

EFFECTIVE DATE OF 2003 AMENDMENT

Amendment by Pub. L. 108-7 applicable with respect to the first pay period beginning on or after Feb. 20, 2003, see section 1013(d) of Pub. L. 108-7, set out as a note under section 1902 of this title.

EFFECTIVE DATE OF 2001 AMENDMENT

Pub. L. 107-68, title I, §122(b), Nov. 12, 2001, 115 Stat. 576, provided that: “The amendment made by subsection (a) [amending this section] shall apply with respect to pay periods beginning on or after October 1, 2001.”

EFFECTIVE DATE OF 2000 AMENDMENT

Pub. L. 106-346, §101(a) [title V, §507(b)], Oct. 23, 2000, 114 Stat. 1356, 1356A-57, provided that: “The amendments made by subsection (a) [amending this section] shall take effect as if included in the enactment of the Legislative Branch Appropriations Act, 2001 [H.R. 5657, as enacted by section 1(a)(2) of Pub. L. 106-554].”

CONSTRUCTION OF 2010 AMENDMENT

Pub. L. 111-145, §2(a)(6), Mar. 4, 2010, 124 Stat. 50, provided that: “Nothing in the amendments made by this subsection [amending this section and sections 1301, 1904, and 1907 of this title and repealing sections 1928 and 1929 of this title] may be construed to affect the status of any individual serving as an officer or employee of the United States Capitol Police as of the date of the enactment of this Act [Mar. 4, 2010].”

§ 1904. Certifying officers**(a) Appointment of certifying officers of the Capitol Police**

The Chief Administrative Officer of the United States Capitol Police, or when there is not a Chief Administrative Officer, the Chief of the Capitol Police, shall appoint certifying officers to certify all vouchers for payment from funds made available to the United States Capitol Police.

(b) Responsibility and accountability of certifying officers**(1) In general**

Each officer or employee of the Capitol Police who has been duly authorized in writing by the Chief Administrative Officer, or the Chief of the Capitol Police if there is not a Chief Administrative Officer, to certify vouchers pursuant to subsection (a) shall—

(A) be held responsible for the existence and correctness of the facts recited in the certificate or otherwise stated on the voucher or its supporting papers and for the legality of the proposed payment under the appropriation or fund involved;

(B) be held responsible and accountable for the correctness of the computations of certified vouchers; and

(C) be held accountable for and required to make good to the United States the amount of any illegal, improper, or incorrect payment resulting from any false, inaccurate, or misleading certificate made by such officer or employee, as well as for any payment prohibited by law or which did not represent a legal obligation under the appropriation or fund involved.

(2) Relief by Comptroller General

The Comptroller General may, at the Comptroller General's discretion, relieve such certi-

fying officer or employee of liability for any payment otherwise proper if the Comptroller General finds—

(A) that the certification was based on official records and that the certifying officer or employee did not know, and by reasonable diligence and inquiry could not have ascertained, the actual facts; or

(B) that the obligation was incurred in good faith, that the payment was not contrary to any statutory provision specifically prohibiting payments of the character involved, and the United States has received value for such payment.

(c) Enforcement of liability

The liability of the certifying officers of the United States Capitol Police shall be enforced in the same manner and to the same extent as currently provided with respect to the enforcement of the liability of disbursing and other accountable officers, and such officers shall have the right to apply for and obtain a decision by the Comptroller General on any question of law involved in a payment on any vouchers presented to them for certification.

(Pub. L. 106-554, §1(a)(2) [title I, §107], Dec. 21, 2000, 114 Stat. 2763, 2763A-103; Pub. L. 111-145, §2(a)(3), Mar. 4, 2010, 124 Stat. 49.)

Editorial Notes

CODIFICATION

Section was classified to section 207d 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—Subsecs. (a), (b)(1). Pub. L. 111-145 substituted “the Chief of the Capitol Police” for “the Capitol Police Board”.

§ 1905. Deposit and use of reimbursements for law enforcement assistance

(a)(1) Any funds received by the Capitol Police as reimbursement for law enforcement assistance from any Federal, State, or local government agency (including any agency of the District of Columbia), and from any other source in the case of assistance provided in connection with an activity that was not sponsored by Congress shall be deposited in the United States Treasury for credit to the appropriation for “general expenses” under the heading “United States Capitol Police”, or “security enhancements” under the heading “United States Capitol Police”.

(2) Funds deposited under this subsection may be expended by the Chief of the United States Capitol Police for any authorized purpose, including overtime pay expenditures relating to any law enforcement assistance for which reimbursement described in paragraph (1) is made, and shall remain available until expended.

(b) This section shall take effect on July 24, 2001, and shall apply to fiscal year 2001 and each fiscal year thereafter.

(Pub. L. 107-20, title II, §2802, July 24, 2001, 115 Stat. 184; Pub. L. 111-145, §2(b)(1), Mar. 4, 2010, 124 Stat. 51; Pub. L. 114-113, div. I, title I, §1001(a), (b), Dec. 18, 2015, 129 Stat. 2663.)

Editorial Notes

CODIFICATION

Section was classified to section 207e 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.

Section is from the Supplemental Appropriations Act, 2001.

AMENDMENTS

2015—Subsec. (a)(1). Pub. L. 114–113, §1001(a), substituted “District of Columbia), and from any other source in the case of assistance provided in connection with an activity that was not sponsored by Congress” for “District of Columbia)”.

Subsec. (a)(2). Pub. L. 114–113, §1001(b), substituted “any law enforcement assistance for which reimbursement described in paragraph (1) is made” for “law enforcement assistance to any Federal, State, or local government agency (including any agency of the District of Columbia)”.

2010—Subsec. (a)(1). Pub. L. 111–145, §2(b)(1)(A), substituted “United States Capitol Police” for “Capitol Police Board” in two places.

Subsec. (a)(2). Pub. L. 111–145, §2(b)(1)(B), substituted “Chief of the United States Capitol Police” for “Capitol Police Board”.

Statutory Notes and Related Subsidiaries

EFFECTIVE DATE OF 2015 AMENDMENT

Pub. L. 114–113, div. I, title I, §1001(c), Dec. 18, 2015, 129 Stat. 2663, provided that: “The amendments made by this section [amending this section] shall only apply with respect to any reimbursement received before, on, or after the date of the enactment of the Act [Dec. 18, 2015].”

EFFECTIVE DATE OF 2010 AMENDMENT

Pub. L. 111–145, §2(b)(2), Mar. 4, 2010, 124 Stat. 51, provided that: “The amendments made by paragraph (1) [amending this section] shall take effect as if included in the enactment of the Supplemental Appropriations Act, 2001 [Pub. L. 107–20].”

§ 1905a. Reimbursement for salaries paid for service at Federal Law Enforcement Training Center

Notwithstanding any other provision of law, the Chief of the Capitol Police is authorized to receive moneys from the Department of the Treasury as reimbursements for salaries paid by the Capitol Police in connection with certain officers and members of the United States Capitol Police serving as instructors at the Federal Law Enforcement Training Center. Moneys so received shall be deposited in the Treasury of the United States as miscellaneous receipts.

(Pub. L. 95–26, title I, §111, May 4, 1977, 91 Stat. 87; Pub. L. 108–7, div. H, title I, §1018(h)(3), Feb. 20, 2003, 117 Stat. 369.)

Editorial Notes

CODIFICATION

Section was formerly classified to section 64–3 of this title.

Section is from the Supplemental Appropriations Act, 1977.

AMENDMENTS

2003—Pub. L. 108–7 substituted “Chief of the Capitol Police” for “Secretary of the Senate” and “the Capitol Police” for “the United States Senate”.

Statutory Notes and Related Subsidiaries

EFFECTIVE DATE OF 2003 AMENDMENT

Amendment by Pub. L. 108–7 effective Feb. 20, 2003, and applicable to fiscal year 2003 and each fiscal year thereafter, see section 1907(i) of this title.

TRANSFER OF FUNCTIONS

For transfer of functions, personnel, assets, and liabilities of the Federal Law Enforcement Training Center of the Department of the Treasury to the Secretary of Homeland Security, and for treatment of related references, see sections 203(4), 551(d), 552(d), and 557 of Title 6, Domestic Security, and the Department of Homeland Security Reorganization Plan of November 25, 2002, as modified, set out as a note under section 542 of Title 6.

§ 1905b. Notification of obligation

(a) Beginning on March 15, 2022, the Chief of the United States Capitol Police shall provide written notice to the Committee on Appropriations of the Senate and the Committee on Appropriations of the House of Representatives before any obligation of funds under section 1905(a)(2) of this title that equals or exceeds \$100,000.

(b) This section shall apply with respect to fiscal year 2022 and each fiscal year thereafter.

(Pub. L. 117–103, div. I, title I, §120, Mar. 15, 2022, 136 Stat. 513.)

§ 1906. Disposal of surplus property**(a) In general**

Within the limits of available appropriations, the Capitol Police may dispose of surplus or obsolete property of the Capitol Police, and property which is in the possession of the Capitol Police because it has been disposed, forfeited, voluntarily abandoned, or unclaimed, by inter-agency transfer, donation, sale, trade-in, or other appropriate method.

(b) Amounts received

Any amounts received by the Capitol Police from the disposition of property under subsection (a) shall be credited to the account established for the general expenses of the Capitol Police, and shall be available to carry out the purposes of such account during the fiscal year in which the amounts are received and the following fiscal year.

(c) Effective date

This section shall apply to fiscal year 2003 and each fiscal year thereafter.

(Pub. L. 108–7, div. H, title I, §1003, Feb. 20, 2003, 117 Stat. 357; Pub. L. 115–31, div. I, title I, §1001(a), May 5, 2017, 131 Stat. 578.)

Editorial Notes

CODIFICATION

Section is from the Legislative Branch Appropriations Act, 2003, which is div. H of Pub. L. 108–7.

AMENDMENTS

2017—Subsec. (a). Pub. L. 115–31 substituted “surplus or obsolete property of the Capitol Police, and property which is in the possession of the Capitol Police because it has been disposed, forfeited, voluntarily abandoned, or unclaimed,” for “surplus or obsolete property of the Capitol Police”.