency to implement the statutory provisions referred to in paragraphs (1) and (3) of subsection (a) and paragraphs (1) and (3) of subsection (b)—

“(A) except to the extent that the President or designee may determine, for good cause shown and stated together with the regulation, that a modification of such regulations would be more effective for the implementation of the rights and protections under this section; and

“(B) except that the President or designee may, at the discretion of the President or designee, issue regulations to implement a provision of section 717 of the Civil Rights Act of 1964 or section 501 of the Rehabilitation Act of 1973 that applies to employees in the executive branch of the Federal Government in lieu of an analogous statutory provision referred to in paragraph (1) or (3) of subsection (a) or paragraph (1) or (3) of subsection (b), if the issuance of such regulations—

“(i) would be equally effective for the implementation of the rights and protections under this section; and

“(ii) would promote uniformity in the application of Federal law to employees in the executive branch of the Federal Government.”.

In section 411 of title 3, United States Code (as added by section 2 and so redesignated), add at the end the following:

“(f) EFFECTIVE DATE.—This section shall take effect on October 1, 1997.”.

In section 412(b) of title 3, United States Code (as added by section 2), strike “such damages” and insert “such remedy”.

In section 412 of title 3, United States Code (as added by section 2), add at the end the following:

“(c) REGULATIONS TO IMPLEMENT SECTION.—

“(1) IN GENERAL.—The President, or the designee of the President, shall issue regulations to implement this section.

“(2) AGENCY REGULATIONS.—The regulations issued under paragraph (1) shall be the same as substantive regulations promulgated by the Secretary of Labor to implement the statutory provisions referred to in subsections (a) and (b)—

“(A) except to the extent that the President or designee may determine, for good cause shown and stated together with the regulation, that a modification of such regulations would be more effective for the implementation of the rights and protections under this section; and

“(B) except that the President or designee may, at the discretion of the President or designee, issue regulations to implement a provision of subchapter V of chapter 63 of title 5, United States Code, that applies to employees in the executive branch of the Federal Government in lieu of an analogous statutory provision referred to in subsection (a) or (b), if the issuance of such regulations—

“(i) would be equally effective for the implementation of the rights and protections under this section; and

“(ii) would promote uniformity in the application of Federal law to employees in the executive branch of the Federal Government.

“(d) EFFECTIVE DATE.—Subsections (a) and (b) shall take effect on the earlier of—

“(1) the effective date of regulations issued under subsection (c); or

“(2) October 1, 1998.”.

In section 413(c)(1) of title 3, United States Code (as added by section 2), strike “President” and insert “President, or the designee of the President.”.

In section 413(c)(2) of title 3, United States Code (as added by section 2), strike “subsection (a) except insofar as the President” and insert “subsections (a) and (b) except to the extent that the President or designee”.

In section 413(c)(3) of title 3, United States Code (as added by section 2), strike “President” and insert “President or designee”.

In section 413 of title 3, United States Code (as added by section 2), add at the end the following:

“(d) EFFECTIVE DATE.—Subsections (a) and (b) shall take effect on the earlier of—

“(1) the effective date of regulations issued under subsection (c); or

“(2) October 1, 1998.”.

In section 414(c)(1) of title 3, United States Code (as added by section 2), strike “President” and insert “President, or the designee of the President.”.

In section 414(c)(2) of title 3, United States Code (as added by section 2), strike “insofar as the President” and insert “to the extent that the President or designee”.

In section 414 of title 3, United States Code (as added by section 2), add at the end the following:

“(d) EFFECTIVE DATE.—Subsections (a) and (b) shall take effect on the earlier of—

“(1) the effective date of regulations issued under subsection (c); or

“(2) October 1, 1998.”.

In section 415(a)(2)(A) of title 3, United States Code (as added by section 2), strike “does not succeed himself” and insert “is not elected to a successive term”.