

106TH CONGRESS
2^D SESSION

H. R. 4519

IN THE SENATE OF THE UNITED STATES

SEPTEMBER 27 (legislative day, SEPTEMBER 22), 2000

Received; read twice and referred to the Committee on Environment and
Public Works

AN ACT

To amend the Public Buildings Act of 1959 concerning the safety and security of children enrolled in childcare facilities located in public buildings under the control of the General Services Administration, to provide for reform of the Federal Protective Service, and for other purposes.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

3 **TITLE I—BAYLEE’S LAW**

4 **SEC. 101. SHORT TITLE.**

5 This title may be cited as “Baylee’s Law”.

6 **SEC. 102. SAFETY AND SECURITY OF CHILDREN IN**
7 **CHILDCARE FACILITIES.**

8 The Public Buildings Act of 1959 (40 U.S.C. 601
9 et seq.) is amended by adding at the end the following:
10 **“SEC. 22. SAFETY AND SECURITY OF CHILDREN IN**
11 **CHILDCARE FACILITIES.**

12 “(a) WRITTEN NOTICE TO PARENTS OR GUARD-
13 IANS.—

14 “(1) INITIAL NOTIFICATION.—Before the enroll-
15 ment of any child in a childcare facility located in
16 a public building under the control of the Adminis-
17 trator, the Administrator shall provide to the par-
18 ents or guardians of the child a written notification
19 containing—

20 “(A) an identification of the current ten-
21 ants in the public building; and

22 “(B) the designation of the level of secu-
23 rity of the public building.

24 “(2) NOTIFICATION OF NEW TENANTS.—After
25 providing a written notification to the parents or

1 guardians of a child under paragraph (1), the Ad-
2 ministrator shall provide to the parents or guardians
3 a written notification if any new Federal tenant is
4 scheduled to take occupancy in the public building.

5 “(b) NOTIFICATION OF SERIOUS THREATS TO SAFE-
6 TY OR SECURITY.—As soon as practicable after being in-
7 formed of a serious threat, as determined by the Adminis-
8 trator, that could affect the safety and security of children
9 enrolled in a childcare facility in a public building under
10 the control of the Administrator, the Administrator shall
11 provide notice of the threat to the parents or guardians
12 of each child in the facility.

13 “(c) REPORT TO CONGRESS.—

14 “(1) IN GENERAL.—Not later than 1 year after
15 the date of the enactment of this section, the Admin-
16 istrator shall transmit to Congress a comprehensive
17 report on childcare facilities in public buildings
18 under the control of the Administrator.

19 “(2) CONTENTS.—The report to be transmitted
20 under paragraph (1) shall include—

21 “(A) an identification and description of
22 each childcare facility located in a public build-
23 ing under the control of the Administrator; and

24 “(B) an assessment of the level of safety
25 and security of children enrolled in the

1 childcare facility and recommendations on
2 methods for enhancing that safety and security.

3 “(3) WINDOWS AND INTERIOR FURNISHINGS.—

4 In conducting an assessment of a childcare facility
5 under paragraph (2)(B), the Administrator shall ex-
6 amine the windows and interior furnishings of the
7 facility to determine whether adequate protective
8 measures have been implemented to protect children
9 in the facility against the dangers associated with
10 windows and interior furnishings in the event of a
11 natural disaster or terrorist attack, including the
12 deadly effect of flying glass.”.

13 **TITLE II—FEDERAL PROTECTIVE**
14 **SERVICE REFORM**

15 **SEC. 201. SHORT TITLE.**

16 This title may be cited as the “Federal Protective
17 Service Reform Act of 2000”.

18 **SEC. 202. DESIGNATION OF POLICE OFFICERS.**

19 The Act of June 1, 1948 (40 U.S.C. 318–318d), is
20 amended—

21 (1) in section 1 by striking the section heading
22 and inserting the following:

1 **“SECTION 1. POLICE OFFICERS.”;**

2 (2) in sections 1 and 3 by striking “special po-
3 licemen” each place it appears and inserting “police
4 officers”;

5 (3) in section 1(a) by striking “uniformed
6 guards” and inserting “certain employees”; and

7 (4) in section 1(b) by striking “Special police-
8 men” and inserting the following:

9 “(1) IN GENERAL.—Police officers”.

10 **SEC. 203. POWERS.**

11 Section 1(b) of the Act of June 1, 1948 (40 U.S.C.
12 318(b)), is further amended—

13 (1) by adding at the end the following:

14 “(2) ADDITIONAL POWERS.—Subject to para-
15 graph (3), a police officer appointed under this sec-
16 tion is authorized while on duty—

17 “(A) to carry firearms in any State, the
18 District of Columbia, the Commonwealth of
19 Puerto Rico, or any territory or possession of
20 the United States;

21 “(B) to petition Federal courts for arrest
22 and search warrants and to execute such war-
23 rants;

24 “(C) to arrest an individual without a war-
25 rant if the individual commits a crime in the of-
26 ficer’s presence or if the officer has probable

1 cause to believe that the individual has com-
2 mitted a crime or is committing a crime; and

3 “(D) to conduct investigations, on and off
4 the property in question, of offenses that have
5 been or may be committed against property
6 under the charge and control of the Adminis-
7 trator or against persons on such property.

8 “(3) APPROVAL OF REGULATIONS BY ATTOR-
9 NEY GENERAL.—The additional powers granted to
10 police officers under paragraph (2) shall become ef-
11 fective only after the Commissioner of the Federal
12 Protective Service issues regulations implementing
13 paragraph (2) and the Attorney General of the
14 United States approves such regulations.

15 “(4) AUTHORITY OUTSIDE FEDERAL PROP-
16 ERTY.—The Administrator may enter into agree-
17 ments with State and local governments to obtain
18 authority for police officers appointed under this sec-
19 tion to exercise, concurrently with State and local
20 law enforcement authorities, the powers granted to
21 such officers under this section in areas adjacent to
22 property owned or occupied by the United States
23 and under the charge and control of the Adminis-
24 trator.”; and

1 (2) by moving the left margin of paragraph (1)
2 (as designated by section 202(4) of this Act) so as
3 to appropriately align with paragraphs (2), (3), and
4 (4) (as added by paragraph (1) of this subsection).

5 **SEC. 204. PENALTIES.**

6 Section 4(a) of the Act of June 1, 1948 (40 U.S.C.
7 318c(a)), is amended to read as follows:

8 “(a) IN GENERAL.—Except as provided in subsection
9 (b), whoever violates any rule or regulation promulgated
10 pursuant to section 2 shall be fined or imprisoned, or both,
11 in an amount not to exceed the maximum amount pro-
12 vided for a Class C misdemeanor under sections 3571 and
13 3581 of title 18, United States Code.”.

14 **SEC. 205. SPECIAL AGENTS.**

15 Section 5 of the Act of June 1, 1948 (40 U.S.C.
16 318d), is amended—

17 (1) by striking “nonuniformed special police-
18 men” each place it appears and inserting “special
19 agents”;

20 (2) by striking “special policeman” and insert-
21 ing “special agent”; and

22 (3) by adding at the end the following: “Any
23 such special agent while on duty shall have the same
24 authority outside Federal property as police officers
25 have under section 1(b)(4).”.

1 **SEC. 206. ESTABLISHMENT OF FEDERAL PROTECTIVE**
2 **SERVICE.**

3 (a) IN GENERAL.—The Act of June 1, 1948 (40
4 U.S.C. 318–318d), is amended by adding at the end the
5 following:

6 **“SEC. 6. ESTABLISHMENT OF FEDERAL PROTECTIVE SERV-**
7 **ICE.**

8 “(a) IN GENERAL.—The Administrator of General
9 Services shall establish the Federal Protective Service as
10 a separate operating service of the General Services Ad-
11 ministration.

12 “(b) APPOINTMENT OF COMMISSIONER.—

13 “(1) IN GENERAL.—The Federal Protective
14 Service shall be headed by a Commissioner who shall
15 be appointed by and report directly to the Adminis-
16 trator.

17 “(2) QUALIFICATIONS.—The Commissioner
18 shall be appointed from among individuals who have
19 at least 5 years of professional law enforcement ex-
20 perience in a command or supervisory position.

21 “(c) DUTIES OF THE COMMISSIONER.—The Commis-
22 sioner shall—

23 “(1) assist the Administrator in carrying out
24 the duties of the Administrator under this Act;

25 “(2) except as otherwise provided by law, serve
26 as the law enforcement officer and security official

1 of the United States with respect to the protection
2 of Federal officers and employees in buildings and
3 areas that are owned or occupied by the United
4 States and under the charge and control of the Ad-
5 ministrator (other than buildings and areas that are
6 secured by the United States Secret Service);

7 “(3) render necessary assistance, as determined
8 by the Administrator, to other Federal, State, and
9 local law enforcement agencies upon request; and

10 “(4) coordinate the activities of the Commis-
11 sioner with the activities of the Commissioner of the
12 Public Buildings Service.

13 Nothing in this subsection may be construed to supersede
14 or otherwise affect the duties and responsibilities of the
15 United States Secret Service under sections 1752 and
16 3056 of title 18, United States Code.

17 “(d) APPOINTMENT OF REGIONAL DIRECTORS AND
18 ASSISTANT COMMISSIONERS.—

19 “(1) IN GENERAL.—The Commissioner may ap-
20 point regional directors and assistant commissioners
21 of the Federal Protective Service.

22 “(2) QUALIFICATIONS.—The Commissioner
23 shall select individuals for appointments under para-
24 graph (1) from among individuals who have at least

1 5 years of direct law enforcement experience, includ-
2 ing at least 2 years in a supervisory position.”.

3 (b) PAY LEVEL OF COMMISSIONER.—Section 5316 of
4 title 5, United States Code, is amended by inserting after
5 the paragraph relating to the Commissioner of the Public
6 Buildings Service the following:

7 “Commissioner, Federal Protective Service,
8 General Services Administration.”.

9 **SEC. 207. PAY AND BENEFITS.**

10 The Act of June 1, 1948 (40 U.S.C. 318–318d), is
11 further amended by adding at the end the following:

12 **“SEC. 7. PAY AND BENEFITS.**

13 “(a) SURVEY.—The Director of the Office of Per-
14 sonnel Management shall conduct a survey of the pay and
15 benefits of all Federal police forces to determine whether
16 there are disparities between the pay and benefit of such
17 forces that are not commensurate with differences in du-
18 ties or working conditions.

19 “(b) REPORT.—Not later than 12 months after the
20 date of the enactment of this section, the Director shall
21 transmit to Congress a report containing the results of
22 the survey conducted under subsection (a), together with
23 the Director’s findings and recommendations.”.

1 **SEC. 208. NUMBER OF POLICE OFFICERS.**

2 (a) IN GENERAL.—The Act of June 1, 1948 (40
3 U.S.C. 318–318d), is further amended by adding at the
4 end the following:

5 **“SEC. 8. NUMBER OF POLICE OFFICERS.**

6 “After the 1-year period beginning on the date of the
7 enactment of this section, there shall be at least 730 full-
8 time equivalent police officers in the Federal Protective
9 Service. This number shall not be reduced unless specifi-
10 cally authorized by law.”.

11 **SEC. 209. EMPLOYMENT STANDARDS AND TRAINING.**

12 The Act of June 1, 1948 (40 U.S.C. 318–318d), is
13 further amended by adding at the end the following:

14 **“SEC. 9. EMPLOYMENT STANDARDS AND TRAINING.**

15 “The Commissioner of the Federal Protective Service
16 shall prescribe minimum standards of suitability for em-
17 ployment to be applied in the contracting of security per-
18 sonnel for buildings and areas that are owned or occupied
19 by the United States and under the control and charge
20 of the Administrator of General Services.”.

21 **SEC. 210. AUTHORIZATION OF APPROPRIATIONS.**

22 The Act of June 1, 1948 (40 U.S.C. 318–318d), is
23 further amended by adding at the end the following:

24 **“SEC. 10. AUTHORIZATION OF APPROPRIATIONS.**

25 “There is authorized to be appropriated from the
26 Federal Buildings Fund established by section 210(f) of

1 the Federal Property and Administrative Services Act of
2 1949 (40 U.S.C. 490(f)) such sums as may be necessary
3 to carry out this Act.”.

Passed the House of Representatives September 26,
2000.

Attest:

JEFF TRANDAHL,

Clerk.