

agree. For me to do otherwise would be at best, inconsistent and at worst hypocritical. I suffer from that affliction enough unintentionally. I certainly do not need to add an intentional transgression.

For this reason, I shall, "Render unto Caesar that which is Caesar's," and refrain from praying at this time. However, if you feel inspired to honor, praise and thank God, and ask Him in the name of Jesus to bless this event, please feel free to do so. As far as I know, that's not against the law—yet.

**SAFER AMERICA FOR EVERYONE'S CHILDREN ACT (SAFE CHILDREN ACT), H.R. 5218**

**HON. BENJAMIN A. GILMAN**

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

*Wednesday, September 20, 2000*

Mr. GILMAN. Mr. Speaker, today I am introducing H.R. 5218, the Safer America for Everyone's Children Act, or SAFE Children Act. The SAFE Children Act is a nine point program which will reward those States and communities who work to keep guns out of the hands of children, promote opportunities for students, and support programs which keep our kids off the streets and away from drugs. By supporting communities who take the initiative to combat school violence, we are allowing parents and educators to work together to make the decisions which will effectively help our children and provide an appropriate and common sense solution.

The SAFE Children Act creates new SAFE communities and SAFE States block grants which can be used to supplement, expand, or enforce programs which combat school violence. To be eligible for the new grants, "SAFE communities" will have to offer a biannual gun buyback program, provide working programs to create safe and drug-free schools, and offer after-school programs, which focus on the social, physical, emotional, moral, or cognitive well being of students. "SAFE States" will have to enact legislation to require individuals to be 21 years old to purchase a handgun, require safety locks to be sold with firearms at the time of sale, and create a public-private partnership to support or organizations and municipalities who promote safe schools and gun safety.

Furthermore, the Safe Children Act creates a school counseling demonstration program to award grants to schools to establish or expand school psychological counseling programs, offering individual schools the opportunity and funding necessary to have on-site or on-contract child psychologists to assist troubled students. Additionally, the measure promotes the safety of law enforcement personnel by prohibiting the importation of large capacity ammunition feeding devices and exempts qualified law enforcement officers and retired officers from state laws prohibiting the carrying of concealed firearms.

Mr. Speaker, since the tragedy at Columbine High School, I have been meeting with parents, teachers, students, and law enforcement officials, to discuss the root of the problems in our nation's schools and find a resolution. The Safe Children Act is an important first step, because it promotes and supports community initiative and inclusion.

It is obvious that no one solution exists for solving the increase in school shootings, but it

is imperative that we all dedicate ourselves to working together within our families and communities to stop the violence among our youth. The real solution to combating school violence will not be found in the halls of Congress, rather in our schools, homes, and communities throughout our nation. The Safe Children Act will reward those communities which work together to provide a safer America for everyone's children.

H.R. 5218

A BILL

To provide grant funds to units of local government that comply with certain requirements and to amend certain Federal firearms laws.

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

**SECTION 1. SHORT TITLE.**

This Act may be cited as the "Safer America For Everyone's Children (SAFE Children) Act."

**SEC. 2. AUTHORIZATION OF APPROPRIATIONS.**

There are authorized to be appropriated \$10,000,000 for fiscal year 2002 to carry out titles I, II, and IV.

**TITLE I—SAFE COMMUNITIES**

**SEC. 101. PROGRAM AUTHORIZED.**

The Attorney General is authorized to provide grants to units of local government that comply with the requirements of section 102(a).

**SEC. 102. ELIGIBILITY REQUIREMENTS.**

(a) IN GENERAL.—To be a eligible to receive a grant under this title, a unit of local government shall have in effect, for a period of not less than 1 year, the following programs:

(1) GUN BUYBACK.—A program under which—

(A) the unit of local government offers to purchase any semiautomatic firearm for \$100, and to purchase any other firearm for \$50;

(B) the offer is renewed not less frequently than every 6 months; and

(C) the unit of local government transmits to the Bureau of Alcohol, Tobacco and Firearms, with respect to each 6-month period during which the program is in effect, a report on the volume and types of firearms obtained through the program during the period.

(2) SCHOOL VIOLENCE INITIATIVES.—School violence initiatives that implement comprehensive strategies to ensure a learning environment at school that is safe and drug-free.

(3) OPPORTUNITIES DURING NON-SCHOOL HOURS.—Activities to meet the child care needs of parents during non-school hours, including before- and after-school, weekends, holidays, and vacation periods. Such activities shall be designed to focus on the social, physical, emotional moral, or cognitive well being of students and may include leadership development, character training, delinquency prevention, sports and recreation, arts, tutoring, academic enrichment, or other activities to meet the needs of the local community.

(b) PRIORITY.—In awarding grants under this section, the Attorney General shall give priority to applications from eligible units of local government that have the highest number of children aged 5 through 17 and highest rate of violent crime.

(c) FEDERAL SHARE.—

(1) IN GENERAL.—The Federal share of the cost of expanding a program described in subsection (a) may not exceed 80 percent.

(2) NON-FEDERAL SHARE.—The non-Federal share of a grant under this title shall be 20 percent of the cost of expanding the activi-

ties described in subsection (a) and may be in cash or in kind, fairly evaluated (including the provision of equipment, services, or facilities) from State or local sources.

**SEC. 103. USES OF FUNDS.**

A unit of local government that receives a grant award under this title may use funds received to expand programs described in section 102(a).

**SEC. 104. REPORTS.**

(a) LOCAL REPORTS.—Each unit of local government that receives a grant award under this title shall submit an annual report to the Attorney General regarding the effectiveness of the programs expanded through such award.

(b) REPORT TO CONGRESS.—The Attorney General shall compile the results of reports submitted under subsection 9a) and submit such information on an annual basis to the appropriate committees of Congress.

**SEC. 105. DEFINITION.**

For purposes of this title and title II, the term "unit of local government means a county, municipality, town, township, village, parish, borough, Indian tribe, or other general purpose political subdivision of a State.

**TITLE II—SAFE STATES**

**SEC. 201. PROGRAM AUTHORIZED.**

The Attorney General is authorized to provide grants to States that comply with the requirements of section 202(a).

**SEC. 202. ELIGIBILITY REQUIREMENTS.**

(a) IN GENERAL.—To be a eligible to receive a grant under this title, a State shall have in effect laws which—

(1) impose criminal penalties on a person who purchases a handgun in the State if the person has not attained 21 years of age;

(2) require each person who is licensed under section 923 of title 18, United States Code, to sell a secure gun storage or safety device (as defined in section 921(a)(34) of such title) with each firearm sold by the person; and

(3) create a public-private partnership to support organizations and units of local governments that promote safe schools and gun safety.

(b) PRIORITY.—In awarding grants under this section, the Attorney General shall give priority to applications from eligible States that have the highest number of children aged 5 through 17 and the highest rate of violent crime.

(c) FEDERAL SHARE.—

(1) IN GENERAL.—The Federal share of the cost of carrying out a program described in subsection (a) may not exceed 80 percent.

(2) NON-FEDERAL SHARE.—The non-Federal share of a grant under this title shall be 20 percent of the cost of carrying out the activities described in subsection (a) and may be in cash or in kind, fairly evaluated (including the provision of equipment, services, or facilities), from State sources.

**SEC. 203. USES OF FUNDS.**

A State that receives a grant award under this title may use funds received to enforce programs described in section 202(a).

**SEC. 204. REPORTS.**

(a) LOCAL REPORTS.—Each State that receives a grant award under this title shall submit an annual report to the Attorney General regarding the effectiveness of the program implemented with such award.

(b) REPORT TO CONGRESS.—The Attorney General shall compile the results of reports submitted under subsection (a) and submit such information on an annual basis to the appropriate committees of Congress.

**TITLE III—FEDERAL FIREARMS LAWS**

**Subtitle A—Ban on Importation of Large Capacity Ammunition Feeding Devices**

**SEC. 301. SHORT TITLE.**

This subtitle may be cited as the "Juvenile Assault Weapon Loophole Closure Act".

**SEC. 302. BAN ON IMPORTING LARGE CAPACITY AMMUNITION FEEDING DEVICES.**

Section 922(w) of title 18, United States Code, is amended—

(1) in paragraph (1) by striking “(1) Except as provided in paragraph (2)” and inserting “(1)(A) Except as provided in subparagraph (B);”

(2) in paragraph (2), by striking “(2) Paragraph (1)” and inserting “(B) Subparagraph (A);”

(3) by inserting before paragraph (3) the following:

“(2) It shall be unlawful for any person to import a large capacity ammunition feeding device.”; and

(4) in paragraph (4)—

(A) by striking “(1)” each place it appears and inserting “(1)(A);” and

(B) by striking “(2)” and inserting “(1)(B).”

**SEC. 303. DEFINITION OF LARGE CAPACITY AMMUNITION FEEDING DEVICE.**

Section 921(a)(31) of title 18, United States Code, is amended by striking “manufactured after the date of enactment of the Violent Crime Control and Law Enforcement Act of 1994.”

**Subtitle B—Community Protection Act****SEC. 311. SHORT TITLE.**

This subtitle may be cited as the “Community Protection Act”.

**SEC. 312. EXEMPTION OF QUALIFIED LAW ENFORCEMENT OFFICERS FROM STATE LAWS PROHIBITING THE CARRYING OF CONCEALED FIREARMS.**

(a) IN GENERAL.—Chapter 44 of title 18, United States Code, is amended by inserting after section 926A the following:

**“§926B. Carrying of concealed firearms by qualified law enforcement officers**

“(a) Notwithstanding any other provision of the law of any State or any political subdivision thereof, an individual who is a qualified law enforcement officer and who is carrying the identification required by subsection (d) may carry a concealed firearm that has been shipped or transported in interstate or foreign commerce, subject to subsection (b).

“(b) This section shall not be construed to supersede or limit the laws of any State that—

“(1) permit private persons or entities to prohibit or restrict the possession of concealed firearms on their property; or

“(2) prohibit or restrict the possession of firearms on any State or local government property, installation, building, base, or park.

“(c) As used in this section, the term ‘qualified law enforcement officer means an employee of a governmental agency who—

“(1) is authorized by law to engage in or supervise the prevention, detection, investigation, or prosecution of, or the incarceration of any person for, any violation of law, and has statutory powers of arrest;

“(2) is authorized by the agency to carry a firearm;

“(3) is not the subject of any disciplinary action by the agency; and

“(4) meets standards, if any, established by the agency which require the employee to regularly qualify in the use of a firearm.

“(d) The identification required by this subsection is the official badge and photographic identification issued by the governmental agency for which the individual is employed as a law enforcement officer.

(b) CLERICAL AMENDMENT.—The table of sections for such chapter is amended by inserting after the item relating to section 926A the following:

**“926B. Carrying of concealed firearms by qualified law enforcement officers.****SEC. 313. EXEMPTION OF QUALIFIED RETIRED LAW ENFORCEMENT OFFICERS FROM STATE LAWS PROHIBITING THE CARRYING OF CONCEALED FIREARMS.**

(a) IN GENERAL.—Chapter 44 of title 18, United States Code, is further amended by inserting after section 926B the following:

**“§926C. Carrying of concealed firearms by qualified retired law enforcement officers**

“(a) Notwithstanding any other provision of the law of any State or any political subdivision thereof, an individual who is a qualified retired law enforcement officer and who is carrying the identification required by subsection (d) may carry a concealed firearm that has been

“(b) This section shall not be construed to supersede or limit the laws of any State that—

“(1) permit private persons or entities to prohibit or restrict the possession of concealed firearms on their property; or

“(2) prohibit or restrict the possession of firearms on any State or local government property, installation, building, base, or park.

“(c) As used in this section, the term ‘qualified retired law enforcement officer means an individual who—

“(1) retired in good standing from service with a public agency as a law enforcement officer, other than for reasons of mental instability;

“(2) before such retirement, was authorized by law to engage in or supervise the prevention, detection, investigation, or prosecution of, or the incarceration of any person for, any violation of law, and had statutory powers of arrest;

“(3)(A) before such retirement, was regularly employed as a law enforcement officer for an aggregate of 5 years or more; or

“(B) retired from service with such agency, after completing any applicable probationary period of such service, due to a service-connected disability, as determined by such agency;

“(4) has a nonforfeitable right to benefits under the retirement plan of the agency;

“(5) during the most recent 12-month period or, if the agency requires active duty officers to do so with lesser frequency than every 12 months, during such most recent period as the agency requires with respect to active duty officers, has completed, at the expense of the individual, a program approved by the State for training or qualification in the use of firearms; and

“(6) is not prohibited by Federal law from receiving a firearm.

“(d) The identification required by this subsection is photographic identification issued by the State in which the agency for which the individual was employed as a law enforcement officer is located.

(b) CLERICAL AMENDMENT.—The table of sections for such chapter is further amended by inserting after the item relating to section 926B the following:

**926C. Carrying of concealed firearms by qualified retired law enforcement officers.****TITLE IV—SCHOOL PSYCHOLOGICAL COUNSELING****SEC. 401. SCHOOL COUNSELING DEMONSTRATION****(a) COUNSELING DEMONSTRATION.—**

(1) IN GENERAL.—The Secretary may award grants or enter into contracts under this section to establish or expand elementary and secondary school counseling programs.

(2) PRIORITY.—In awarding grants under this section, the Secretary shall give special

consideration to applications describing programs that—

(A) demonstrate the greatest need for new or additional counseling services among the children in the schools served by the applicant;

(B) propose the most promising and innovative approaches for initiating or expanding school psychological counseling; and

(C) show the greatest potential for replication and dissemination.

(3) EQUITABLE DISTRIBUTION.—In awarding grants under this section, the Secretary shall ensure an equitable geographic distribution among the regions of the United States and among urban, suburban and rural areas.

(4) DURATION.—A grant under this section shall be awarded for a period not to exceed three years.

(5) MAXIMUM GRANT.—A grant under this section shall not exceed \$400,000 for any fiscal year.

**(b) APPLICATIONS.—**

(1) IN GENERAL.—Each local educational agency desiring a grant under this section shall submit an application to the Secretary at such time, in such manner, and accompanied by such information as the Secretary may reasonably require.

(2) CONTENTS.—Each application for a grant under this section shall—

(A) describe the school population to be targeted by the program, the particular personal, social, emotional, and behavioral needs of such population, and the current school psychological counseling resources available for meeting such needs;

(B) describe the activities, services, and training to be provided by the program and the specific approaches to be used to meet the needs described in subparagraph (A);

(C) describe the methods to be used to evaluate the outcomes and effectiveness of the program;

(D) describe the collaborative efforts to be undertaken with institutions of higher education, businesses, labor organizations, community groups, social service agencies, and other public or private entities to enhance the program and promote school-linked services integration;

(E) describe collaborative efforts with institutions of higher education which specifically seek to enhance or improve graduate programs specializing in the preparation of school psychologists;

(F) document that the applicant has the personnel qualified to develop, implement, and administer the program;

(G) describe how any diverse cultural populations, if applicable, would be served through the program;

(H) assure that the funds made available under this part for any fiscal year will be used to supplement and, to the extent practicable, increase the level of funds that would otherwise be available from non-Federal sources for the program described in the application, and in no case supplant such funds from non-Federal sources; and

(I) assure that the applicant will appoint an advisory board composed of parents, school counselors, school psychologists, school social workers, other pupil services personnel, teachers, school administrators, and community leaders to advise the local educational agency on the design and implementation of the program.

**(c) USE OF FUNDS.—**

(1) IN GENERAL.—Grant funds this section shall be used to initiate or expand school psychological counseling programs that comply with the requirements in paragraph (2).

(2) PROGRAM REQUIREMENTS.—Each program assisted under this section shall—

(A) be comprehensive in addressing the personal, social, and emotional well being of all students;

(B) use a developmental, preventive approach to psychological counseling;

(C) increase the range, availability, quantity, and quality of psychological counseling

(D) expand psychological counseling services only through qualified school psychologists;

(E) use innovative approaches to increase children's understanding of peer and family relationships, work and self, decision-making, academic and career planning, or to improve social functioning;

(F) provide psychological counseling services that are well-balanced among classroom group and small group counseling, individual counseling, and consultation with parents, teachers, administrators, and other pupil services personnel;

(G) include inservice training for school psychologists;

(H) involve parents of participating students in the design, implementation, and evaluation of psychological counseling program;

(I) involve collaborative efforts with institutions of higher education, businesses, labor organizations, community groups, social service agencies, or other public or private entities to enhance the program and promote school-linked services integration; and

(J) evaluate annually the effectiveness and outcomes of the psychological counseling services and activities assisted under this section.

(3) REPORT.—The Secretary shall issue a report evaluating the programs assisted pursuant to each grant under this subsection at the end of each grant period in accordance with section 1, but in no case later than January 30, 2004.

(4) DISSEMINATION.—The Secretary shall make the programs assisted under this section available for dissemination, either through the National Diffusion Network or other appropriate means.

(5) LIMIT ON ADMINISTRATION.—Not more than five percent of the amounts made available under this section in any fiscal year shall be used for administrative costs to carry out this section.

(d) DEFINITIONS.—For purposes of this section—

(1) the term "school psychologist" means an individual who—

(A) possesses a minimum of 60 graduate semester hours in school psychology from an institution of higher education and has completed 1,200 clock hours in a supervised school psychology internship, of which 600 hours shall be in the school setting;

(B) possesses State licensure or certification in the State in which the individual works; or

(C) in the absence of such State licensure or certification, possesses national certification by the National School Psychology Certification Board;

(2) the terms "elementary school", "local educational agency", and "secondary school" have the same meanings given such terms in section 14101 of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 8801); and

(3) the term "Secretary" means the Secretary of Education.

## FRANK R. LAUTENBERG POST OFFICE AND COURTHOUSE

SPEECH OF

### HON. STEVEN R. ROTHMAN

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

*Tuesday, September 19, 2000*

Mr. ROTHMAN. Mr. Speaker, I am proud to rise today to honor Senator FRANK R. LAUTENBERG, as a co-sponsor of H.R. 4975, designating the post office and courthouse located at 2 Federal Square in Newark, New Jersey, as the Frank R. Lautenberg Post Office and Courthouse.

I can think of few individuals who have done so much for New Jersey to earn such an honor.

Senator FRANK LAUTENBERG is the personification of the American Dream. He was born to poor, hard-working immigrants in Paterson, New Jersey. It did not say Senator on his birth certificate. He had to work for everything he got.

FRANK LAUTENBERG enlisted in the U.S. Army where he served proudly in Europe during World War II. And thanks to the G.I. Bill, he received an education and used it to build a company from scratch.

That company, ADP, is now the largest payroll company in the world, and employs 33,000 people.

FRANK LAUTENBERG unselfishly used his success to help others. He has been one of the United States Senate's most tireless advocates for improving the health of all our families. The list of his accomplishments is both distinguished and long.

He has been one of the most strident advocates in taking on the tobacco companies to help our children. He was the leader in outlawing smoking on commercial flights.

He authored the nation's first Right to Know environmental legislation.

He established 21 as the national legal drinking age, reducing drunk driving deaths.

He helped to write Superfund, and the Clean Air and Safe Drinking Water Acts . . . And so much more.

It is impossible to find any piece of major legislation that improves public health that does not have FRANK LAUTENBERG's fingerprints on it.

And as the capstone of his career, as the ranking member of the Senate Budget Committee, he co-authored the Balanced Budget Agreement of 1997 that has helped produce the first balanced budget in a generation, and perpetuates an unprecedented era of prosperity.

On a personal note, FRANK LAUTENBERG has always been there for me when I needed him, as a friend and a leader of the New Jersey delegation.

That is why I am honored to be there for FRANK LAUTENBERG. I hope everyone will join me in thanking him for his public service and granting this honor.

## IN RECOGNITION OF GARDEN CITY PARK FIRE DEPARTMENT RES- CUE SQUAD

### HON. CAROLYN MCCARTHY

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

*Wednesday, September 20, 2000*

Mrs. MCCARTHY of New York. Mr. Speaker, I rise today to commend the outstanding work by the Garden City Park Fire Department Rescue Squad on its golden anniversary.

Over the past fifty years, the Garden City Park Fire Department Rescue Squad responded to more than 30,000 emergency calls. This all-volunteer staff, which spends countless hours training to improve their skills, have made a significant difference in the lives of countless Long Islanders.

Come rain, sun, snow, or hail, these talented men and women brave the elements applying their skills and saving lives. It is often a job that does not get the recognition it deserves because many people take their service for granted. But make no mistake, these men and women are often the difference between life and death. Always the first on the scene of an accident, they apply their skills in a professional manner and do an outstanding job treating accident victims.

I, along with those treated by these dedicated men and women, applaud your dedication and service. Residents across Long Island owe you our gratitude and thanks.

## ESSENTIAL AND CRITICAL HOS- PITAL PRESERVATION ACT OF 2000

### HON. PAUL E. KANJORSKI

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

*Wednesday, September 20, 2000*

Mr. KANJORSKI. Mr. Speaker, I rise today to announce the introduction of the Essential and Critical Hospital Preservation Act of 2000.

This bill improves previous legislation I have introduced in the 106th Congress by targeting relief to similar regions of the country like Northeastern Pennsylvania. Hospitals in these regions have a disproportionate number of elderly patients and have, therefore, been more greatly affected by the drastic cuts made in Medicare from the Balanced Budget Act of 1997. Furthermore, in these regions, the formula for Medicare as applied to those hospitals returns them an insufficient payment to meet their basic costs.

This bill is designed to assist economically distressed hospitals in regions where the combination of managed care, Medicare, and commercial payments changes have threatened to destroy the entire health care delivery infrastructure. It applies only to hospitals which have more than 40 percent of its patients on Medicare and receive the rural reimbursement rate despite being located in a Metropolitan Statistical Area.

Mr. Speaker, the hospitals in my region of Pennsylvania are in deep distress. Many of them are in severe economic difficulty. My proposal would give hospitals in regions of the country like Northeastern Pennsylvania a minimum of a 5-year, 10-percent increase in Medicare payments while they work through