

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

Section was based on a proviso in act Mar. 3, 1875, popularly known as the “Legislature, Executive, and Judicial Appropriation Act, fiscal year 1876”.

### **§ 1930. Applicable pay rate upon appointment**

#### **(a) In general**

Notwithstanding any other provision of law, the rate of basic pay payable to an individual upon appointment to a position with the Capitol Police shall be at a rate within the minimum and maximum pay rates applicable to the position.

#### **(b) Effective date**

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

(Pub. L. 108-7, div. H, title I, §1008, Feb. 20, 2003, 117 Stat. 359.)

#### **Editorial Notes**

##### **CODIFICATION**

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

### **§ 1931. Additional compensation for employees with specialty assignments and proficiencies**

#### **(a) Establishment of positions**

The Chief of the Capitol Police may establish and determine, from time to time, positions in salary classes of employees of the Capitol Police to be designated as employees with specialty assignments or proficiencies, based on the experience, education, training, or other appropriate factors required to carry out the duties of such employees.

#### **(b) Additional compensation**

In addition to the regularly scheduled rate of basic pay, each employee holding a position designated under this section shall receive an amount determined by the Chief, except that—

- (1) such amount may not exceed 25 percent of the employee's annual rate of basic pay; and
- (2) such amount may not be paid in a calendar year to the extent that, when added to the total basic pay paid or payable to such employee for service performed in the year, such amount would cause the total to exceed the annual rate of basic pay payable for level II of the Executive Schedule, as of the end of such year.

#### **(c) Manner of payment**

The additional compensation authorized by this subsection shall be paid to an employee in a manner determined by the Chief or his designee except when the employee ceases to be assigned to the specialty assignment or ceases to maintain the required proficiency. The loss of such additional compensation shall not constitute an adverse action for any purpose.

#### **(d) Determination not appealable or reviewable**

Any determination under section<sup>1</sup> (a) shall not be appealable or reviewable in any manner.

(Pub. L. 108-7, div. H, title I, §1011, Feb. 20, 2003, 117 Stat. 360.)

<sup>1</sup> So in original. Probably should be “subsection”.

#### **Editorial Notes**

##### **REFERENCES IN TEXT**

Level II of the Executive Schedule, referred to in subsection. (b)(2), is set out in section 5313 of Title 5, Government Organization and Employees.

##### **CODIFICATION**

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

### **§ 1932. Application of premium pay limits on annualized basis**

#### **(a) In general**

Any limits on the amount of premium pay which may be earned by officers and members of the Capitol Police during emergencies (as determined by the Capitol Police Board) shall be applied by the Chief of the Capitol Police on an annual basis and not on a pay period basis. Any determination under this subsection shall not be reviewable or appealable in any manner.

#### **(b) Effective date**

Subsection (a) shall apply with respect to hours of duty occurring on or after September 11, 2001.

(Pub. L. 108-7, div. H, title I, §1012, Feb. 20, 2003, 117 Stat. 361.)

#### **Editorial Notes**

##### **CODIFICATION**

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

### **§ 1933. Clarification of authorities regarding certain personnel benefits**

#### **(a) No lump-sum payment permitted for unused compensatory time**

##### **(1) In general**

No officer or employee of the United States Capitol Police whose service with the United States Capitol Police is terminated may receive any lump-sum payment with respect to accrued compensatory time off, except to the extent permitted under section 1313(c)(4) of this title.

##### **(2) Omitted**

#### **(b) Overtime compensation for officers and employees exempt from Fair Labor Standards Act of 1938**

##### **(1) Criteria under which compensation permitted**

The Chief of the Capitol Police may provide for the compensation of overtime work of exempt individuals which is performed on or after March 4, 2010, in the form of additional pay or compensatory time off, only if—

(A) the overtime work is carried out in connection with special circumstances, as determined by the Chief;

(B) the Chief has established a monetary value for the overtime work performed by such individual; and

(C) the sum of the total amount of the compensation paid to the individual for the overtime work (as determined on the basis of the monetary value established under sub-