

by the Capitol Police Board which are designated for deposit into the Fund shall be deposited into the Fund.

(Pub. L. 105-223, §1, Aug. 7, 1998, 112 Stat. 1250.)

CODIFICATION

Section was classified to section 207c of former Title 40, prior to the enactment of Title 40, Public Buildings, Property, and Works, by Pub. L. 107-217, §1, Aug. 21, 2002, 116 Stat. 1062.

§ 1952. Payments from Fund for families of Detective Gibson and Private First Class Chestnut

Subject to the regulations issued under section 1954 of this title, amounts in the Fund shall be paid to the families of Detective John Michael Gibson and Private First Class Jacob Joseph Chestnut of the United States Capitol Police as follows:

(1) Fifty percent of such amounts shall be paid to the widow and children of Detective Gibson.

(2) Fifty percent of such amounts shall be paid to the widow and children of Private First Class Chestnut.

(Pub. L. 105-223, §2, Aug. 7, 1998, 112 Stat. 1250.)

CODIFICATION

Section was classified to section 207c-1 of former Title 40, prior to the enactment of Title 40, Public Buildings, Property, and Works, by Pub. L. 107-217, §1, Aug. 21, 2002, 116 Stat. 1062.

§ 1953. Tax treatment of Fund

(a) Contributions to Fund

For purposes of title 26, any contribution or gift to or for the use of the Fund shall be treated as a contribution or gift for exclusively public purposes to or for the use of an organization described in section 170(c)(1) of title 26.

(b) Treatment of payments from Fund

Any payment from the Fund shall not be subject to any Federal, State, or local income or gift tax.

(c) Exemption

For purposes of title 26, notwithstanding section 501(c)(1)(A) of title 26, the Fund shall be treated as described in section 501(c)(1) of title 26 and exempt from tax under section 501(a) of title 26.

(Pub. L. 105-223, §3, Aug. 7, 1998, 112 Stat. 1250.)

CODIFICATION

Section was classified to section 207c-2 of former Title 40, prior to the enactment of Title 40, Public Buildings, Property, and Works, by Pub. L. 107-217, §1, Aug. 21, 2002, 116 Stat. 1062.

§ 1954. Administration by Capitol Police Board

The Capitol Police Board shall administer and manage the Fund (including establishing the timing and manner of making payments under section 1952 of this title) in accordance with regulations issued by the Board, subject to the approval of the Committee on Rules and Administration of the Senate and the Committee on House Oversight of the House of Representa-

tives. Under such regulations, the Board shall pay any balance remaining in the Fund upon the expiration of the 6-month period which begins on August 7, 1998, to the families of Detective John Michael Gibson and Private First Class Jacob Joseph Chestnut in accordance with section 1952 of this title, and shall disburse any amounts in the Fund after the expiration of such period in such manner as the Board may establish. Under such regulations, and using amounts in the Fund, a financial adviser or trustee, as appropriate, for the families of Detective John Michael Gibson and Private First Class Jacob Joseph Chestnut of the United States Capitol Police shall be appointed to advise the families respecting disbursements to them of amounts in the Fund.

(Pub. L. 105-223, §4, Aug. 7, 1998, 112 Stat. 1250.)

CODIFICATION

Section was classified to section 207c-3 of former Title 40, prior to the enactment of Title 40, Public Buildings, Property, and Works, by Pub. L. 107-217, §1, Aug. 21, 2002, 116 Stat. 1062.

CHANGE OF NAME

Committee on House Oversight of House of Representatives changed to Committee on House Administration of House of Representatives by House Resolution No. 5, One Hundred Sixth Congress, Jan. 6, 1999.

SUBCHAPTER II—POWERS AND DUTIES

§ 1961. Policing of Capitol Buildings and Grounds

(a) The Capitol Police shall police the United States Capitol Buildings and Grounds under the direction of the Capitol Police Board, consisting of the Sergeant at Arms of the United States Senate, the Sergeant at Arms of the House of Representatives, and the Architect of the Capitol, and shall have the power to enforce the provisions of this section, sections 1922, 1966, 1967, and 1969 of this title¹ (and regulations promulgated under section 1969 of this title), and chapter 51 of title 40, and to make arrests within the United States Capitol Buildings and Grounds for any violations of any law of the United States, of the District of Columbia, or of any State, or any regulation promulgated pursuant thereto: *Provided*, That for the fiscal year for which appropriations are made by this Act the Capitol Police shall have the additional authority to make arrests within the District of Columbia for crimes of violence, as defined in section 16 of title 18, committed within the Capitol Buildings and Grounds and shall have the additional authority to make arrests, without a warrant, for crimes of violence, as defined in section 16 of title 18, committed in the presence of any member of the Capitol Police performing official duties: *Provided further*, That the Metropolitan Police force of the District of Columbia are authorized to make arrests within the United States Capitol Buildings and Grounds for any violation of any such laws or regulations, but such authority shall not be construed as authorizing the Metropolitan Police force, except with the consent or upon the request of the Capitol Police Board, to enter such buildings to make arrests

¹ See References in Text note below.

in response to complaints or to serve warrants or to patrol the United States Capitol Buildings and Grounds. For the purpose of this section, the word “grounds” shall include the House Office Buildings parking areas and that part or parts of property which have been or hereafter are acquired in the District of Columbia by the Architect of the Capitol, or by an officer of the Senate or the House, by lease, purchase, intergovernment transfer, or otherwise, for the use of the Senate, the House, or the Architect of the Capitol.

(b) For purposes of this section, “the United States Capitol Buildings and Grounds” shall include any building or facility acquired by the Sergeant at Arms of the Senate for the use of the Senate for which the Sergeant at Arms of the Senate has entered into an agreement with the United States Capitol Police for the policing of the building or facility.

(c) For purposes of this section, “the United States Capitol Buildings and Grounds” shall include any building or facility acquired by the Chief Administrative Officer of the House of Representatives for the use of the House of Representatives for which the Chief Administrative Officer has entered into an agreement with the United States Capitol Police for the policing of the building or facility.

(d) For purposes of this section, “United States Capitol Buildings and Grounds” shall include the Library of Congress buildings and grounds described under section 167j of this title, except that in a case of buildings or grounds not located in the District of Columbia, the authority granted to the Metropolitan Police Force of the District of Columbia shall be granted to any police force within whose jurisdiction the buildings or grounds are located.

(July 31, 1946, ch. 707, § 9, 60 Stat. 719; Pub. L. 93-198, title VII, § 739(g)(4), (5), Dec. 24, 1973, 87 Stat. 829; Pub. L. 101-520, title I, § 106, formerly § 106(a), Nov. 5, 1990, 104 Stat. 2264, renumbered § 106 and amended Pub. L. 102-392, title III, § 310, Oct. 6, 1992, 106 Stat. 1723; Pub. L. 102-397, title I, § 103, Oct. 6, 1992, 106 Stat. 1950; Pub. L. 107-117, div. B, §§ 901(c)(2), 903(c)(2), Jan. 10, 2002, 115 Stat. 2316, 2317; Pub. L. 107-206, title I, §§ 902(b), 903(b), Aug. 2, 2002, 116 Stat. 876; Pub. L. 108-7, div. H, title I, § 1016(c), Feb. 20, 2003, 117 Stat. 365; Pub. L. 110-161, div. H, title I, § 1004(d)(1)(A), Dec. 26, 2007, 121 Stat. 2233; Pub. L. 110-178, § 4(a)(1), Jan. 7, 2008, 121 Stat. 2551; Pub. L. 111-145, § 6(d)(1), Mar. 4, 2010, 124 Stat. 54.)

REFERENCES IN TEXT

This section and sections 1922, 1966, 1967, and 1969 of this title, referred to in subsec. (a), was in the original a reference to the act of July 31, 1946, meaning act July 31, 1946, ch. 707, 60 Stat. 718, as amended, which enacted this section, sections 1922, 1966, 1967, and 1969 of this title, and provisions set out as a note below. For complete classification of the act of July 31, 1946, to the Code, see Tables.

This Act, referred to in subsec. (a), probably means Pub. L. 101-520, Nov. 5, 1990, 104 Stat. 2254, known as the Legislative Branch Appropriations Act, 1991, which amended this section generally. For complete classification of this Act to the Code, see Tables.

CODIFICATION

Section was classified to section 212a of former Title 40, prior to the enactment of Title 40, Public Buildings,

Property, and Works, by Pub. L. 107-217, § 1, Aug. 21, 2002, 116 Stat. 1062.

AMENDMENTS

2010—Subsec. (d). Pub. L. 111-145 repealed Pub. L. 110-161, § 1004(d)(1)(A). See 2007 Amendment note below.

2008—Subsec. (d). Pub. L. 110-178 added subsec. (d).

2007—Subsec. (d). Pub. L. 110-161, § 1004(d)(1)(A), which made an amendment identical to that made by Pub. L. 110-178, was repealed by Pub. L. 111-145. See Effective Date of 2010 Amendment note below.

2003—Subsec. (a). Pub. L. 108-7 substituted “this section, sections 1922, 1966, 1967, and 1969 of this title (and regulations promulgated under section 1969 of this title), and chapter 51 of title 40” for “sections 193a to 193m, 212a, 212a-2, and 212b of this title and regulations promulgated under section 212b of this title.”

2002—Subsec. (a). Pub. L. 107-117, §§ 901(c)(2)(A), 903(b)(2)(A), amended section identically, inserting “(a)” before “The Capitol Police shall police”.

Subsec. (b). Pub. L. 107-206 redesignated subsec. (b) relating to buildings or facilities acquired by the Chief Administrative Officer of the House of Representatives as (c).

Pub. L. 107-117, § 903(c)(2)(B), added subsec. (b) relating to buildings or facilities acquired by the Chief Administrative Officer of the House of Representatives.

Pub. L. 107-117, § 901(c)(2)(B), added subsec. (b) relating to buildings or facilities acquired by the Sergeant at Arms of the Senate.

Subsec. (c). Pub. L. 107-206 redesignated subsec. (b) relating to buildings or facilities acquired by the Chief Administrative Officer of the House of Representatives as (c).

1992—Pub. L. 102-392 and Pub. L. 102-397 amended directory language of Pub. L. 101-520 identically. See 1990 Amendment note below.

1990—Pub. L. 101-520, as amended by Pub. L. 102-392 and Pub. L. 102-397, amended section generally. Prior to amendment, section read as follows: “The Capitol Police shall police the United States Capitol Buildings and Grounds under the direction of the Capitol Police Board, consisting of the Sergeant at Arms of the United States Senate, the Sergeant at Arms of the House of Representatives, and the Architect of the Capitol, and shall have the power to enforce the provisions of sections 193a to 193m, 212a, 212a-2, and 212b of this title and regulations promulgated under section 212b of this title, and to make arrests within the United States Capitol Buildings and Grounds for any violations of any law of the United States, of the District of Columbia, or of any State, or any regulation promulgated pursuant thereto: *Provided*, That the Metropolitan Police force of the District of Columbia are authorized to make arrests within the United States Capitol Buildings and Grounds for any violations of any such laws or regulations, but such authority shall not be construed as authorizing the Metropolitan Police force, except with the consent or upon the request of the Capitol Police Board, to enter such buildings to make arrests in response to complaints or to serve warrants or to patrol the United States Capitol Buildings and Grounds. For the purpose of this section, the word ‘grounds’ shall include the House Office Building parking area.”

1973—Pub. L. 93-198 inserted reference to violations of any law of the District of Columbia and struck out “, with the exception of the streets and roadways shown on the map referred to in section 193a of this title as being under the jurisdiction and control of the Commissioners of the District of Columbia” after “or to patrol the United States Capitol Buildings and Grounds”.

EFFECTIVE DATE OF 2010 AMENDMENT

Repeal of section 1004 of Pub. L. 110-161 by Pub. L. 111-145 effective as if included in the enactment of Pub. L. 110-161 and provisions amended by section 1004 of Pub. L. 110-161 to be restored as if such section had not been enacted, and repeal to have no effect on the enact-

ment or implementation of any provision of Pub. L. 110-178, see section 6(d) of Pub. L. 111-145, set out as a note under section 1901 of this title.

EFFECTIVE DATE OF 2008 AMENDMENT

Amendment by Pub. L. 110-178 effective Oct. 1, 2009, see section 4(d) of Pub. L. 110-178, set out as an Effective Date of Repeal note under section 167 of this title.

EFFECTIVE DATE OF 2003 AMENDMENT

Pub. L. 108-7, div. H, title I, §1016(d), Feb. 20, 2003, 117 Stat. 365, provided that: "The amendments made by this subsection [probably means this section, amending this section and sections 5101 and 5102 of Title 40, Public Buildings, Property, and Works] shall apply to fiscal year 2003 and each fiscal year thereafter."

EFFECTIVE DATE OF 2002 AMENDMENTS

Amendment by section 902(b) of Pub. L. 107-206 effective as if included in the enactment of the Emergency Supplemental Act, 2002, Pub. L. 107-117, div. B, see section 902(c) of Pub. L. 107-206, set out as a note under section 2022 of this title.

Amendment by section 903(b) of Pub. L. 107-206 effective as if included in the enactment of the Emergency Supplemental Act, 2002, Pub. L. 107-117, div. B, see section 903(c) of Pub. L. 107-206, set out as a note under section 2002 of this title.

Amendment by section 901(c)(2) of Pub. L. 107-117 applicable with respect to fiscal year 2002 and each succeeding fiscal year, see section 2022(e) of this title.

Amendment by section 903(c)(2) of Pub. L. 107-117 applicable with respect to fiscal year 2002 and each succeeding fiscal year, see section 2002(e) of this title.

EFFECTIVE DATE OF 1992 AMENDMENTS

Pub. L. 102-397, title I, §103, Oct. 6, 1992, 106 Stat. 1950, provided that the amendment made by section 103 is effective Nov. 5, 1990.

Pub. L. 102-392, title III, §310, Oct. 6, 1992, 106 Stat. 1723, provided that the amendment made by section 310 is effective Nov. 5, 1990.

EFFECTIVE DATE OF 1973 AMENDMENT

Pub. L. 93-198, title VII, §771(d), Dec. 24, 1973, 87 Stat. 836, provided that the amendment made by Pub. L. 93-198 is effective on Jan. 2, 1975, if a majority of the registered qualified electors in the District of Columbia voting on the charter issue in the charter referendum accepted the charter set out in title IV of Pub. L. 93-198, Dec. 24, 1973, 87 Stat. 785. The charter was approved by the voters on May 7, 1974.

CONSTRUCTION

Act July 31, 1946, ch. 707, §16(b), 60 Stat. 721, provided that: "Nothing in this Act [2 U.S.C. 1922, 1961, 1966, 1967, 1969; 40 U.S.C. 5101 to 5107, 5109, see References in Text note under section 1819 of this title] shall be construed to repeal, amend, alter, or supersede (1) section 1820 of the Revised Statutes (U.S.C., title 40, sec. 193) [now 2 U.S.C. 2183]; (2) an Act entitled 'An Act to protect the public property, turf, and grass of the Capitol Grounds from injury', approved April 29, 1876 (19 Stat. 41; U.S.C., title 40, sec. 214) [now 2 U.S.C. 1963]; (3) except as provided in section 9 of this Act [2 U.S.C. 1961], section 15 of an Act entitled 'An Act for the preservation of the public peace and the protection of property within the District of Columbia', approved July 29, 1892 (27 Stat. 325; U.S.C., title 40, sec. 101) [see 40 U.S.C. 8103]; (4) the second proviso in the item 'Capitol garages' under the caption 'Capitol Buildings and Grounds' contained in an Act entitled 'An Act making appropriations for the legislative branch of the Government for the fiscal year ending June 30, 1933, and for other purposes', approved June 30, 1932 (47 Stat. 382, 391; U.S.C., title 40, sec. 185a) [now 2 U.S.C. 2025]; or (5) an Act entitled 'An Act to authorize the use of part of the United States Capitol

Grounds east of the Union Station for the parking of motor vehicles', approved July 8, 1943 (57 Stat. 390)."

JURISDICTION OF UNITED STATES CAPITOL POLICE OVER TEMPORARY PARKING AREAS DURING CONSTRUCTION OF JUDICIARY ANNEX BUILDING

Pub. L. 101-302, title III, §313, May 25, 1990, 104 Stat. 245, provided that:

"(a) The supervision and jurisdiction of the United States Capitol Police shall extend over any area with respect to which the Architect of the Capitol has contracted, or otherwise entered into an agreement, for parking space in the Union Station parking garage to accommodate personnel of the United States Senate whose parking privileges have been affected by the construction of the Judiciary Annex Building, and over any area and streets necessary to carry out such supervision and to travel between such parking area and the United States Capitol Grounds.

"(b) In carrying out such supervision, the United States Capitol Police shall have, within any such area or street, jurisdiction, concurrent with that of the Metropolitan Police of the District of Columbia, to provide security for such personnel and property of such personnel and of the United States Senate within such area or street, and to make arrests for the violation of the laws and regulations of the United States and the District of Columbia.

"(c) The provisions of subsections (a) and (b) shall be effective only during the period that there is in effect a contract or other agreement as referred to in subsection (a)."

EXTENSION OF UNITED STATES CAPITOL POLICE SUPERVISION

Pub. L. 95-175, Nov. 14, 1977, 91 Stat. 1362, provided: "That the supervision of the United States Capitol Police shall extend over that part or parts of the premises located at 600 Pennsylvania Avenue, Southeast, Washington, District of Columbia, leased by the Office of Technology Assessment. In carrying out such supervision, the United States Capitol Police shall have within such part or parts jurisdiction, concurrent with that of the Metropolitan Police of the District of Columbia, to provide security for the personnel and property of the Office of Technology Assessment within such leased premises, and to make arrest therein for the violation of the laws and regulations of the United States and the District of Columbia."

§ 1962. Detail of police

The Capitol Police Board is authorized to detail police from the House Office, Senate Office, and Capitol Buildings for police duty on the Capitol Grounds and on the Library of Congress Grounds.

(Pub. L. 96-432, §5, Oct. 10, 1980, 94 Stat. 1853.)

CODIFICATION

Section was classified to section 212a-1 of former Title 40, prior to the enactment of Title 40, Public Buildings, Property, and Works, by Pub. L. 107-217, §1, Aug. 21, 2002, 116 Stat. 1062.

Provisions of this section were enacted as permanent law in Pub. L. 96-432. Similar fiscal year provisions were contained in the following appropriation acts and have not been repeated since 1983:

Pub. L. 98-51, title I, §112, July 14, 1983, 97 Stat. 271.

Pub. L. 97-276, §101(e) [S. 2939, title I], Oct. 2, 1982, 96 Stat. 1189.

Pub. L. 97-51, §101(c) [H.R. 4120, title I], Oct. 1, 1981, 95 Stat. 959.

Pub. L. 96-536, §101(c) [H.R. 7593, title I], Dec. 16, 1980, 94 Stat. 3167.

Pub. L. 95-391, title I, Sept. 30, 1978, 92 Stat. 780.

Pub. L. 95-94, title I, Aug. 5, 1977, 91 Stat. 671.

Pub. L. 94-440, title III, Oct. 1, 1976, 90 Stat. 1451.