

provided under section 1881a of this title until the regulations issued under section 1881b(a) of this title take effect in accordance with section 1881b(b) of this title.

(Pub. L. 114–156, §6, May 16, 2016, 130 Stat. 392.)

CHAPTER 29—CAPITOL POLICE

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SUBCHAPTER I—ORGANIZATION AND ADMINISTRATION

PART A—GENERAL

§ 1901. Establishment; officer appointments

There shall be a Capitol police. There shall be a captain of the Capitol police and such other members with such rates of compensation, respectively, as may be appropriated for by Congress from year to year. The Capitol Police shall be headed by a Chief who shall be appointed by the Capitol Police Board and shall serve at the pleasure of the Board.

(R.S. §1821; Apr. 28, 1902, ch. 594, 32 Stat. 124; June 28, 1943, ch. 173, title I, 57 Stat. 230; Pub. L. 96–152, §1(a), Dec. 20, 1979, 93 Stat. 1099; Pub. L. 108–7, div. H, title I, §1018(h)(1), Feb. 20, 2003, 117 Stat. 368; Pub. L. 111–145, §6(e)(1)–(3), Mar. 4, 2010, 124 Stat. 54, 55.)

Editorial Notes

CODIFICATION

Section was classified to section 206 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 was a composite of provisions of R.S. §1821, act Apr. 28, 1902, and act June 28, 1943, cited in the credits. Provisions from act Apr. 28, 1902, and act June 28, 1943, were repealed by Pub. L. 111–145, §6(e)(1).

R.S. §1821 derived from acts Mar. 2, 1867, ch. 167, §2, 14 Stat. 466; Mar. 3, 1873, ch. 226, 17 Stat. 488.

AMENDMENTS

2010—Pub. L. 111–145, §6(e)(3), amended first sentence of R.S. §1821 by striking “, the members of which shall

be appointed by the Sergeants-at-Arms of the two Houses and the Architect of the Capitol Extension” after “There shall be a Capitol police”.

Pub. L. 111-145, §6(e)(2), repealed Pub. L. 108-7, §1018(h)(1), and provided that the sentence repealed by such section is restored to appear at end of section. See 2003 Amendment note below.

Pub. L. 111-145, §6(e)(1), struck out “The captain and lieutenants shall be selected jointly by the Sergeant at Arms of the Senate and the Sergeant at Arms of the House of Representatives; and one-half of the privates shall be selected by the Sergeant at Arms of the Senate and one-half by the Sergeant at Arms of the House of Representatives.” after “from year to year.”

2003—Pub. L. 108-7, §1018(h)(1), which struck out last sentence which read “The Capitol Police shall be headed by a Chief who shall be appointed by the Capitol Police Board and shall serve at the pleasure of the Board.”, was repealed by Pub. L. 111-145, §6(e)(2).

1979—Pub. L. 96-152 inserted last sentence providing that the Capitol Police be headed by a Chief who shall be appointed by the Capitol Police Board and who shall serve at the pleasure of the Board.

Statutory Notes and Related Subsidiaries

EFFECTIVE DATE OF 2010 AMENDMENT

Pub. L. 111-145, §6(d), Mar. 4, 2010, 124 Stat. 54, provided that:

“(1) REPEAL OF DUPLICATE PROVISIONS.—Effective as if included in the enactment of the Legislative Branch Appropriations Act, 2008 (Public Law 110-161), section 1004 of such Act [enacting sections 141b and 143c of this title, amending sections 167i, 167j, 182b, 185, and 1961 of this title and sections 5101, 5102, and 5104 of Title 40, Public Buildings, Property, and Works, repealing sections 167 to 167h of this title, enacting provisions set out as notes under this section and sections 167 and 182b of this title, and repealing provisions set out as notes under this section] is repealed, and any provision of law amended or repealed by such section is restored or revived to read as if such section had not been enacted into law.

“(2) NO EFFECT ON OTHER ACT.—Nothing in paragraph (1) may be construed to prevent the enactment or implementation of any provision of the U.S. Capitol Police and Library of Congress Police Merger Implementation Act of 2007 (Public Law 110-178) [see Tables for classification], including any provision of such Act that amends or repeals a provision of law which is restored or revived pursuant to paragraph (1).”

Pub. L. 111-145, §6(e)(4), Mar. 4, 2010, 124 Stat. 55, provided that: “The amendments made by this subsection [amending this section] shall take effect as if included in the enactment of the Legislative Branch Appropriations Act, 2003 [Pub. L. 108-7, div. H].”

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.

EFFECTIVE DATE OF 1979 AMENDMENT

Pub. L. 96-152, §7, Dec. 20, 1979, 93 Stat. 1100, provided that: “This Act [enacting section 1902 of this title and amending this section] shall take effect on the first day of the second month after the month in which this Act is enacted [Dec. 1979].”

SHORT TITLE OF 2021 AMENDMENT

Pub. L. 117-77, §1, Dec. 22, 2021, 135 Stat. 1522, provided that: “This Act [enacting section 1901b of this title, amending sections 1970 and 1974 of this title, and enacting provisions set out as a note under section 1970 of this title] may be cited as the ‘Capitol Police Emergency Assistance Act of 2021’.”

SHORT TITLE OF 2017 AMENDMENT

Pub. L. 115-45, §1, Aug. 4, 2017, 131 Stat. 956, provided that: “This Act [amending sections 1951, 1952, and 1954

of this title] may be cited as the ‘Wounded Officers Recovery Act of 2017’.”

SHORT TITLE OF 2010 AMENDMENT

Pub. L. 111-145, §1, Mar. 4, 2010, 124 Stat. 49, provided that: “This Act [see Tables for classification] may be cited as the ‘United States Capitol Police Administrative Technical Corrections Act of 2009’.”

SHORT TITLE OF 2008 AMENDMENT

Pub. L. 110-178, §1, Jan. 7, 2008, 121 Stat. 2546, provided that: “This Act [enacting sections 141b and 143c of this title, amending sections 167i, 167j, 182b, 185, and 1961 of this title and sections 5101, 5102, and 5104 of Title 40, Public Buildings, Property, and Works, repealing sections 167 to 167h of this title, enacting provisions set out as notes under this section and sections 167 and 182b of this title, and repealing provisions set out as notes under this section] may be cited as the ‘U.S. Capitol Police and Library of Congress Police Merger Implementation Act of 2007’.”

SHORT TITLE OF 2007 AMENDMENT

Pub. L. 110-161, div. H, title I, §1004(a), Dec. 26, 2007, 121 Stat. 2227, which provided that section 1004 of Pub. L. 110-161 could be cited as the “U.S. Capitol Police and Library of Congress Police Merger Implementation Act of 2007”, was repealed by Pub. L. 111-145, §6(d)(1), Mar. 4, 2010, 124 Stat. 54. For identical short title, see above.

DESIGNATION OF CAPITOL POLICE WELLNESS PROGRAM

Pub. L. 117-31, title III, §301, July 30, 2021, 135 Stat. 313, provided that:

“(a) APPLICATION OF LAW.—The wellness program of the United States Capitol Police shall be known and designated as the ‘Howard C. Liebengood Center for Wellness’.

“(b) EFFECTIVE DATE.—This section shall apply with respect to fiscal year 2021 and each succeeding fiscal year.”

CAPITOL POLICE BOARD

Pub. L. 108-7, div. H, title I, §1014, Feb. 20, 2003, 117 Stat. 361, which related to composition, mission, and other aspects of the Capitol Police Board, was transferred to section 1901a of this title.

TRANSFER OF LIBRARY OF CONGRESS POLICE TO CAPITOL POLICE

Pub. L. 110-178, §§2, 3, 8, Jan. 7, 2008, 121 Stat. 2546, 2549, 2554, provided that:

“SEC. 2. TRANSFER OF PERSONNEL.

“(a) TRANSFERS.—

“(1) LIBRARY OF CONGRESS POLICE EMPLOYEES.—Effective on the employee’s transfer date, each Library of Congress Police employee shall be transferred to the United States Capitol Police and shall become either a member or civilian employee of the Capitol Police, as determined by the Chief of the Capitol Police under subsection (b).

“(2) LIBRARY OF CONGRESS POLICE CIVILIAN EMPLOYEES.—Effective on the employee’s transfer date, each Library of Congress Police civilian employee shall be transferred to the United States Capitol Police and shall become a civilian employee of the Capitol Police.

“(b) TREATMENT OF LIBRARY OF CONGRESS POLICE EMPLOYEES.—

“(1) DETERMINATION OF STATUS WITHIN CAPITOL POLICE.—

“(A) ELIGIBILITY TO SERVE AS MEMBERS OF THE CAPITOL POLICE.—A Library of Congress Police employee shall become a member of the Capitol Police on the employee’s transfer date if the Chief of the Capitol Police determines and issues a written certification that the employee meets each of the following requirements:

“(i) Based on the assumption that such employee would perform a period of continuous Fed-

eral service after the transfer date, the employee would be entitled to an annuity for immediate retirement under section 8336(b) or 8412(b) of title 5, United States Code (as determined by taking into account paragraph (3)(A)), on the date such employee becomes 60 years of age.

“(ii) During the transition period, the employee successfully completes training, as determined by the Chief of the Capitol Police.

“(iii) The employee meets the qualifications required to be a member of the Capitol Police, as determined by the Chief of the Capitol Police.

“(B) SERVICE AS CIVILIAN EMPLOYEE OF CAPITOL POLICE.—If the Chief of the Capitol Police determines that a Library of Congress Police employee does not meet the eligibility requirements, the employee shall become a civilian employee of the Capitol Police on the employee’s transfer date.

“(C) FINALITY OF DETERMINATIONS.—Any determination of the Chief of the Capitol Police under this paragraph shall not be appealable or reviewable in any manner.

“(D) DEADLINE FOR DETERMINATIONS.—The Chief of the Capitol Police shall complete the determinations required under this paragraph for all Library of Congress Police employees not later than September 30, 2009.

“(2) EXEMPTION FROM MANDATORY SEPARATION.—Section 8335(c) or 8425(c) of title 5, United States Code, shall not apply to any Library of Congress Police employee who becomes a member of the Capitol Police under this subsection, until the earlier of—

“(A) the date on which the individual is entitled to an annuity for immediate retirement under section 8336(b) or 8412(b) of title 5, United States Code; or

“(B) the date on which the individual—

“(i) is 57 years of age or older; and

“(ii) is entitled to an annuity for immediate retirement under section 8336(m) or 8412(d) of title 5, United States Code, (as determined by taking into account paragraph (3)(A)).

“(3) TREATMENT OF PRIOR CREDITABLE SERVICE FOR RETIREMENT PURPOSES.—

“(A) PRIOR SERVICE FOR PURPOSES OF ELIGIBILITY FOR IMMEDIATE RETIREMENT AS MEMBER OF CAPITOL POLICE.—Any Library of Congress Police employee who becomes a member of the Capitol Police under this subsection shall be entitled to have any creditable service under section 8332 or 8411 of title 5, United States Code, that was accrued prior to becoming a member of the Capitol Police included in calculating the employee’s service as a member of the Capitol Police for purposes of section 8336(m) or 8412(d) of title 5, United States Code.

“(B) PRIOR SERVICE FOR PURPOSES OF COMPUTATION OF ANNUITY.—Any creditable service under section 8332 or 8411 of title 5, United States Code, of an individual who becomes a member of the Capitol Police under this subsection that was accrued prior to becoming a member of the Capitol Police—

“(i) shall be treated and computed as employee service under section 8339 or section 8415 of such title; but

“(ii) shall not be treated as service as a member of the Capitol Police or service as a congressional employee for purposes of applying any formula under section 8339(b), 8339(q), 8415(c), or 8415(d) of such title under which a percentage of the individual’s average pay is multiplied by the years (or other period) of such service.

“(c) DUTIES OF EMPLOYEES TRANSFERRED TO CIVILIAN POSITIONS.—

“(1) DUTIES.—The duties of any individual who becomes a civilian employee of the Capitol Police under this section, including a Library of Congress Police civilian employee under subsection (a)(2) and a Library of Congress Police employee who becomes a civilian employee of the Capitol Police under subsection (b)(1)(B), shall be determined solely by the

Chief of the Capitol Police, except that a Library of Congress Police civilian employee under subsection (a)(2) shall continue to support Library of Congress police operations until all Library of Congress Police employees are transferred to the United States Capitol Police under this section.

“(2) FINALITY OF DETERMINATIONS.—Any determination of the Chief of the Capitol Police under this subsection shall not be appealable or reviewable in any manner.

“(d) PROTECTING STATUS OF TRANSFERRED EMPLOYEES.—

“(1) NONREDUCTION IN PAY, RANK, OR GRADE.—The transfer of any individual under this section shall not cause that individual to be separated or reduced in basic pay, rank or grade.

“(2) LEAVE AND COMPENSATORY TIME.—Any annual leave, sick leave, or other leave, or compensatory time, to the credit of an individual transferred under this section shall be transferred to the credit of that individual as a member or an employee of the Capitol Police (as the case may be). The treatment of leave or compensatory time transferred under this section shall be governed by regulations of the Capitol Police Board.

“(3) PROHIBITING IMPOSITION OF PROBATIONARY PERIOD.—The Chief of the Capitol Police may not impose a period of probation with respect to the transfer of any individual who is transferred under this section.

“(e) RULES OF CONSTRUCTION RELATING TO EMPLOYEE REPRESENTATION.—

“(1) EMPLOYEE REPRESENTATION.—Nothing in this Act [see Short Title of 2008 Amendment note set out above] shall be construed to authorize any labor organization that represented an individual who was a Library of Congress police employee or a Library of Congress police civilian employee before the individual’s transfer date to represent that individual as a member of the Capitol Police or an employee of the Capitol Police after the individual’s transfer date.

“(2) AGREEMENTS NOT APPLICABLE.—Nothing in this Act shall be construed to authorize any collective bargaining agreement (or any related court order, stipulated agreement, or agreement to the terms or conditions of employment) applicable to Library of Congress police employees or to Library of Congress police civilian employees to apply to members of the Capitol Police or to civilian employees of the Capitol Police.

“(f) RULE OF CONSTRUCTION RELATING TO PERSONNEL AUTHORITY OF THE CHIEF OF THE CAPITOL POLICE.—Nothing in this Act shall be construed to affect the authority of the Chief of the Capitol Police to—

“(1) terminate the employment of a member of the Capitol Police or a civilian employee of the Capitol Police; or

“(2) transfer any individual serving as a member of the Capitol Police or a civilian employee of the Capitol Police to another position with the Capitol Police.

“(g) TRANSFER DATE DEFINED.—In this Act, the term ‘transfer date’ means, with respect to an employee—

“(1) in the case of a Library of Congress Police employee who becomes a member of the Capitol Police, the first day of the first pay period applicable to members of the United States Capitol Police which begins after the date on which the Chief of the Capitol Police issues the written certification for the employee under subsection (b)(1);

“(2) in the case of a Library of Congress Police employee who becomes a civilian employee of the Capitol Police, the first day of the first pay period applicable to employees of the United States Capitol Police which begins after September 30, 2009; or

“(3) in the case of a Library of Congress Police civilian employee, the first day of the first pay period applicable to employees of the United States Capitol Police which begins after September 30, 2008.

“(h) CANCELLATION IN PORTION OF UNOBLIGATED BALANCE OF FEDLINK REVOLVING FUND.—Amounts avail-

able for obligation by the Librarian of Congress as of the date of the enactment of this Act [Jan. 7, 2008] from the unobligated balance in the revolving fund established under section 103 of the Library of Congress Fiscal Operations Improvement Act of 2000 (2 U.S.C. 182c) for the Federal Library and Information Network program of the Library of Congress and the Federal Research program of the Library of Congress are reduced by a total of \$560,000, and the amount so reduced is hereby cancelled.

“SEC. 3. TRANSITION PROVISIONS.

“(a) TRANSFER AND ALLOCATIONS OF PROPERTY AND APPROPRIATIONS.—

“(1) IN GENERAL.—Effective on the transfer date of any Library of Congress Police employee and Library of Congress Police civilian employee who is transferred under this Act [see Short Title of 2008 Amendment note set out above]—

“(A) the assets, liabilities, contracts, property, and records associated with the employee shall be transferred to the Capitol Police; and

“(B) the unexpended balances of appropriations, authorizations, allocations, and other funds employed, used, held, arising from, available to, or to be made available in connection with the employee shall be transferred to and made available under the appropriations accounts for the Capitol Police for ‘Salaries’ and ‘General Expenses’, as applicable.

“(2) JOINT REVIEW.—During the transition period, the Chief of the Capitol Police and the Librarian of Congress shall conduct a joint review of the assets, liabilities, contracts, property records, and unexpended balances of appropriations, authorizations, allocations, and other funds employed, used, held, arising from, available to, or to be made available in connection with the transfer under this Act.

“(b) TREATMENT OF ALLEGED VIOLATIONS OF CERTAIN EMPLOYMENT LAWS WITH RESPECT TO TRANSFERRED INDIVIDUALS.—

“(1) IN GENERAL.—Notwithstanding any other provision of law and except as provided in paragraph (3), in the case of an alleged violation of any covered law (as defined in paragraph (4)) which is alleged to have occurred prior to the transfer date with respect to an individual who is transferred under this Act, and for which the individual has not exhausted all of the remedies available for the consideration of the alleged violation which are provided for employees of the Library of Congress under the covered law prior to the transfer date, the following shall apply:

“(A) The individual may not initiate any procedure which is available for the consideration of the alleged violation of the covered law which is provided for employees of the Library of Congress under the covered law.

“(B) To the extent that the individual has initiated any such procedure prior to the transfer date, the procedure shall terminate and have no legal effect.

“(C) Subject to paragraph (2), the individual may initiate and participate in any procedure which is available for the resolution of grievances of officers and employees of the Capitol Police under the Congressional Accountability Act of 1995 (2 U.S.C. 1301 et seq.) to provide for consideration of the alleged violation. The previous sentence does not apply in the case of an alleged violation for which the individual exhausted all of the available remedies which are provided for employees of the Library of Congress under the covered law prior to the transfer date.

“(2) SPECIAL RULES FOR APPLYING CONGRESSIONAL ACCOUNTABILITY ACT OF 1995.—In applying paragraph (1)(C) with respect to an individual to whom this subsection applies, for purposes of the consideration of the alleged violation under the Congressional Accountability Act of 1995—

“(A) the date of the alleged violation shall be the individual’s transfer date;

“(B) notwithstanding the third sentence of section 402(a) of such Act (2 U.S.C. 1402(a)), the individual’s request for counseling under such section shall be made not later than 60 days after the date of the alleged violation; and

“(C) the employing office of the individual at the time of the alleged violation shall be the Capitol Police Board.

“(3) EXCEPTION FOR ALLEGED VIOLATIONS SUBJECT TO HEARING PRIOR TO TRANSFER.—Paragraph (1) does not apply with respect to an alleged violation for which a hearing has commenced in accordance with the covered law on or before the transfer date.

“(4) COVERED LAW DEFINED.—In this subsection, a ‘covered law’ is any law for which the remedy for an alleged violation is provided for officers and employees of the Capitol Police under the Congressional Accountability Act of 1995 (2 U.S.C. 1301 et seq.).

“(c) AVAILABILITY OF DETAILEES DURING TRANSITION PERIOD.—During the transition period, the Chief of the Capitol Police may detail additional members of the Capitol Police to the Library of Congress, without reimbursement.

“(d) EFFECT ON EXISTING MEMORANDUM OF UNDERSTANDING.—The Memorandum of Understanding between the Library of Congress and the Capitol Police entered into on December 12, 2004, shall remain in effect during the transition period, subject to—

“(1) the provisions of this Act; and

“(2) such modifications as may be made in accordance with the modification and dispute resolution provisions of the Memorandum of Understanding, consistent with the provisions of this Act.

“(e) RULE OF CONSTRUCTION RELATING TO PERSONNEL AUTHORITY OF THE LIBRARIAN OF CONGRESS.—Nothing in this Act shall be construed to affect the authority of the Librarian of Congress to—

“(1) terminate the employment of a Library of Congress Police employee or Library of Congress Police civilian employee; or

“(2) transfer any individual serving in a Library of Congress Police employee position or Library of Congress Police civilian employee position to another position at the Library of Congress.

“SEC. 8. DEFINITIONS.

“In this Act [see Short Title of 2008 Amendment note set out above]—

“(1) the term ‘Act of August 4, 1950’ means the Act entitled ‘An Act relating to the policing of the buildings and grounds of the Library of Congress,’ (2 U.S.C. 167 et seq.);

“(2) the term ‘Library of Congress Police employee’ means an employee of the Library of Congress designated as police under the first section of the Act of August 4, 1950 (2 U.S.C. 167);

“(3) the term ‘Library of Congress Police civilian employee’ means an employee of the Library of Congress Office of Security and Emergency Preparedness who provides direct administrative support to, and is supervised by, the Library of Congress Police, but shall not include an employee of the Library of Congress who performs emergency preparedness or collections control and preservation functions; and

“(4) the term ‘transition period’ means the period the first day of which is the date of the enactment of this Act [Jan. 7, 2008] and the final day of which is September 30, 2009.”

Similar provisions were contained in Pub. L. 110-161, div. H, title I, §1004(b), (c), (h), Dec. 26, 2007, 121 Stat. 2227, 2231, 2236, prior to repeal by Pub. L. 111-145, §6(d)(1), Mar. 4, 2010, 124 Stat. 54.

Pub. L. 108-83, title I, §1006, Sept. 30, 2003, 117 Stat. 1023, as amended by Pub. L. 108-447, div. G, title I, §1002, Dec. 8, 2004, 118 Stat. 3179; Pub. L. 109-55, title I, §1006(a), Aug. 2, 2005, 119 Stat. 576, related to the effective and efficient transfer of Library of Congress Police to Capitol Police under section 1015 of Pub. L. 108-7, prior to repeal by Pub. L. 110-161, div. H, title I, §1004(g), Dec. 26, 2007, 121 Stat. 2236, and Pub. L. 110-178,

§ 7, Jan. 7, 2008, 121 Stat. 2554, effective Oct. 1, 2009. Pub. L. 110-161, § 1004, was repealed by Pub. L. 111-145, § 6(d)(1), Mar. 4, 2010, 124 Stat. 54.

Pub. L. 108-7, div. H, title I, § 1015, Feb. 20, 2003, 117 Stat. 362, related to the transfer of Library of Congress Police to the United States Capitol Police, prior to repeal by Pub. L. 110-161, div. H, title I, § 1004(g), Dec. 26, 2007, 121 Stat. 2236, and Pub. L. 110-178, § 7, Jan. 7, 2008, 121 Stat. 2554, effective Oct. 1, 2009. Pub. L. 110-161, § 1004, was repealed by Pub. L. 111-145, § 6(d)(1), Mar. 4, 2010, 124 Stat. 54.

LONG TERM STRATEGIC PLAN

Pub. L. 108-7, div. H, title I, § 1019, Feb. 20, 2003, 117 Stat. 369, provided that:

“(a) LONG TERM STRATEGIC PLAN.—

“(1) IN GENERAL.—The Chief of the United States Capitol Police, in consultation with the Comptroller General, shall develop a long term strategic plan which outlines the goals and objectives of the Capitol Police.

“(2) ANNUAL UPDATE.—During the period in which the strategic plan developed under this subsection is in effect, the Chief shall annually update the plan.

“(3) PERIOD COVERED BY PLAN.—The strategic plan under this subsection shall cover the first 5 fiscal years which begin after the plan is developed.

“(b) ANNUAL PERFORMANCE PLAN.—

“(1) IN GENERAL.—With respect to each year which is covered by the strategic plan developed under subsection (a), the Chief of the Capitol Police, in consultation with the Comptroller General, shall develop an annual performance plan for implementing the goals and objectives of the strategic plan during the year.

“(2) CONTENTS.—The annual performance plan developed under this subsection for a year shall include performance goals for each of the goals and objectives of the strategic plan which apply during the year, and shall include (to the extent practicable) quantifiable performance measures for determining the success of the Capitol Police in meeting each such performance goal.

“(3) EVALUATION BY COMPTROLLER GENERAL.—The Comptroller General shall annually evaluate the implementation of the plan and the extent to which the Capitol Police have met the performance goals of the plan, and shall provide the results of the evaluation to the Capitol Police Board, the Committees on Appropriations of the House of Representatives and Senate, the Committee on House Administration of the House of Representatives, and the Committee on Rules and Administration of the Senate.

“(c) INITIAL ACTION PLAN.—Not later than 180 days after the date of the enactment of this Act [Feb. 20, 2003], the Chief of the Capitol Police shall develop an initial action plan describing the policies, procedures, and actions the Chief will carry out to meet the requirements of this section and setting forth a timetable for carrying out each such policy, procedure, and action, and shall submit such plan (upon the approval of the Capitol Police Board) to the Committees on Appropriations of the House of Representatives and Senate, the Committee on House Administration of the House of Representatives, and the Committee on Rules and Administration of the Senate.”

COMPENSATION OF ASSISTANT CHIEF OF CAPITOL POLICE

Pub. L. 107-117, div. B, § 907(b), Jan. 10, 2002, 115 Stat. 2319, as amended by Pub. L. 108-7, div. H, title I, § 1013(b), Feb. 20, 2003, 117 Stat. 361, provided that: “The annual rate of pay for the Assistant Chief of the Capitol Police shall be the amount equal to \$1,000 less than the annual rate of pay in effect for the Chief of the Capitol Police.”

SELECTION OF PRIVATES

Similar provisions as to the selection of privates were contained in the following acts:

June 8, 1942, ch. 396, 56 Stat. 340.
 July 1, 1941, ch. 268, 55 Stat. 456.
 June 18, 1940, ch. 396, 54 Stat. 471.
 June 16, 1939, ch. 208, 53 Stat. 831.
 May 17, 1938, ch. 236, 52 Stat. 389.
 May 18, 1937, ch. 223, 50 Stat. 178.
 Apr. 17, 1936, ch. 233, 49 Stat. 1223.
 July 8, 1935, ch. 374, 49 Stat. 468.
 May 30, 1934, ch. 372, 48 Stat. 826.
 Feb. 28, 1933, ch. 134, 47 Stat. 1359.
 June 30, 1932, ch. 314, 47 Stat. 390.
 Feb. 20, 1931, ch. 234, 46 Stat. 1182.
 June 6, 1930, ch. 407, 46 Stat. 512.
 Feb. 28, 1929, ch. 367, 45 Stat. 1394.
 May 14, 1928, ch. 551, 45 Stat. 524.
 Feb. 23, 1927, ch. 168, 44 Stat. 1154.
 May 13, 1926, ch. 294, 44 Stat. 545.
 Mar. 4, 1925, ch. 549, 43 Stat. 1294.
 June 7, 1924, ch. 303, 43 Stat. 586.
 Feb. 20, 1923, ch. 98, 42 Stat. 1272.
 Mar. 20, 1922, ch. 103, 42 Stat. 429.

CAPITOL POLICE CIVILIAN SUPPORT POSITIONS WITH RESPECT TO THE HOUSE OF REPRESENTATIVES

House Resolution No. 199, One Hundred Second Congress, Aug. 1, 1991, made permanent law Pub. L. 102-392, title I, § 102, Oct. 6, 1992, 106 Stat. 1710, and amended by Pub. L. 104-186, title II, § 221(9)(B), Aug. 20, 1996, 110 Stat. 1749, authorized Committee on House Oversight [now Committee on House Administration] of the House of Representatives to establish 114 civilian support positions for the Capitol Police, provided for functions, compensation, and classification of positions, provided procedures for appointments to positions and that as each position was filled there would be abolished one position of private on Capitol Police, provided that positions would be filled by individuals in Capitol Police positions so abolished, that all positions would be filled by the end of the One Hundred Second Congress, and that at least 50 of such positions would be filled not later than the end of the first session of such Congress, and authorized Committee on House Oversight [now Committee on House Administration] to prescribe regulations to carry out this provision.

DIRECTOR OF EMPLOYMENT PRACTICES UNDER CAPITOL POLICE BOARD

House Resolution No. 420, One Hundred First Congress, June 26, 1990, made permanent law Pub. L. 101-520, title I, § 105, Nov. 5, 1990, 104 Stat. 2262, and amended by Pub. L. 104-186, title II, § 221(9)(C), Aug. 20, 1996, 110 Stat. 1749, established the position of Director of Employment Practices with respect to members of the Capitol Police, at the appropriate rate of pay under level HS-11 of the House Employees Schedule, with payment from amounts appropriated for the Capitol Police, such appointment to be made by the Capitol Police Board, subject to prior approval of the Committee on House Oversight [now Committee on House Administration], without regard to political affiliation and solely on basis of fitness to perform functions of the position.

GENERAL COUNSEL TO CHIEF OF CAPITOL POLICE

House Resolution No. 661, Ninety-fifth Congress, July 29, 1977, made permanent law Pub. L. 95-391, title I, § 111, Sept. 30, 1978, 92 Stat. 777, and amended by Pub. L. 104-186, title II, § 221(9)(A), Aug. 20, 1996, 110 Stat. 1749, which established the position of General Counsel to the Chief of the Capitol Police, the appropriate rate of compensation, and method of appointment, was repealed by Pub. L. 111-145, § 3(a)(4), Mar. 4, 2010, 124 Stat. 52.

§ 1901a. Capitol Police Board

(a) Capitol Police Board; composition; redefining mission

(1) Purpose

The purpose of the Capitol Police Board is to oversee and support the Capitol Police in its

mission and to advance coordination between the Capitol Police and the Sergeant at Arms of the House of Representatives and the Sergeant at Arms and Doorkeeper of the Senate, in their law enforcement capacities, and the Congress. Consistent with this purpose, the Capitol Police Board shall establish general goals and objectives covering its major functions and operations to improve the efficiency and effectiveness of its operations.

(2) Composition

The Capitol Police Board shall consist of the Sergeant at Arms of the House of Representatives, the Sergeant at Arms and Doorkeeper of the Senate, the Chief of the Capitol Police, and the Architect of the Capitol. The Chief of Capitol Police shall serve in an ex-officio capacity and be a non-voting member of the Board.

(b) Initial review and report

Not later than 180 days after February 20, 2003, the Capitol Police Board shall—

(1) examine the mission of the Capitol Police Board and, based on that analysis, redefine the Capitol Police Board's mission, mission-related processes, and administrative processes;

(2) conduct an assessment of the effectiveness and usefulness of its statutory functions in contributing to the Capitol Police Board's ability to carry out its mission and meet its goals, including an explanation of the reasons for any determination that the statutory functions are appropriate and advisable in terms of its purpose, mission, and long-term goals; and

(3) submit to the Speaker and minority leader of the House of Representatives and the President pro tempore and minority leader of the Senate a report on the results of its examination and assessment, including recommendations for any legislation that the Capitol Police Board considers appropriate and necessary.

(c) Executive Assistant

(1) Establishment

There shall be established in the Capitol Police an Executive Assistant for the Capitol Police Board to act as a central point for communication and enhance the overall effectiveness and efficiency of the Capitol Police Board's administrative activities.

(2) Appointment

The Executive Assistant shall be appointed by the Chief of the Capitol Police in consultation with the Sergeant at Arms of the House of Representatives and the Sergeant at Arms and Doorkeeper of the Senate.

(3) Duties

The Executive Assistant shall be assigned to, and report to, the Chairman of the Board. The Executive Assistant shall assist the Capitol Police Board in developing, documenting, and implementing a clearly defined process for additional tasks assigned to the Capitol Police Board under this section, and shall perform any additional duties assigned by the Capitol Police Board.

(d) Documentation

(1) Functions and processes

The Capitol Police Board shall document its functions and processes, including its mission statement, policies, directives, and operating procedures established or revised under subsection (a)(1) or (b), and make such documentation available for examination to the Speaker and minority leader of the House of Representatives, the President pro tempore and minority leader of the Senate, the Chief of the Capitol Police, and the Comptroller General.

(2) Meetings

The Capitol Police Board shall document Board meetings and make the documentation available for distribution to the Speaker and minority leader of the House of Representatives and the President pro tempore and minority leader of the Senate.

(e) Assistance of Comptroller General

Upon request, the Comptroller General shall provide assistance to the Capitol Police Board in carrying out its responsibilities under this subsection.¹

(f) References in law; effect on other laws

(1) Any reference in any law or resolution in effect as of February 20, 2003, to the "Capitol Police Board" shall be deemed to refer to the Capitol Police Board as composed under subsection (a)(2).

(2) Nothing in this section shall be construed to affect the jurisdiction, powers, or prerogatives of the Capitol Police Board or its individual members unless specifically provided herein.

(Pub. L. 108–7, div. H, title I, §1014, Feb. 20, 2003, 117 Stat. 361.)

Editorial Notes

CODIFICATION

Section was formerly set out as a note under section 1901 of this title.

§ 1901b. Joint oversight hearings

(a) In General

The Committee on Rules and Administration of the Senate and the Committee on House Administration of the House of Representatives (referred to in this section as the "Committees") are authorized to jointly conduct oversight hearings regarding the Capitol Police Board and may request the attendance of all members of the Capitol Police Board at any such hearing. Members of the Capitol Police Board shall attend a joint hearing under this section, as requested and under such rules or procedures as may be adopted by the Committees.

(b) Timing

The Committees may conduct oversight hearings under this section as determined appropriate by the Committees, but shall conduct not less than one oversight hearing under this section during each Congress.

¹ So in original. Probably should be "this section."

(Pub. L. 117–77, § 3, Dec. 22, 2021, 135 Stat. 1523.)

§ 1902. Compensation of Chief

The annual rate of pay for the Chief of the Capitol Police shall be the amount equal to the annual rate of basic pay for level II of the Executive Schedule under section 5313 of title 5.

(Pub. L. 96–152, § 1(c), Dec. 20, 1979, 93 Stat. 1099; Pub. L. 106–554, § 1(a)(2) [title I, § 109(a)], Dec. 21, 2000, 114 Stat. 2763, 2763A–107; Pub. L. 107–117, div. B, § 907(a), Jan. 10, 2002, 115 Stat. 2319; Pub. L. 108–7, div. H, title I, § 1013(a), Feb. 20, 2003, 117 Stat. 361; Pub. L. 116–94, div. E, title II, § 212(a)(3)(E), Dec. 20, 2019, 133 Stat. 2775; Pub. L. 117–103, div. I, title II, § 212(b), Mar. 15, 2022, 136 Stat. 526.)

Editorial Notes

CODIFICATION

Section was classified to section 206–1 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.

AMENDMENTS

2022—Subsec. (c). Pub. L. 117–103 substituted “the annual rate of basic pay for level II of the Executive Schedule under section 5313 of title 5.” for “\$1,000 less than the maximum rate of pay in effect under section 4575(f) of this title.”

2019—Pub. L. 116–94 substituted “the maximum rate of pay in effect under section 4575(f) of this title.” for “the lower of the annual rate of pay in effect for the Sergeant-at-Arms of the House of Representatives or the annual rate of pay in effect for the Sergeant-at-Arms and Doorkeeper of the Senate.”

2003—Pub. L. 108–7 amended section generally. Prior to amendment, section read as follows: “The Chief of the Capitol Police shall receive compensation at a rate determined by the Capitol Police Board, but not to exceed \$2,500 less than the lesser of the annual salary for the Sergeant at Arms of the House of Representatives or the annual salary for the Sergeant at Arms and Doorkeeper of the Senate.”

2002—Pub. L. 107–117 substituted “but not to exceed \$2,500 less than the lesser of the annual salary for the Sergeant at Arms of the House of Representatives or the annual salary for the Sergeant at Arms and Doorkeeper of the Senate” for “but not to exceed the rate of basic pay payable for level ES–4 of the Senior Executive Service, as established under subchapter VIII of chapter 53 of title 5 (taking into account any comparability payments made under section 5304(h) of such title)”.

2000—Pub. L. 106–554 substituted “the rate of basic pay payable for level ES–4 of the Senior Executive Service, as established under subchapter VIII of chapter 53 of title 5 (taking into account any comparability payments made under section 5304(h) of such title)” for “the annual rate of basic pay payable for level IV of the Executive Schedule under section 5315 of title 5”.

Statutory Notes and Related Subsidiaries

EFFECTIVE DATE OF 2022 AMENDMENT

Amendment by Pub. L. 117–103 effective on the first day of the first applicable pay period beginning on or after Mar. 15, 2022, see section 212(c) of Pub. L. 117–103, set out as a note under section 1802 of this title.

EFFECTIVE DATE OF 2019 AMENDMENT

Amendment by Pub. L. 116–94 effective on the later of the first day of the first applicable pay period beginning on or after Jan. 1, 2020, or the first day of the first

applicable pay period beginning on or after Dec. 20, 2019, see section 212(c) of Pub. L. 116–94, set out as a note under section 282b of this title.

EFFECTIVE DATE OF 2003 AMENDMENT

Pub. L. 108–7, div. H, title I, § 1013(d), Feb. 20, 2003, 117 Stat. 361, provided that: “The amendments made by this section [amending this section, section 1903 of this title, and provisions set out as a note under section 1901 of this title] shall apply with respect to the first pay period beginning on or after the date of the enactment of this Act [Feb. 20, 2003].”

EFFECTIVE DATE OF 2002 AMENDMENT

Pub. L. 107–117, div. B, § 907(c), Jan. 10, 2002, 115 Stat. 2319, provided that: “This section [amending this section and enacting provisions set out as a note under section 1901 of this title] and the amendment made by this section shall apply with respect to pay periods beginning on or after the date of the enactment of this Act [Jan. 10, 2002].”

EFFECTIVE DATE OF 2000 AMENDMENT

Pub. L. 106–554, § 1(a)(2) [title I, § 109(b)], Dec. 21, 2000, 114 Stat. 2763, 2763A–107, provided that: “The amendment made by subsection (a) [amending this section] shall apply with respect to pay periods beginning on or after the date of the enactment of this Act [Dec. 21, 2000].”

EFFECTIVE DATE

Section effective Feb. 1, 1980, see section 7 of Pub. L. 96–152, set out as an Effective Date of 1979 Amendment note under section 1901 of this title.

§ 1903. Chief Administrative Officer

(a) Chief Administrative Officer

(1) Establishment

There shall be within the United States Capitol Police an Office of Administration, to be headed by the Chief Administrative Officer, who shall report to and serve at the pleasure of the Chief of the Capitol Police.

(2) Appointment

The Chief Administrative Officer shall be appointed by the Chief of the United States Capitol Police, after consultation with the Capitol Police Board, without regard to political affiliation and solely on the basis of fitness to perform the duties of the position.

(3) Compensation

The annual rate of pay for the Chief Administrative Officer shall be the amount equal to \$1,000 less than the annual rate of pay in effect for the Chief of the Capitol Police.

(b) Responsibilities

The Chief Administrative Officer shall have the following areas of responsibility:

(1) Budgeting

The Chief Administrative Officer shall—

(A) prepare and submit to the Capitol Police Board an annual budget for the Capitol Police; and

(B) execute the budget and monitor through periodic examinations the execution of the Capitol Police budget in relation to actual obligations and expenditures.

(2) Financial management

The Chief Administrative Officer shall—

(A) oversee all financial management activities relating to the programs and operations of the Capitol Police;

(B) develop and maintain an integrated accounting and financial system for the Capitol Police, including financial reporting and internal controls, which—

(i) complies with applicable accounting principles, standards, and requirements, and internal control standards;

(ii) complies with any other requirements applicable to such systems; and

(iii) provides for—

(I) complete, reliable, consistent, and timely information which is prepared on a uniform basis and which is responsive to financial information needs of the Capitol Police;

(II) the development and reporting of cost information;

(III) the integration of accounting and budgeting information; and

(IV) the systematic measurement of performance;

(C) direct, manage, and provide policy guidance and oversight of Capitol Police financial management personnel, activities, and operations, including—

(i) the recruitment, selection, and training of personnel to carry out Capitol Police financial management functions; and

(ii) the implementation of Capitol Police asset management systems, including systems for cash management, debt collection, and property and inventory management and control; and

(D) Prepare¹ annual financial statements for the Capitol Police, and such financial statements shall be audited by the Inspector General of the Capitol Police or by an independent public accountant, as determined by the Inspector General.

(3) Information technology

The Chief Administrative Officer shall—

(A) direct, coordinate, and oversee the acquisition, use, and management of information technology by the Capitol Police;

(B) promote and oversee the use of information technology to improve the efficiency and effectiveness of programs of the Capitol Police; and

(C) establish and enforce information technology principles, guidelines, and objectives, including developing and maintaining an information technology architecture for the Capitol Police.

(4) Human resources

The Chief Administrative Officer shall—

(A) direct, coordinate, and oversee human resources management activities of the Capitol Police;

(B) develop and monitor payroll and time and attendance systems and employee services; and

(C) develop and monitor processes for recruiting, selecting, appraising, and promoting employees.

(Pub. L. 106-554, §1(a)(2) [title I, §108], Dec. 21, 2000, 114 Stat. 2763, 2763A-104; Pub. L. 106-346,

§101(a) [title V, §507(a)], Oct. 23, 2000, 114 Stat. 1356, 1356A-55; Pub. L. 107-68, title I, §122(a), Nov. 12, 2001, 115 Stat. 576; Pub. L. 108-7, div. H, title I, §1013(c), Feb. 20, 2003, 117 Stat. 361; Pub. L. 108-271, §8(b), July 7, 2004, 118 Stat. 814; Pub. L. 109-55, title I, §1004(g), Aug. 2, 2005, 119 Stat. 575; Pub. L. 111-145, §§2(a)(1), (2), 6(a), Mar. 4, 2010, 124 Stat. 49, 54.)

Editorial Notes

CODIFICATION

Section was classified to section 206a-9 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. (a). Pub. L. 111-145, §2(a)(1), amended subsec. (a) generally. Prior to amendment, subsec. (a) related to the establishment of the Office of Administration and the appointment and compensation of the Chief Administrative Officer.

Subsec. (c). Pub. L. 111-145, §2(a)(2), struck out subsec. (c) which related to the Chief Administrative Officer's employment of personnel and access to resources of other agencies.

Subsecs. (d) to (g). Pub. L. 111-145, §6(a), struck out subsecs. (d) to (g) which related to a plan for office policies, procedures, and actions, a report on progress made in such planning, submission of the plan and report to the appropriate congressional committees, and termination of the role of the Comptroller General.

2005—Subsec. (b)(2)(D). Pub. L. 109-55 amended subpar. (D) generally. Prior to amendment, subpar. (D) read as follows: “shall prepare annual financial statements for the Capitol Police and provide for an annual audit of the financial statements by an independent public accountant in accordance with generally accepted government auditing standards.”

2004—Subsec. (a)(5). Pub. L. 108-271 substituted “Government Accountability Office” for “General Accounting Office”.

2003—Subsec. (a)(4). Pub. L. 108-7 amended par. (4) generally. Prior to amendment, par. (4) read as follows: “The Chief Administrative Officer shall receive basic pay at a rate determined by the Chief of the Capitol Police, but not to exceed \$1,000 less than the annual rate of pay for the Chief of the Capitol Police.”

2001—Subsec. (a)(4). Pub. L. 107-68 substituted “the Chief of the Capitol Police, but not to exceed \$1,000 less than the annual rate of pay for the Chief of the Capitol Police” for “the Capitol Police Board, but not to exceed the annual rate of basic pay payable for ES-2 of the Senior Executive Service, as established under subchapter VIII of chapter 53 of title 5 (taking into account any comparability payments made under section 5304(h) of such title)”.

2000—Pub. L. 106-346 amended section generally, substituting present provisions for similar provisions establishing within the Capitol Police an Office of Administration to be headed by a Chief Administrative Officer, providing that the Chief Administrative Officer would be appointed and his pay rate would be set by the Comptroller General, setting out the powers and duties of the Chief Administrative Officer, and providing that as of Oct. 1, 2002, the Chief Administrative Officer would cease to be an employee of the General Accounting Office, would become an employee of the Capitol Police, and the Capitol Police Board would assume all responsibilities of the Comptroller General under this section.

Statutory Notes and Related Subsidiaries

EFFECTIVE DATE OF 2005 AMENDMENT

Amendment by Pub. L. 109-55 effective Aug. 2, 2005, see section 1909(f) of this title.

¹ So in original. Probably should not be capitalized.

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”.

Statutory Notes and Related Subsidiaries**EFFECTIVE DATE OF 2017 AMENDMENT**

Pub. L. 115–31, div. I, title I, §1001(c), May 5, 2017, 131 Stat. 578, provided that: “This section [enacting section 1982 of this title and amending this section] and the amendment made by this section shall apply with respect to fiscal year 2017 and each succeeding fiscal year.”

§ 1907. Transfer of disbursing function**(a) In general****(1) Disbursing officer**

The Chief of the Capitol Police shall be the disbursing officer for the Capitol Police. Any reference in any law or resolution before February 20, 2003, to funds paid or disbursed by the Chief Administrative Officer of the House of Representatives and the Secretary of the Senate relating to the pay and allowances of Capitol Police employees shall be deemed to refer to the Chief of the Capitol Police.

(2) Transfer

Any statutory function, duty, or authority of the Chief Administrative Officer of the House of Representatives or the Secretary of the Senate as disbursing officers for the Capitol Police shall transfer to the Chief of the Capitol Police as the single disbursing officer for the Capitol Police.

(3) Continuity of function during transition

Until such time as the Chief notifies the Chief Administrative Officer of the House of Representatives and the Secretary of the Senate that systems are in place for discharging the disbursing functions under this subsection, the House of Representatives and the Senate shall continue to serve as the disbursing authority on behalf of the Capitol Police.

(b) Treasury accounts**(1) Salaries****(A) In general**

There is established in the Treasury of the United States a separate account for the Capitol Police, into which shall be deposited appropriations received by the Chief of the Capitol Police and available for the salaries of the Capitol Police.

(B) Transfer authority during transition

Until such time as the Chief notifies the Chief Administrative Officer of the House of Representatives and the Secretary of the Senate that systems are in place for discharging the disbursing functions under subsection (a), the Chief shall have the authority to transfer amounts in the account to the House of Representatives and the Senate to the extent necessary to enable the Chief Administrative Officer of the House of Representatives and the Secretary of the Senate to continue to serve as the disbursing authority on behalf of the Capitol Police pursuant to subsection (a)(3).

(2) General expenses

There is established in the Treasury of the United States a separate account for the Capitol Police, into which shall be deposited ap-

propriations received by the Chief of the Capitol Police and available for the general expenses of the Capitol Police.

(c) Transfer of funds, assets, accounts, records, and authority**(1) In general**

The Chief Administrative Officer of the House of Representatives and the Secretary of the Senate are authorized and directed to transfer to the Chief of the Capitol Police all funds, assets, accounts, and copies of original records of the Capitol Police that are in the possession or under the control of the Chief Administrative Officer of the House of Representatives or the Secretary of the Senate in order that all such items may be available for the unified operation of the Capitol Police. Any funds so transferred shall be deposited in the Treasury accounts established under subsection (b) and be available to the Chief of the Capitol Police for the same purposes as, and in like manner and subject to the same conditions as, the funds prior to the transfer.

(2) Existing transfer authority

Any transfer authority existing before February 20, 2003, granted to the Chief Administrative Officer of the House of Representatives or the Secretary of the Senate for salaries, expenses, and operations of the Capitol Police shall be transferred to the Chief of the Capitol Police.

(d) Unexpended balances

Except as may otherwise be provided in law, the unexpended balances of appropriations for the fiscal year 2003 and succeeding fiscal years that are subject to disbursement by the Chief of the Capitol Police shall be withdrawn as of September 30 of the fifth fiscal year following the period or year for which provided. Unpaid obligations chargeable to any of the balances so withdrawn or appropriations for prior years shall be liquidated from any appropriations for the same general purpose, which, at the time of payment, are available for disbursement.

(e) Hiring authority; eligibility for same benefits as House employees**(1) Authority****(A) In general**

The Chief of the Capitol Police, in carrying out the duties of office, is authorized to appoint, hire, suspend with or without pay, discipline, discharge, and set the terms, conditions, and privileges of employment of employees of the Capitol Police, subject to and in accordance with applicable laws and regulations.

(B) Special rule for terminations

The Chief may terminate an officer, member, or employee only after the Chief has provided notice of the termination to the Capitol Police Board (in such manner as the Board may from time to time require) and the Board has approved the termination, except that if the Board has not disapproved the termination prior to the expiration of the 30-day period which begins on the date the Board receives the notice, the Board

shall be deemed to have approved the termination.

(C) Notice or approval

The Chief of the Capitol Police shall provide notice or receive approval, as required by the Committee on Rules and Administration of the Senate and the Committee on House Administration of the House of Representatives, as each Committee determines appropriate for—

- (i) the exercise of any authority under subparagraph (A); or
- (ii) the establishment of any new position for officers, members, or employees of the Capitol Police, for reclassification of existing positions, for reorganization plans, or for hiring, termination, or promotion for officers, members, or employees of the Capitol Police.

(2) Benefits

Employees of the Capitol Police who are appointed by the Chief under the authority of this subsection shall be subject to the same type of benefits (including the payment of death gratuities, the withholding of debt, and health, retirement, Social Security, and other applicable employee benefits) as are provided to employees of the House of Representatives, and any such individuals serving as employees of the Capitol Police as of February 20, 2003, shall be subject to the same rules governing rights, protections, pay, and benefits in effect immediately before such date until such rules are changed under applicable laws or regulations.

(f) Repealed. Pub. L. 113-76, div. I, title I, § 1002(b), Jan. 17, 2014, 128 Stat. 424

(g) Effect on existing law

(1) In general

The provisions of this section shall not be construed to reduce the pay or benefits of any employee of the Capitol Police whose pay was disbursed by the Chief Administrative Officer of the House of Representatives or the Secretary of the Senate before February 20, 2003.

(2) Superseding provisions

All provisions of law inconsistent with this section are hereby superseded to the extent of the inconsistency.

(h) Omitted

(i) Effective date

This section and the amendments made by this section shall take effect on February 20, 2003, and shall apply to fiscal year 2003 and each fiscal year thereafter.

(Pub. L. 108-7, div. H, title I, § 1018, Feb. 20, 2003, 117 Stat. 366; Pub. L. 111-145, § 2(a)(4)(A), Mar. 4, 2010, 124 Stat. 49; Pub. L. 113-76, div. I, title I, § 1002(b), Jan. 17, 2014, 128 Stat. 424.)

Editorial Notes

REFERENCES IN TEXT

For the amendments made by this section, referred to in subsec. (i), see Codification note below.

CODIFICATION

Section is comprised of section 1018 of div. H of Pub. L. 108-7. Subsec. (h) of section 1018 of Pub. L. 108-7

amended sections 1901 and 1905a of this title and repealed section 1921 of this title.

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

AMENDMENTS

2014—Pub. L. 113-76 struck out subsec. (f) which established a worker's compensation account for the Capitol Police.

2010—Subsec. (e)(1), Pub. L. 111-145 added par. (1) and struck out former par. (1) which authorized the Chief of the Capitol Police to appoint, hire, discharge, and set the terms, conditions, and privileges of employment of employees of the Capitol Police, subject to review and approval.

Statutory Notes and Related Subsidiaries

EFFECTIVE DATE OF 2014 AMENDMENT

Pub. L. 113-76, div. I, title I, § 1002(c), Jan. 17, 2014, 128 Stat. 424, provided that: “This section [enacting section 1907b of this title and amending this section] shall apply with respect to appropriations for fiscal year 2014 and each fiscal year thereafter.”

§ 1907a. Authority to transfer amounts between salaries and general expenses

During fiscal year 2014 and any succeeding fiscal year, the Capitol Police may transfer amounts appropriated for the fiscal year between the category for salaries and the category for general expenses, upon the approval of the Committees on Appropriations of the House of Representatives and Senate.

(Pub. L. 113-76, div. I, title I, § 1001, Jan. 17, 2014, 128 Stat. 424.)

§ 1907b. Funds available for workers compensation payments

Available balances of expired United States Capitol Police appropriations shall be available to the Capitol Police to make the deposit to the credit of the Employees' Compensation Fund required by section 8147(b) of title 5.

(Pub. L. 113-76, div. I, title I, § 1002(a), Jan. 17, 2014, 128 Stat. 424.)

Statutory Notes and Related Subsidiaries

EFFECTIVE DATE

Section applicable with respect to appropriations for fiscal year 2014 and each fiscal year thereafter, see section 1002(c) of Pub. L. 113-76, set out as an Effective Date of 2014 Amendment note under section 1907 of this title.

§ 1908. Legal representation authority

(a) In general

(1) Authorization of representation

Any counsel described under paragraph (2) may for the purposes of providing legal assistance and representation to the United States Capitol Police Board or the United States Capitol Police enter an appearance in any proceeding before any court of the United States or of any State or political subdivision thereof, without compliance with any requirement for admission to practice before such court.

(2) Counsel

Paragraph (1) refers to—

(A) the General Counsel to the Chief of Police and the United States Capitol Police;

(B) the Employment Counsel to the Chief of Police and the United States Capitol Police;

(C) any attorney employed in the Office of the General Counsel for the United States Capitol Police or the Office of Employment Counsel for the United States Capitol Police;

(D) the counsel for, or any attorney employed by, any successor office of either office described under subparagraph (C); and

(E) any attorney retained by contract with either office described under subparagraph (C).

(b) Limitations

(1) Direction for appearance

Entrance of appearance authorized under subsection (a) shall be subject to the direction of the Capitol Police Board.

(2) United States Supreme Court

The authority under subsection (a) shall not apply with respect to the admission of any person to practice before the United States Supreme Court.

(c) Effective date

This section shall apply to fiscal year 2004, and each fiscal year thereafter.

(Pub. L. 108–83, title I, §1002, Sept. 30, 2003, 117 Stat. 1020; Pub. L. 111–145, §§3(b)(1), 4(a)(1), Mar. 4, 2010, 124 Stat. 52.)

Editorial Notes

CODIFICATION

Section is from the Legislative Branch Appropriations Act, 2004.

AMENDMENTS

2010—Subsec. (a)(2)(A). Pub. L. 111–145, §3(b)(1), substituted “the General Counsel to the Chief of Police and the United States Capitol Police” for “the General Counsel for the United States Capitol Police Board and the Chief of the Capitol Police”.

Subsec. (a)(2)(B). Pub. L. 111–145, §4(a)(1), substituted “the Employment Counsel to the Chief of Police and the United States Capitol Police” for “the Employment Counsel for the United States Capitol Police Board and the United States Capitol Police”.

Statutory Notes and Related Subsidiaries

CONSTRUCTION OF 2010 AMENDMENT

Pub. L. 111–145, §3(b)(2), Mar. 4, 2010, 124 Stat. 52, provided that: “Nothing in the amendment made by paragraph (1) [amending this section] may be construed to affect the authority of any individual to enter an appearance in any proceeding before any court of the United States or of any State or political subdivision thereof which is initiated prior to the date of the enactment of this Act [Mar. 4, 2010].”

Pub. L. 111–145, §4(a)(2), Mar. 4, 2010, 124 Stat. 52, provided that: “Nothing in the amendment made by paragraph (1) [amending this section] may be construed to affect the authority of any individual to enter an appearance in any proceeding before any court of the United States or of any State or political subdivision thereof which is initiated prior to the date of the enactment of this Act [Mar. 4, 2010].”

Pub. L. 111–145, §4(b), Mar. 4, 2010, 124 Stat. 52, provided that: “Nothing in this section [amending this section and enacting provisions set out as a note above] or

the amendments made by this section may be construed to affect the status of the individual serving as the Employment Counsel to the Chief of Police and the United States Capitol Police as of the date of the enactment of this Act [Mar. 4, 2010].”

§ 1909. Inspector General for the United States Capitol Police

(a) Establishment of Office

There is established in the United States Capitol Police the Office of the Inspector General (hereafter in this section referred to as the “Office”), headed by the Inspector General of the United States Capitol Police (hereafter in this section referred to as the “Inspector General”).

(b) Inspector General

(1) Appointment

The Inspector General shall be appointed by, and under the general supervision of, the Capitol Police Board. The appointment shall be made in consultation with the Inspectors General of the Library of Congress, Government Publishing Office, and the Government Accountability Office. The Capitol Police Board shall appoint the Inspector General without regard to political affiliation and solely on the basis of integrity and demonstrated ability in accounting, auditing, financial analysis, law, management analysis, public administration, or investigations.

(2) Term of service

The Inspector General shall serve for a term of 5 years, and an individual serving as Inspector General may be reappointed for not more than 2 additional terms.

(3) Removal

The Inspector General may be removed from office prior to the expiration of his term only by the unanimous vote of all of the voting members of the Capitol Police Board, and the Board shall communicate the reasons for any such removal to the Committee on House Administration, the Senate Committee on Rules and Administration and the Committees on Appropriations of the House of Representatives and of the Senate.

(4) Salary

The Inspector General shall be paid at an annual rate equal to \$1,000 less than the annual rate of pay in effect for the Chief of the Capitol Police.

(5) Deadline

The Capitol Police Board shall appoint the first Inspector General under this section not later than 180 days after August 2, 2005.

(c) Duties

(1) Applicability of duties of Inspector General of executive branch establishment

The Inspector General shall carry out the same duties and responsibilities with respect to the United States Capitol Police as an Inspector General of an establishment carries out with respect to an establishment under section 404 of title 5, under the same terms and conditions which apply under such section.

(2) Semiannual reports

The Inspector General shall prepare and submit semiannual reports summarizing the ac-

tivities of the Office in the same manner, and in accordance with the same deadlines, terms, and conditions, as an Inspector General of an establishment under section 405 (other than subsection (b)(13) thereof) of title 5. For purposes of applying section 405 of such title to the Inspector General, the Chief of the Capitol Police shall be considered the head of the establishment. The Chief shall, within 30 days of receipt of a report, report to the Capitol Police Board, the Committee on House Administration, the Senate Committee on Rules and Administration, and the Committees on Appropriations of the House of Representatives and of the Senate consistent with section 405(c) of such title.

(3) Investigations of complaints of employees and members

(A) Authority

The Inspector General may receive and investigate complaints or information from an employee or member of the Capitol Police concerning the possible existence of an activity constituting a violation of law, rules, or regulations, or mismanagement, gross waste of funds, abuse of authority, or a substantial and specific danger to the public health and safety, including complaints or information the investigation of which is under the jurisdiction of the Internal Affairs Division of the Capitol Police as of August 2, 2005.

(B) Nondisclosure

The Inspector General shall not, after receipt of a complaint or information from an employee or member, disclose the identity of the employee or member without the consent of the employee or member, unless required by law or the Inspector General determines such disclosure is otherwise unavoidable during the course of the investigation.

(C) Prohibiting retaliation

An employee or member of the Capitol Police who has authority to take, direct others to take, recommend, or approve any personnel action, shall not, with respect to such authority, take or threaten to take any action against any employee or member as a reprisal for making a complaint or disclosing information to the Inspector General, unless the complaint was made or the information disclosed with the knowledge that it was false or with willful disregard for its truth or falsity.

(4) Independence in carrying out duties

Neither the Capitol Police Board, the Chief of the Capitol Police, nor any other member or employee of the Capitol Police may prevent or prohibit the Inspector General from carrying out any of the duties or responsibilities assigned to the Inspector General under this section.

(d) Powers

(1) In general

The Inspector General may exercise the same authorities with respect to the United States Capitol Police as an Inspector General

of an establishment may exercise with respect to an establishment under section 406(a) of title 5, other than paragraphs (7) and (8) of such section.

(2) Staff

(A) In general

The Inspector General may appoint and fix the pay of such personnel as the Inspector General considers appropriate. Such personnel may be appointed without regard to the provisions of title 5 regarding appointments in the competitive service, and may be paid without regard to the provisions of chapter 51 and subchapter III of chapter 53 of such title relating to classification and General Schedule pay rates, except that no personnel of the Office (other than the Inspector General) may be paid at an annual rate greater than \$500 less than the annual rate of pay of the Inspector General under subsection (b)(4).

(B) Experts and consultants

The Inspector General may procure temporary and intermittent services under section 3109 of title 5 at rates not to exceed the daily equivalent of the annual rate of basic pay for level IV of the Executive Schedule under section 5315 of such title.

(C) Independence in appointing staff

No individual may carry out any of the duties or responsibilities of the Office unless the individual is appointed by the Inspector General, or provides services procured by the Inspector General, pursuant to this paragraph. Nothing in this subparagraph may be construed to prohibit the Inspector General from entering into a contract or other arrangement for the provision of services under this section.

(D) Applicability of Capitol Police personnel rules

None of the regulations governing the appointment and pay of employees of the Capitol Police shall apply with respect to the appointment and compensation of the personnel of the Office, except to the extent agreed to by the Inspector General. Nothing in the previous sentence may be construed to affect subparagraphs (A) through (C).

(3) Equipment and supplies

The Chief of the Capitol Police shall provide the Office with appropriate and adequate office space, together with such equipment, supplies, and communications facilities and services as determined by the Inspector General to be necessary for the operation of the Office, and shall provide necessary maintenance services for such office space and the equipment and facilities located therein.

(e) Transfer of functions

(1) Transfer

To the extent that any office or entity in the Capitol Police prior to the appointment of the first Inspector General under this section carried out any of the duties and responsibilities assigned to the Inspector General under this

section, the functions of such office or entity shall be transferred to the Office upon the appointment of the first Inspector General under this section.

(2) No reduction in pay or benefits

The transfer of the functions of an office or entity to the Office under paragraph (1) may not result in a reduction in the pay or benefits of any employee of the office or entity, except to the extent required under subsection (d)(2)(A).

(f) Effective date

This section shall be effective on August 2, 2005.

(Pub. L. 109–55, title I, §1004, Aug. 2, 2005, 119 Stat. 572; Pub. L. 113–235, div. H, title I, §1301(b), Dec. 16, 2014, 128 Stat. 2537; Pub. L. 117–286, §4(b)(4), Dec. 27, 2022, 136 Stat. 4342.)

Editorial Notes

REFERENCES IN TEXT

The provisions of title 5 regarding appointments in the competitive service, referred to in subsec. (d)(2)(A), are classified generally to section 3301 et seq. of Title 5, Government Organization and Employees.

CODIFICATION

Section is comprised of section 1004 of Pub. L. 109–55. Subsec. (g) of section 1004 of Pub. L. 109–55 amended section 1903 of this title.

Section is from the Legislative Branch Appropriations Act, 2006.

AMENDMENTS

2022—Subsec. (c)(1). Pub. L. 117–286, §4(b)(4)(A), substituted “section 404 of title 5,” for “section 4 of the Inspector General Act of 1978, (5 U.S.C. App. 4),”.

Subsec. (c)(2). Pub. L. 117–286, §4(b)(4)(B), substituted “section 405 (other than subsection (b)(13) thereof) of title 5,” for “section 5 (other than subsection (a)(13) thereof) of the Inspector General Act of 1978, (5 U.S.C. App. 5),”, “section 405 of such title” for “section 5 of such Act”, and “section 405(c) of such title.” for “section 5(b) of such Act.”

Subsec. (d)(1). Pub. L. 117–286, §4(b)(4)(C), substituted “section 406(a) of title 5, other than paragraphs (7) and (8) of such section.” for “section 6(a) of the Inspector General Act of 1978, (5 U.S.C. App. 6(a)), other than paragraphs (7) and (8) of such section.”

Statutory Notes and Related Subsidiaries

CHANGE OF NAME

“Government Publishing Office” substituted for “Government Printing Office” in subsec. (b)(1) on authority of section 1301(b) of Pub. L. 113–235, set out as a note preceding section 301 of Title 44, Public Printing and Documents.

§ 1910. Report of disbursements

(a) In general

Not later than 60 days after the last day of each semiannual period, the Chief of the Capitol Police shall submit to Congress, with respect to that period, a detailed, itemized report of the disbursements for the operations of the United States Capitol Police.

(b) Contents

The report required by subsection (a) shall include—

(1) the name of each person or entity who receives a payment from the Capitol Police and the amount thereof;

(2) a description of any service rendered to the Capitol Police, together with service dates;

(3) a statement of all amounts appropriated to, or received or expended by, the Capitol Police and any unexpended balances of such amounts for any open fiscal year; and

(4) such additional information as may be required by regulation of the Committee on House Administration of the House of Representatives or the Committee on Rules and Administration of the Senate.

(c) Printing

Each report under this section shall be printed as a House document.

(d) Effective date

This section shall apply with respect to the semiannual periods of October 1 through March 31 and April 1 through September 30 of each year, beginning with the semiannual period in which this section is enacted.

(Pub. L. 109–55, title I, §1005, Aug. 2, 2005, 119 Stat. 575.)

Editorial Notes

CODIFICATION

Section is from the Legislative Branch Appropriations Act, 2006.

§ 1911. General Counsel to the Chief of Police and the United States Capitol Police

(1) In general

There shall be within the United States Capitol Police the General Counsel to the Chief of Police and the United States Capitol Police (in this subsection referred to as the “General Counsel”), who shall report to and serve at the pleasure of the Chief of the United States Capitol Police.

(2) Appointment

The General Counsel shall be appointed by the Chief of the Capitol Police in accordance with section 1907(e)(1) of this title (as amended by section 2(a)(4)),¹ after consultation with the Capitol Police Board, without regard to political affiliation and solely on the basis of fitness to perform the duties of the position.

(3) Compensation

(A) In general

Subject to subparagraph (B), the annual rate of pay for the General Counsel shall be fixed by the Chief of the Capitol Police.

(B) Limitation

The annual rate of pay for the General Counsel may not exceed an annual rate equal to \$1,000 less than the annual rate of pay in effect for the Chief of the Capitol Police.

(4) Omitted

(5) No effect on current General Counsel

Nothing in this section or the amendments made by this section may be construed to affect

¹ See References in Text note below.

the status of the individual serving as the General Counsel to the Chief of Police and the United States Capitol Police as of March 4, 2010. (Pub. L. 111–145, §3(a), Mar. 4, 2010, 124 Stat. 51.)

Editorial Notes

REFERENCES IN TEXT

Section 2(a)(4), referred to in par. (2), means section 2(a)(4) of Pub. L. 111–145.

For the amendments made by this section, referred to in par. (5), see Codification note below.

CODIFICATION

Section is comprised of subsec. (a) of section 3 of Pub. L. 111–145. Subsec. (a)(4) of section 3 of Pub. L. 111–145 repealed section 84–2 of this title, now section 5521 of this title, and provisions set out as a note under section 1901 of this title.

§ 1912. Volunteer chaplain services

(a) The Chief of the Capitol Police shall have authority to accept unpaid religious chaplain services, whereby volunteers from multiple faiths, authorized by their respective religious endorsing agency or organization, may advise, administer, and perform spiritual care and religious guidance for Capitol Police employees.

(b) Chaplains shall not be required to perform any rite, ritual, or ceremony, and employees shall not be required to receive such rite, ritual, or ceremony, if doing so would compromise the conscience, moral principles, or religious beliefs of such chaplain or employees or the chaplain's endorsing agency or organization.

(c) **EFFECTIVE DATE.**—This section shall apply with respect to fiscal year 2023 and each succeeding fiscal year.

(Pub. L. 117–328, div. I, title I, §120, Dec. 29, 2022, 136 Stat. 4926.)

PART B—COMPENSATION AND OTHER PERSONNEL MATTERS

§ 1921. Repealed. Pub. L. 108–7, div. H, title I, § 1018(h)(2), Feb. 20, 2003, 117 Stat. 369

Section, R.S. §1822, provided that Capitol Police would be paid on the order of the Sergeant at Arms of the Senate or the House.

Editorial Notes

CODIFICATION

Section was classified to section 207 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.

Statutory Notes and Related Subsidiaries

EFFECTIVE DATE OF REPEAL

Repeal effective Feb. 20, 2003, and applicable to fiscal year 2003 and each fiscal year thereafter, see section 1907(i) of this title.

§ 1921a. Sole and exclusive authority of Board and Chief to determine rates of pay

(a) In general

The Capitol Police Board and the Chief of the Capitol Police shall have the sole and exclusive authority to determine the rates and amounts

for each of the following for members of the Capitol Police:

(1) The rate of basic pay (including the rate of basic pay upon appointment), premium pay, specialty assignment and proficiency pay, and merit pay.

(2) The rate of cost-of-living adjustments, comparability adjustments, and locality adjustments.

(3) The amount for recruitment and relocation bonuses.

(4) The amount for retention allowances.

(5) The amount for educational assistance payments.

(b) No review or appeal permitted

The determination of a rate or amount described in subsection (a) may not be subject to review or appeal in any manner.

(c) Rule of construction

Nothing in this section may be construed to affect—

(1) any authority provided under law for a committee of the House of Representatives or Senate, or any other entity of the legislative branch, to review or approve any determination of a rate or amount described in subsection (a);

(2) any rate or amount described in subsection (a) which is established under law; or

(3) the terms of any collective bargaining agreement.

(d) Effective date

This section shall apply with respect to fiscal year 2005 and each succeeding fiscal year.

(Pub. L. 108–447, div. G, title I, §1004, Dec. 8, 2004, 118 Stat. 3180.)

Editorial Notes

CODIFICATION

Section is from the Legislative Branch Appropriations Act, 2005, which is div. G of the Consolidated Appropriations Act, 2005.

§ 1922. Unified payroll administration

Payroll administration for the Capitol Police and civilian support personnel of the Capitol Police shall be carried out on a unified basis by a single disbursing authority. The Capitol Police Board, with the approval of the Committee on House Oversight of the House of Representatives and the Committee on Rules and Administration of the Senate, acting jointly, shall, by contract or otherwise, provide for such unified payroll administration.

(July 31, 1946, ch. 707, §9C, as added Pub. L. 102–397, title I, §102, Oct. 6, 1992, 106 Stat. 1950; amended Pub. L. 104–186, title II, §221(12), Aug. 20, 1996, 110 Stat. 1750.)

Editorial Notes

CODIFICATION

Section was classified to section 207a 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

1996—Pub. L. 104–186 substituted “House Oversight” for “House Administration”.