

(R.S. §1824; Pub. L. 92-607, ch. V, §507, Oct. 31, 1972, 86 Stat. 1508; Pub. L. 95-26, title I, §112, May 4, 1977, 91 Stat. 87; Pub. L. 108-447, div. G, title I, §1003, Dec. 8, 2004, 118 Stat. 3180.)

Editorial Notes

CODIFICATION

Section was classified to section 210 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.

R.S. §1824 derived from act Mar. 30, 1867, ch. 20, §1, 15 Stat. 11.

AMENDMENTS

2004—Pub. L. 108-447, in first sentence, substituted “The Capitol Police Board” for “The Sergeant at Arms of the Senate and the Sergeant at Arms of the House of Representatives” and “payable from appropriations to the Capitol Police upon certification of payment by the Chief of the Capitol Police” for “payable out of the contingent fund of the Senate and House of Representatives upon the certificate of the officers above named” and, in second sentence, inserted “or other arms as authorized by the Capitol Police Board” after “furnished” and substituted “the Capitol Police Board” for “the Sergeant at Arms of the Senate and the Sergeant at Arms of the House of Representatives”.

1977—Pub. L. 95-26 struck out “at a cost not to exceed twenty dollars per man,” after “furnish each member of the force with the necessary belts and arms.”.

1972—Pub. L. 92-607 directed that the arms be carried in the Capitol Buildings and within and without the boundaries of the United States Capitol Grounds according to regulations prescribed by the Sergeant at Arms of the Senate and the Sergeant at Arms of the House of Representatives.

§ 1942. Uniform to display United States flag or colors

(a) The uniform of officers and members of the United States Park Police force, the United States Secret Service Uniformed Division, the Capitol Police, and the Metropolitan Police force of the District of Columbia shall bear a distinctive patch, pin, or other emblem depicting the flag of the United States or the colors thereof.

(b) The Secretary of the Interior in the case of the United States Park Police force, the Secretary of the Treasury in the case of the United States Secret Service Uniformed Division, the Capitol Police Board in the case of the Capitol Police, and the Mayor of the District of Columbia in the case of the Metropolitan Police force shall prescribe such regulations as may be necessary to carry out the purposes of this section.

(Pub. L. 91-297, title II, §201(a), (b), June 30, 1970, 84 Stat. 357; Pub. L. 93-198, title IV, §421, Dec. 24, 1973, 87 Stat. 789; Pub. L. 95-179, Nov. 15, 1977, 91 Stat. 1371.)

Editorial Notes

CODIFICATION

Section was classified to section 210a 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

1977—Pub. L. 95-179 substituted “United States Secret Service Uniformed Division” for “Executive Protective Service” wherever appearing.

Statutory Notes and Related Subsidiaries

TRANSFER OF FUNCTIONS

Office of Commissioner of District of Columbia, as established by Reorg. Plan No. 3 of 1967, abolished as of noon Jan. 2, 1975, by Pub. L. 93-198, title VII, §711, Dec. 24, 1973, 87 Stat. 818, and replaced by office of Mayor of District of Columbia by section 421 of Pub. L. 93-198. Accordingly, “Mayor” substituted in text for “commissioner”.

§ 1943. Repealed. Pub. L. 111-145, §6(b), Mar. 4, 2010, 124 Stat. 54

Section, R.S. §1825, required members of the Capitol police to pay for their own uniforms.

Editorial Notes

CODIFICATION

Section was classified to section 211 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.

R.S. §1825 derived from act July 20, 1868, ch. 176, §1, 15 Stat. 94.

§ 1944. Wearing uniform on duty

The officers, privates, and watchmen of the Capitol police shall, when on duty, wear the regulation uniform.

(Mar. 18, 1904, ch. 716, §1, 33 Stat. 89.)

Editorial Notes

CODIFICATION

Section was classified to section 212 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.

The text of this section was taken from act Mar. 18, 1904, popularly known as the “Legislative, Executive and Judicial Appropriation Act for the fiscal year ending June 30, 1905”. Similar provisions were contained in the following prior appropriation acts:

Feb. 25, 1903, ch. 755, §1, 32 Stat. 857.

Mar. 3, 1901, ch. 830, §1, 31 Stat. 963.

PART D—UNITED STATES CAPITOL POLICE MEMORIAL FUND

§ 1951. Establishment of United States Capitol Police Memorial Fund

There is hereby established in the Treasury of the United States the United States Capitol Police Memorial Fund (hereafter in this part referred to as the “Fund”). All amounts received by the Capitol Police Board which are designated for deposit into the Fund, including amounts received in response to the shooting incident at the practice for the Congressional Baseball Game for Charity on June 14, 2017, shall be deposited into the Fund.

(Pub. L. 105-223, §1, Aug. 7, 1998, 112 Stat. 1250; Pub. L. 115-45, §2(c), Aug. 4, 2017, 131 Stat. 957.)

Editorial Notes

CODIFICATION

Section was classified to section 207c 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

2017—Pub. L. 115-45 substituted “deposit into the Fund, including amounts received in response to the

shooting incident at the practice for the Congressional Baseball Game for Charity on June 14, 2017,” for “deposit into the Fund”.

§ 1952. Payments from Fund for families of Detective Gibson and Private First Class Chestnut and certain other United States Capitol Police employees

(a) In general

Except to the extent used or reserved for use under subsection (b) and subject to the regulations issued under section 1954 of this title, amounts in the Fund shall be paid to the families of Detective John Michael Gibson and Private First Class Jacob Joseph Chestnut of the United States Capitol Police as follows:

- (1) Fifty percent of such amounts shall be paid to the widow and children of Detective Gibson.
- (2) Fifty percent of such amounts shall be paid to the widow and children of Private First Class Chestnut.

(b) Payments for employees killed in the line of duty or sustaining serious line-of-duty injuries

In addition to the amounts paid under subsection (a), and in accordance with the regulations issued under section 1954(b) of this title, amounts in the Fund may be paid to—

- (1) families of employees of the United States Capitol Police who were killed in the line of duty; or
- (2) employees of the United States Capitol Police who have sustained serious line-of-duty injuries.

(Pub. L. 105–223, § 2, Aug. 7, 1998, 112 Stat. 1250; Pub. L. 115–45, § 2(a), Aug. 4, 2017, 131 Stat. 956.)

Editorial Notes

CODIFICATION

Section was classified to section 207c–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

2017—Pub. L. 115–45 inserted “and certain other United States Capitol Police employees” at end of section catchline, designated existing provisions as subsec. (a), inserted heading, substituted “Except to the extent used or reserved for use under subsection (b) and subject to the regulations” for “Subject to the regulations”, and added subsec. (b).

§ 1953. Tax treatment of Fund

(a) Contributions to Fund

For purposes of title 26, any contribution or gift to or for the use of the Fund shall be treated as a contribution or gift for exclusively public purposes to or for the use of an organization described in section 170(c)(1) of title 26.

(b) Treatment of payments from Fund

Any payment from the Fund shall not be subject to any Federal, State, or local income or gift tax.

(c) Exemption

For purposes of title 26, notwithstanding section 501(c)(1)(A) of title 26, the Fund shall be

treated as described in section 501(c)(1) of title 26 and exempt from tax under section 501(a) of title 26.

(Pub. L. 105–223, § 3, Aug. 7, 1998, 112 Stat. 1250.)

Editorial Notes

CODIFICATION

Section was classified to section 207c–2 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.

§ 1954. Administration by Capitol Police Board

(a) In general

The Capitol Police Board shall administer and manage the Fund (including establishing the timing and manner of making payments under section 1952 of this title) in accordance with regulations issued by the Board, subject to the approval of the Committee on Rules and Administration of the Senate and the Committee on House Oversight of the House of Representatives. Under such regulations, the Board shall pay any balance remaining in the Fund upon the expiration of the 6-month period which begins on August 7, 1998, to the families of Detective John Michael Gibson and Private First Class Jacob Joseph Chestnut in accordance with section 1952 of this title, and shall disburse any amounts in the Fund after the expiration of such period in such manner as the Board may establish. Under such regulations, and using amounts in the Fund, a financial adviser or trustee, as appropriate, for the families of Detective John Michael Gibson and Private First Class Jacob Joseph Chestnut of the United States Capitol Police shall be appointed to advise the families respecting disbursements to them of amounts in the Fund.

(b) Regulations governing payments for employees killed in the line of duty or sustaining serious line-of-duty injuries

In carrying out subsection (a), the Capitol Police Board shall issue specific regulations governing the use of the Fund for making payments to families of employees of the United States Capitol Police who were killed in the line of duty and employees of the United States Capitol Police who have sustained serious line-of-duty injuries (as authorized under section 1952(b) of this title), including regulations—

- (1) establishing the conditions under which the family of an employee or an employee is eligible to receive such a payment;
- (2) providing for the amount, timing, and manner of such payments; and
- (3) ensuring that any such payment is in addition to, and does not otherwise affect, any other form of compensation payable to the family of an employee or the employee, including benefits for workers’ compensation under chapter 81 of title 5.

(Pub. L. 105–223, § 4, Aug. 7, 1998, 112 Stat. 1250; Pub. L. 115–45, § 2(b), Aug. 4, 2017, 131 Stat. 956.)

Editorial Notes

CODIFICATION

Section was classified to section 207c–3 of former Title 40, prior to the enactment of Title 40, Public