

agency made available by that agency to serve as a special officer of the Capitol Police within the authorities of the Capitol Police in policing the Capitol buildings and grounds; and

(2) any member of the uniformed services, including members of the National Guard, made available by the appropriate authority to serve as a special officer of the Capitol Police within the authorities of the Capitol Police in policing the Capitol buildings and grounds.

An appointment under this section due to an emergency determined by the Chief of the Capitol Police under paragraph (4)(B)(ii)(III) of section 1970(a) of this title shall be in effect for the period of the emergency, unless and until the Capitol Police Board revokes the request for assistance under paragraph (5) of such section.

#### (b) Conditions of appointment

An individual appointed as a special officer under this section shall—

(1) serve without pay for service performed as a special officer (other than pay received from the applicable employing agency or service);

(2) serve as a special officer no longer than a period specified at the time of appointment;

(3) not be a Federal employee by reason of service as a special officer, except as provided under paragraph (4); and

(4) shall be an employee of the Government for purposes of chapter 171 of title 28 if that individual is acting within the scope of his office or employment in service as a special officer.

#### (c) Reimbursement agreements

Nothing in this section shall prohibit the Capitol Police from entering into an agreement for the reimbursement of services provided under this section with any Federal, State, or local agency.

#### (d) Regulations

Subject to approval by the Speaker of the House of Representatives (in consultation with the Minority Leader of the House of Representatives) and the Majority Leader of the Senate (in consultation with the Minority Leader of the Senate), acting jointly, the Capitol Police Board may prescribe regulations to carry out this section.

#### (e) Effective date

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, § 1017, Feb. 20, 2003, 117 Stat. 365; Pub. L. 117-77, § 2(b), Dec. 22, 2021, 135 Stat. 1523.)

### Editorial Notes

#### CODIFICATION

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

#### AMENDMENTS

2021—Subsec. (a). Pub. L. 117-77, § 2(b)(1), inserted “or as determined by the Chief of the Capitol Police in accordance with section 1970(a)(4)(B)(ii)(III) of this title,” after “Congress,” in introductory provisions and inserted concluding provisions.

Subsec. (c). Pub. L. 117-77, § 2(b)(2), (3), redesignated subsec. (d) as (c) and struck out former subsec. (c). Prior to amendment, text of subsec. (c) read as follows: “Any individual appointed under subsection (a) shall be subject to—

“(1) qualification requirements as the Chief of the Capitol Police determines necessary; and

“(2) approval by the Capitol Police Board.”

Subsec. (d). Pub. L. 117-77, § 2(b)(3), (4), redesignated subsec. (f) as (d) and substituted “Majority Leader” for “President pro tempore”. Former subsec. (d) redesignated (c).

Subsec. (e). Pub. L. 117-77, § 2(b)(2), (3), redesignated subsec. (g) as (e) and struck out former subsec. (e). Prior to amendment, text of subsec. (e) read as follows: “Any appointment under this section shall be subject to initial approval by the Capitol Police Board and to final approval by the Speaker of the House of Representatives (in consultation with the Minority Leader of the House of Representatives) and the President pro tempore of the Senate (in consultation with the Minority Leader of the Senate), acting jointly.”

Subsecs. (f), (g). Pub. L. 117-77, § 2(b)(3), redesignated subsecs. (f) and (g) as (d) and (e), respectively.

### Statutory Notes and Related Subsidiaries

#### EFFECTIVE DATE OF 2021 AMENDMENT

Amendment by Pub. L. 117-77 effective Oct. 1, 2021, see section 4 of Pub. L. 117-77, set out as a note under section 1970 of this title.

### § 1975. Overseas travel

#### (a) Definition

In this section, the term “United States” means each of the several States of the United States, the District of Columbia, and the territories and possessions of the United States.

#### (b) In general

A member of the Capitol Police may travel outside of the United States if—

(1) that travel is with, or in preparation for, travel of a Senator, including travel of a Senator as part of a congressional delegation;

(2) the member of the Capitol Police is performing security advisory and liaison functions (including advance security liaison preparations) relating to the travel of that Senator; and

(3) the Sergeant at Arms and Doorkeeper of the Senate gives prior approval to the travel of the member of the Capitol Police.

#### (c) Law enforcement functions

Subsection (b) shall not be construed to authorize the performance of law enforcement functions by a member of the Capitol Police in connection with the travel authorized under that subsection.

#### (d) Reimbursement

The Capitol Police shall be reimbursed for the overtime pay, travel, and related expenses of any member of the Capitol Police who travels under the authority of this section. Any reimbursement under this subsection shall be paid from the account under the heading “SERGEANT AT ARMS AND DOORKEEPER OF THE SENATE” under the heading “CONTINGENT EXPENSES OF THE SENATE”.

#### (e) Amounts received

Any amounts received by the Capitol Police for reimbursements under subsection (d) shall be

credited to the accounts established for the general expenses or salaries of the Capitol Police, and shall be available to carry out the purposes of such accounts during the fiscal year in which the amounts are received and the following fiscal year.

**(f) Effective date**

This section shall apply to fiscal year 2005 and each fiscal year thereafter.

(Pub. L. 108–447, div. G, title I, §12, Dec. 8, 2004, 118 Stat. 3171.)

**Editorial Notes**

**CODIFICATION**

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

**§ 1975a. Overseas travel to accompany members of House leadership**

**(a) Travel authorized**

**(1) In general**

A member of the Capitol Police may travel outside of the United States for official duty if—

(A) that travel is with, or in preparation for, travel of a Member of the House of Representatives who holds a position in a House Leadership Office, including travel of the Member as part of a congressional delegation; and

(B) the Sergeant at Arms of the House of Representatives gives prior approval to the travel of the member of the Capitol Police.

**(2) Definitions**

In this subsection—

(A) the term “House Leadership office”<sup>1</sup> means an office of the House of Representatives for which the appropriation for salaries and expenses of the office for the year involved is provided under the heading “House Leadership Offices” in the act making appropriations for the Legislative Branch for the fiscal year involved;

(B) the term “Member of the House of Representatives” includes a Delegate or Resident Commissioner to the Congress; and

(C) the term “United States” means each of the several States of the United States, the District of Columbia, and the territories and possessions of the United States.

**(b) Reimbursement from Sergeant at Arms**

**(1) In general**

From amounts made available for salaries and expenses of the Office of the Sergeant at Arms of the House of Representatives, the Sergeant at Arms of the House of Representatives shall reimburse the Capitol Police for the overtime pay, travel, and related expenses of any member of the Capitol Police who travels under the authority of this section.

**(2) Use of amounts received**

Any amounts received by the Capitol Police for reimbursements under paragraph (1) shall

<sup>1</sup> So in original. The word “office” probably should be capitalized.

be credited to the accounts established for the general expenses or salaries of the Capitol Police, and shall be available to carry out the purposes of such accounts during the fiscal year in which the amounts are received and the following fiscal year.

**(c) Effective date**

This section shall apply with respect to fiscal year 2017 and each succeeding fiscal year.

(Pub. L. 115–31, div. I, title I, §110, May 5, 2017, 131 Stat. 575.)

**§ 1976. Acceptance of donations of animals**

**(a) In general**

The Capitol Police may accept the donation of animals to be used in the canine units of the Capitol Police.

**(b) Effective date**

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

(Pub. L. 108–447, div. G, title I, §1005, 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.

**§ 1977. Settlement and payment of tort claims**

**(a) Federal Tort Claims Act**

**(1) In general**

Except as provided in paragraph (2), the Chief of the Capitol Police, in accordance with regulations prescribed by the Attorney General and any regulations as the Capitol Police Board may prescribe, may consider, ascertain, determine, compromise, adjust, and settle, in accordance with the provisions of chapter 171 of title 28, any claim for money damages against the United States for injury or loss of property or personal injury or death caused by the negligent or wrongful act or omission of any employee of the Capitol Police while acting within the scope of his office or employment, under circumstances where the United States, if a private person, would be liable to the claimant in accordance with the law of the place where the act or omission occurred.

**(2) Special rule for claims made by Members of Congress and congressional employees**

**(A) In general**

With respect to any claim described in paragraph (1) which is made by a Member of Congress or any officer or employee of Congress, the Chief of the Capitol Police shall—

(i) not later than 14 days after the receipt of such a claim, notify the Chairman of the applicable Committee of the receipt of the claim; and

(ii) not later than 90 days after the receipt of such a claim, submit a proposal for the resolution of such claim which shall be subject to the approval of the Chairman of the applicable Committee.