

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 Repealed.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”.

Statutory Notes and Related Subsidiaries

CHANGE OF NAME

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

EFFECTIVE DATE

Pub. L. 102-397, title I, §104, Oct. 6, 1992, 106 Stat. 1950, as amended by Pub. L. 102-392, title III, §321, Oct. 6, 1992, 106 Stat. 1726, provided that: “The unified payroll administration under the amendment made by section 102 [enacting this section] shall apply with respect to pay periods beginning after September 30, 1993.”

[Pub. L. 102-392, title III, §321, Oct. 6, 1992, 106 Stat. 1726, provided that the amendment made by that sec-

tion to section 104 of Pub. L. 102-397, set out above, is effective Oct. 6, 1992.]

§ 1923. Unified schedules of rates of basic pay and leave system

(a) Rates of basic pay

(1) The Capitol Police Board shall establish and maintain unified schedules of rates of basic pay for members and civilian employees of the Capitol Police which shall apply to both members and employees whose appointing authority is an officer of the Senate and members and employees whose appointing authority is an officer of the House of Representatives.

(2) The Capitol Police Board may, from time to time, adjust any schedule established under paragraph (1) to the extent that the Board determines appropriate to reflect changes in the cost of living and to maintain pay comparability.

(3) A schedule established or revised under paragraph (1) or (2) shall take effect only upon approval by the Committee on House Oversight of the House of Representatives and the Committee on Rules and Administration of the Senate.

(4) A schedule approved under paragraph (3) shall have the force and effect of law.

(b) Leave system

(1) The Capitol Police Board shall prescribe, by regulation, a unified leave system for members and civilian employees of the Capitol Police which shall apply to both members and employees whose appointing authority is an officer of the Senate and members and employees whose appointing authority is an officer of the House of Representatives. The leave system shall include provisions for—

- (A) annual leave, based on years of service;
- (B) sick leave;
- (C) administrative leave;
- (D) leave under the Family and Medical Leave Act of 1993 (29 U.S.C. 2601 et seq.);
- (E) leave without pay and leave with reduced pay, including provisions relating to contributions for benefits for any period of such leave;
- (F) approval of all leave by the Chief or the designee of the Chief;
- (G) the order in which categories of leave shall be used;
- (H) use, accrual, and carryover rules and limitations, including rules and limitations for any period of active duty in the Armed Forces;
- (I) advance of annual leave or sick leave after a member or civilian employee has used all such accrued leave;
- (J) buy back of annual leave or sick leave used during an extended recovery period in the case of an injury in the performance of duty;
- (K) the use of accrued leave before termination of the employment as a member or civilian employee of the Capitol Police, with provision for lump sum payment for unused annual leave; and
- (L) a leave-sharing program.

(2) The leave system under this section may not provide for the accrual of either annual or sick leave for any period of leave without pay or leave with reduced pay.

(3) All provisions of the leave system established under this subsection shall be subject to the approval of the Committee on House Oversight of the House of Representatives and the Committee on Rules and Administration of the Senate. All regulations approved under this subsection shall have the force and effect of law.

(c) Lump sum payments

(1) Upon the approval of the Capitol Police Board, a member or civilian employee of the Capitol Police who is separated from service may be paid a lump sum payment for the accrued annual leave of the member or civilian employee.

(2) The lump sum payment under paragraph (1)—

(A) shall equal the pay the member or civilian employee would have received had such member or employee remained in the service until the expiration of the period of annual leave;

(B) shall be paid from amounts appropriated to the Capitol Police;

(C) shall be based on the rate of basic pay in effect with respect to the member or civilian employee on the last day of service of the member or civilian employee;

(D) shall not be calculated on the basis of extending the period of leave described under subparagraph (A) by any holiday occurring after the date of separation from service;

(E) shall be considered pay for taxation purposes only; and

(F) shall be paid only after the Chairman of the Capitol Police Board certifies the applicable period of leave to the Secretary of the Senate or the Chief Administrative Officer of the House of Representatives, as appropriate.

(3) A member or civilian employee of the Capitol Police who enters active duty in the Armed Forces may—

(A) receive a lump sum payment for accrued annual leave in accordance with this subsection, in addition to any pay or allowance payable from the Armed Forces; or

(B) elect to have the leave remain to the credit of such member or civilian employee until such member or civilian employee returns from active duty.

(4) The Capitol Police Board may prescribe regulations to carry out this subsection. No lump sum payment may be paid under this subsection until such regulations are approved by the Committee on Rules and Administration of the Senate and the Committee on House Oversight of the House of Representatives. All regulations approved under this subsection shall have the force and effect of law.

(d) Effect on appointment authority

Nothing in this section shall be construed to affect the appointing authority of any officer of the Senate or the House of Representatives.

(Pub. L. 105-55, title I, § 111, Oct. 7, 1997, 111 Stat. 1186.)

Editorial Notes

REFERENCES IN TEXT

The Family and Medical Leave Act of 1993, referred to in subsec. (b)(1)(D), is Pub. L. 103-3, Feb. 5, 1993, 107