

107TH CONGRESS
2^D SESSION

H. R. 5391

To provide for the establishment of the National Institutes of Health Police,
and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

SEPTEMBER 17, 2002

Mrs. MORELLA (for herself, Mr. EHRLICH, Mr. GILCHREST, and Ms. NORTON) introduced the following bill; which was referred to the Committee on Energy and Commerce, and in addition to the Committee on Government Reform, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned

A BILL

To provide for the establishment of the National Institutes
of Health Police, 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 **SECTION 1. SHORT TITLE.**

4 This Act may be cited as the “NIH Security Act”.

5 **SEC. 2. NATIONAL INSTITUTES OF HEALTH POLICE.**

6 (a) ESTABLISHMENT.—The Director of the National
7 Institutes of Health (in this section referred to as the “Di-
8 rector of NIH”) shall establish a permanent police force,

1 to be known as the National Institutes of Health Police
2 (in this section referred to as the “NIH Police”), for the
3 purpose of performing law enforcement, security, and in-
4 vestigative functions for property under the jurisdiction,
5 custody, and control of or occupied by the National Insti-
6 tutes of Health.

7 (b) APPOINTMENT OF OFFICERS.—

8 (1) IN GENERAL.—The Director of NIH shall
9 appoint a Chief, a Deputy Chief, and such other of-
10 ficers as may be necessary to carry out the purpose
11 of the NIH Police.

12 (2) OFFICERS ABOVE MAXIMUM AGE.—The Di-
13 rector of NIH may appoint officers of the NIH Po-
14 lice without regard to standard maximum limits of
15 age prescribed under section 3307 of title 5, United
16 States Code. Officers appointed under this para-
17 graph—

18 (A) may include the Chief and Deputy
19 Chief of the NIH Police, shall have the same
20 authorities and powers as other officers of the
21 NIH Police, and shall receive the same pay and
22 benefits as other officers of the NIH Police; but

23 (B) shall not be treated as law enforce-
24 ment officers for purposes of retirement bene-
25 fits.

1 (c) POWERS.—Each officer of the NIH Police may—

2 (1) carry firearms, serve warrants and sub-
3 poenas issued under the authority of the United
4 States, and make arrests without warrant for any
5 offense against the United States committed in the
6 officer's presence, or for any felony cognizable under
7 the laws of the United States, if the officer has rea-
8 sonable grounds to believe that the person to be ar-
9 rested has committed or is committing such a felony;

10 (2) conduct investigations within the United
11 States and its territories for offenses that have been
12 or may be committed on property described in para-
13 graph (1) or (2) of subsection (d); and

14 (3) protect in any area of the United States or
15 its territories the Director of NIH and other offi-
16 cials, as authorized by the Director of NIH.

17 (d) JURISDICTION.—Officers of the NIH Police may
18 exercise their powers—

19 (1) on all properties under the custody and con-
20 trol of the National Institutes of Health;

21 (2) on other properties occupied by the Na-
22 tional Institutes of Health, as determined by the Di-
23 rector of NIH; and

24 (3) as authorized under paragraphs (2) and (3)
25 of subsection (c).

1 (e) PAY, BENEFITS, RETIREMENT.—

2 (1) IN GENERAL.—Subject to subsection
3 (b)(2)(B) and paragraph (2)(A) of this subsection,
4 all officers of the NIH Police appointed under sub-
5 section (b) are law enforcement officers as that term
6 is used in title 5, United States Code, without re-
7 gard to any eligibility requirements prescribed by
8 law, and are eligible for all pay and benefits pre-
9 scribed by law for such law enforcement officers.

10 (2) PAY; RANKS.—

11 (A) PAY.—The officers of the NIH Police
12 shall receive the same pay and benefits, as de-
13 termined by the Director of NIH, as officers
14 who hold comparable positions in the United
15 States Park Police. For purposes of this sub-
16 paragraph, the Chief of the NIH Police is
17 deemed comparable to the Assistant Chief in
18 the United States Park Police, and the Deputy
19 Chief of the NIH Police is deemed comparable
20 to the Deputy Chief in the United States Park
21 Police.

22 (B) RANK.—The Chief and Deputy Chief
23 of the NIH Police shall have ranks not lower
24 than a colonel and a lieutenant colonel, respec-
25 tively. Other ranks and equivalences shall be de-

1 terminated by the Director of NIH or the Direc-
2 tor's designee.

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