

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

#### AMENDMENTS

2017—Pub. L. 115–45 designated existing provisions as subsec. (a), inserted heading, and added subsec. (b).

#### 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.

#### SUBCHAPTER II—POWERS AND DUTIES

### § 1961. Policing of Capitol Buildings and Grounds

(a) The Capitol Police shall police the United States Capitol Buildings and Grounds under the direction of the Capitol Police Board, consisting of the Sergeant at Arms of the United States Senate, the Sergeant at Arms of the House of Representatives, and the Architect of the Capitol, and shall have the power to enforce the provisions of this section, sections 1922, 1966, 1967, and 1969 of this title<sup>1</sup> (and regulations promulgated under section 1969 of this title), and chapter 51 of title 40, and to make arrests within the United States Capitol Buildings and Grounds for any violations of any law of the United States, of the District of Columbia, or of any State, or any regulation promulgated pursuant thereto: *Provided*, That for the fiscal year for which appropriations are made by this Act the Capitol Police shall have the additional authority to make arrests within the District of Columbia for crimes of violence, as defined in section 16 of title 18, committed within the Capitol Buildings and Grounds and shall have the additional authority to make arrests, without a warrant, for crimes of violence, as defined in section 16 of title 18, committed in the presence of any member of the Capitol Police performing official duties: *Provided further*, That the Metropolitan Police force of the District of Columbia are authorized to make arrests within the United States Capitol Buildings and Grounds for any violation of any such laws or regulations, but such authority shall not be construed as authorizing the Metropolitan Police force, except with the consent or upon the request of the Capitol Police Board, to enter such buildings to make arrests in response to complaints or to serve warrants or to patrol the United States Capitol Buildings and Grounds. For the purpose of this section, the word “grounds” shall include the House Office Buildings parking areas and that part or parts of property which have been or hereafter are acquired in the District of Columbia by the Architect of the Capitol, or by an officer of the Senate or the House, by lease, purchase, intergovernment transfer, or otherwise, for the use of the Senate, the House, or the Architect of the Capitol.

(b) For purposes of this section, “the United States Capitol Buildings and Grounds” shall include any building or facility acquired by the Sergeant at Arms of the Senate for the use of the Senate for which the Sergeant at Arms of

the Senate has entered into an agreement with the United States Capitol Police for the policing of the building or facility.

(c) For purposes of this section, “the United States Capitol Buildings and Grounds” shall include any building or facility acquired by the Chief Administrative Officer of the House of Representatives for the use of the House of Representatives for which the Chief Administrative Officer has entered into an agreement with the United States Capitol Police for the policing of the building or facility.

(d) For purposes of this section, “United States Capitol Buildings and Grounds” shall include the Library of Congress buildings and grounds described under section 167j of this title, except that in a case of buildings or grounds not located in the District of Columbia, the authority granted to the Metropolitan Police Force of the District of Columbia shall be granted to any police force within whose jurisdiction the buildings or grounds are located.

(July 31, 1946, ch. 707, §9, 60 Stat. 719; Pub. L. 93–198, title VII, §739(g)(4), (5), Dec. 24, 1973, 87 Stat. 829; Pub. L. 101–520, title I, §106, formerly §106(a), Nov. 5, 1990, 104 Stat. 2264, renumbered §106 and amended Pub. L. 102–392, title III, §310, Oct. 6, 1992, 106 Stat. 1723; Pub. L. 102–397, title I, §103, Oct. 6, 1992, 106 Stat. 1950; Pub. L. 107–117, div. B, §§901(c)(2), 903(c)(2), Jan. 10, 2002, 115 Stat. 2316, 2317; Pub. L. 107–206, title I, §§902(b), 903(b), Aug. 2, 2002, 116 Stat. 876; Pub. L. 108–7, div. H, title I, §1016(c), Feb. 20, 2003, 117 Stat. 365; Pub. L. 110–161, div. H, title I, §1004(d)(1)(A), Dec. 26, 2007, 121 Stat. 2233; Pub. L. 110–178, §4(a)(1), Jan. 7, 2008, 121 Stat. 2551; Pub. L. 111–145, §6(d)(1), Mar. 4, 2010, 124 Stat. 54.)

#### Editorial Notes

##### REFERENCES IN TEXT

This section and sections 1922, 1966, 1967, and 1969 of this title, referred to in subsec. (a), was in the original a reference to the act of July 31, 1946, meaning act July 31, 1946, ch. 707, 60 Stat. 718, which enacted this section, sections 1922, 1966, 1967, and 1969 of this title, and provisions set out as a note below. For complete classification of the act of July 31, 1946, to the Code, see Tables.

This Act, referred to in subsec. (a), probably means Pub. L. 101–520, Nov. 5, 1990, 104 Stat. 2254, known as the Legislative Branch Appropriations Act, 1991, which amended this section generally. For complete classification of this Act to the Code, see Tables.

##### CODIFICATION

Section was classified to section 212a 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. (d). Pub. L. 111–145 repealed Pub. L. 110–161, §1004(d)(1)(A). See 2007 Amendment note below.

2008—Subsec. (d). Pub. L. 110–178 added subsec. (d).

2007—Subsec. (d). Pub. L. 110–161, §1004(d)(1)(A), which made an amendment identical to that made by Pub. L. 110–178, was repealed by Pub. L. 111–145. See Effective Date of 2010 Amendment note below.

2003—Subsec. (a). Pub. L. 108–7 substituted “this section, sections 1922, 1966, 1967, and 1969 of this title (and regulations promulgated under section 1969 of this title), and chapter 51 of title 40” for “sections 193a to 193m, 212a, 212a–2, and 212b of this title and regulations promulgated under section 212b of this title,”.

<sup>1</sup> See References in Text note below.

2002—Subsec. (a). Pub. L. 107-117, §§901(c)(2)(A), 903(b)(2)(A), amended section identically, inserting “(a)” before “The Capitol Police shall police”.

Subsec. (b). Pub. L. 107-206 redesignated subsec. (b) relating to buildings or facilities acquired by the Chief Administrative Officer of the House of Representatives as (c).

Pub. L. 107-117, §903(c)(2)(B), added subsec. (b) relating to buildings or facilities acquired by the Chief Administrative Officer of the House of Representatives.

Pub. L. 107-117, §901(c)(2)(B), added subsec. (b) relating to buildings or facilities acquired by the Sergeant at Arms of the Senate.

Subsec. (c). Pub. L. 107-206 redesignated subsec. (b) relating to buildings or facilities acquired by the Chief Administrative Officer of the House of Representatives as (c).

1992—Pub. L. 102-392 and Pub. L. 102-397 amended directory language of Pub. L. 101-520 identically. See 1990 Amendment note below.

1990—Pub. L. 101-520, as amended by Pub. L. 102-392 and Pub. L. 102-397, amended section generally. Prior to amendment, section read as follows: “The Capitol Police shall police the United States Capitol Buildings and Grounds under the direction of the Capitol Police Board, consisting of the Sergeant at Arms of the United States Senate, the Sergeant at Arms of the House of Representatives, and the Architect of the Capitol, and shall have the power to enforce the provisions of sections 193a to 193m, 212a, 212a-2, and 212b of this title and regulations promulgated under section 212b of this title, and to make arrests within the United States Capitol Buildings and Grounds for any violations of any law of the United States, of the District of Columbia, or of any State, or any regulation promulgated pursuant thereto: *Provided*, That the Metropolitan Police force of the District of Columbia are authorized to make arrests within the United States Capitol Buildings and Grounds for any violations of any such laws or regulations, but such authority shall not be construed as authorizing the Metropolitan Police force, except with the consent or upon the request of the Capitol Police Board, to enter such buildings to make arrests in response to complaints or to serve warrants or to patrol the United States Capitol Buildings and Grounds. For the purpose of this section, the word ‘grounds’ shall include the House Office Building parking area.”

1973—Pub. L. 93-198 inserted reference to violations of any law of the District of Columbia and struck out “, with the exception of the streets and roadways shown on the map referred to in section 193a of this title as being under the jurisdiction and control of the Commissioners of the District of Columbia” after “or to patrol the United States Capitol Buildings and Grounds”.

#### Statutory Notes and Related Subsidiaries

##### EFFECTIVE DATE OF 2010 AMENDMENT

Repeal of section 1004 of Pub. L. 110-161 by Pub. L. 111-145 effective as if included in the enactment of Pub. L. 110-161 and provisions amended by section 1004 of Pub. L. 110-161 to be restored as if such section had not been enacted, and repeal to have no effect on the enactment or implementation of any provision of Pub. L. 110-178, see section 6(d) of Pub. L. 111-145, set out as a note under section 1901 of this title.

##### EFFECTIVE DATE OF 2008 AMENDMENT

Amendment by Pub. L. 110-178 effective Oct. 1, 2009, see section 4(d) of Pub. L. 110-178, set out as an Effective Date of Repeal note under section 167 of this title.

##### EFFECTIVE DATE OF 2003 AMENDMENT

Pub. L. 108-7, div. H, title I, §1016(d), Feb. 20, 2003, 117 Stat. 365, provided that: “The amendments made by this subsection [probably means this section, amending this section and sections 5101 and 5102 of Title 40, Public Buildings, Property, and Works] shall apply to fiscal year 2003 and each fiscal year thereafter.”

##### EFFECTIVE DATE OF 2002 AMENDMENTS

Amendment by section 902(b) of Pub. L. 107-206 effective as if included in the enactment of the Emergency Supplemental Act, 2002, Pub. L. 107-117, div. B, see section 902(c) of Pub. L. 107-206, set out as a note under section 2022 of this title.

Amendment by section 903(b) of Pub. L. 107-206 effective as if included in the enactment of the Emergency Supplemental Act, 2002, Pub. L. 107-117, div. B, see section 903(c) of Pub. L. 107-206, set out as a note under section 2002 of this title.

Amendment by section 901(c)(2) of Pub. L. 107-117 applicable with respect to fiscal year 2002 and each succeeding fiscal year, see section 2022(e) of this title.

Amendment by section 903(c)(2) of Pub. L. 107-117 applicable with respect to fiscal year 2002 and each succeeding fiscal year, see section 2002(e) of this title.

##### EFFECTIVE DATE OF 1992 AMENDMENTS

Pub. L. 102-397, title I, §103, Oct. 6, 1992, 106 Stat. 1950, provided that the amendment made by section 103 is effective Nov. 5, 1990.

Pub. L. 102-392, title III, §310, Oct. 6, 1992, 106 Stat. 1723, provided that the amendment made by section 310 is effective Nov. 5, 1990.

##### EFFECTIVE DATE OF 1973 AMENDMENT

Pub. L. 93-198, title VII, §771(d), Dec. 24, 1973, 87 Stat. 836, provided that the amendment made by Pub. L. 93-198 is effective on Jan. 2, 1975, if a majority of the registered qualified electors in the District of Columbia voting on the charter issue in the charter referendum accepted the charter set out in title IV of Pub. L. 93-198, Dec. 24, 1973, 87 Stat. 785. The charter was approved by the voters on May 7, 1974.

##### CONSTRUCTION

Act July 31, 1946, ch. 707, §16(b), 60 Stat. 721, provided that: “Nothing in this Act [2 U.S.C. 1922, 1961, 1966, 1967, 1969; 40 U.S.C. 5101 to 5107, 5109, see References in Text note under section 1819 of this title] shall be construed to repeal, amend, alter, or supersede (1) section 1820 of the Revised Statutes (U.S.C., title 40, sec. 193) [now 2 U.S.C. 2183]; (2) an Act entitled ‘An Act to protect the public property, turf, and grass of the Capitol Grounds from injury’, approved April 29, 1876 (19 Stat. 41; U.S.C., title 40, sec. 214) [now 2 U.S.C. 1963]; (3) except as provided in section 9 of this Act [2 U.S.C. 1961], section 15 of an Act entitled ‘An Act for the preservation of the public peace and the protection of property within the District of Columbia’, approved July 29, 1892 (27 Stat. 325; U.S.C., title 40, sec. 101) [see 40 U.S.C. 8103]; (4) the second proviso in the item ‘Capitol garages’ under the caption ‘Capitol Buildings and Grounds’ contained in an Act entitled ‘An Act making appropriations for the legislative branch of the Government for the fiscal year ending June 30, 1933, and for other purposes’, approved June 30, 1932 (47 Stat. 382, 391; U.S.C., title 40, sec. 185a) [now 2 U.S.C. 2025]; or (5) an Act entitled ‘An Act to authorize the use of part of the United States Capitol Grounds east of the Union Station for the parking of motor vehicles’, approved July 8, 1943 (57 Stat. 390).”

##### JURISDICTION OF UNITED STATES CAPITOL POLICE OVER TEMPORARY PARKING AREAS DURING CONSTRUCTION OF JUDICIARY ANNEX BUILDING

Pub. L. 101-302, title III, §313, May 25, 1990, 104 Stat. 245, provided that:

“(a) The supervision and jurisdiction of the United States Capitol Police shall extend over any area with respect to which the Architect of the Capitol has contracted, or otherwise entered into an agreement, for parking space in the Union Station parking garage to accommodate personnel of the United States Senate whose parking privileges have been affected by the construction of the Judiciary Annex Building, and over any area and streets necessary to carry out such supervision and to travel between such parking area and the United States Capitol Grounds.

“(b) In carrying out such supervision, the United States Capitol Police shall have, within any such area or street, jurisdiction, concurrent with that of the Metropolitan Police of the District of Columbia, to provide security for such personnel and property of such personnel and of the United States Senate within such area or street, and to make arrests for the violation of the laws and regulations of the United States and the District of Columbia.

“(c) The provisions of subsections (a) and (b) shall be effective only during the period that there is in effect a contract or other agreement as referred to in subsection (a).”

#### EXTENSION OF UNITED STATES CAPITOL POLICE SUPERVISION

Pub. L. 95-175, Nov. 14, 1977, 91 Stat. 1362, provided: “That the supervision of the United States Capitol Police shall extend over that part or parts of the premises located at 600 Pennsylvania Avenue, Southeast, Washington, District of Columbia, leased by the Office of Technology Assessment. In carrying out such supervision, the United States Capitol Police shall have within such part or parts jurisdiction, concurrent with that of the Metropolitan Police of the District of Columbia, to provide security for the personnel and property of the Office of Technology Assessment within such leased premises, and to make arrest therein for the violation of the laws and regulations of the United States and the District of Columbia.”

#### § 1962. Detail of police

The Capitol Police Board is authorized to detail police from the House Office, Senate Office, and Capitol Buildings for police duty on the Capitol Grounds and on the Library of Congress Grounds.

(Pub. L. 96-432, § 5, Oct. 10, 1980, 94 Stat. 1853.)

#### Editorial Notes

##### CODIFICATION

Section was classified to section 212a-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.

Provisions of this section were enacted as permanent law in Pub. L. 96-432. Similar fiscal year provisions were contained in the following appropriation acts and have not been repeated since 1983:

Pub. L. 98-51, title I, § 112, July 14, 1983, 97 Stat. 271.  
 Pub. L. 97-276, § 101(e) [S. 2939, title I], Oct. 2, 1982, 96 Stat. 1189.  
 Pub. L. 97-51, § 101(c) [H.R. 4120, title I], Oct. 1, 1981, 95 Stat. 959.  
 Pub. L. 96-536, § 101(c) [H.R. 7593, title I], Dec. 16, 1980, 94 Stat. 3167.  
 Pub. L. 95-391, title I, Sept. 30, 1978, 92 Stat. 780.  
 Pub. L. 95-94, title I, Aug. 5, 1977, 91 Stat. 671.  
 Pub. L. 94-440, title III, Oct. 1, 1976, 90 Stat. 1451.  
 Pub. L. 94-59, title III, July 25, 1975, 89 Stat. 285.  
 Pub. L. 93-371, Aug. 13, 1974, 88 Stat. 436.  
 Pub. L. 93-145, Nov. 1, 1973, 87 Stat. 539.  
 Pub. L. 92-342, July 10, 1972, 86 Stat. 441.  
 Pub. L. 92-51, July 9, 1971, 85 Stat. 136.  
 Pub. L. 91-382, Aug. 18, 1970, 84 Stat. 817.  
 Pub. L. 91-145, Dec. 12, 1969, 83 Stat. 350.  
 Pub. L. 90-417, July 23, 1968, 82 Stat. 406.  
 Pub. L. 90-57, July 28, 1967, 81 Stat. 135.  
 Pub. L. 89-545, Aug. 27, 1966, 80 Stat. 363.  
 Pub. L. 89-90, July 27, 1965, 79 Stat. 275.  
 Pub. L. 88-454, Aug. 20, 1964, 78 Stat. 544.  
 Pub. L. 88-248, Dec. 30, 1963, 77 Stat. 811.  
 Pub. L. 87-730, § 104, Oct. 2, 1962, 76 Stat. 694.  
 Pub. L. 87-130, § 104, Aug. 10, 1961, 75 Stat. 334.  
 Pub. L. 86-628, § 104, July 12, 1960, 74 Stat. 460.  
 Pub. L. 86-176, § 104, Aug. 21, 1959, 73 Stat. 412.

Pub. L. 85-570, § 104, July 31, 1958, 72 Stat. 453.  
 Pub. L. 85-75, § 104, July 1, 1957, 71 Stat. 256.  
 June 27, 1956, ch. 453, § 104, 70 Stat. 370.  
 Aug. 5, 1955, ch. 568, § 104, 69 Stat. 520.  
 July 2, 1954, ch. 455, title I, § 104, 68 Stat. 409.  
 Aug. 1, 1953, ch. 304, title I, § 106, 67 Stat. 332.  
 July 9, 1952, ch. 598, § 106, 66 Stat. 478.  
 Oct. 11, 1951, ch. 485, § 106, 65 Stat. 403.  
 Sept. 6, 1950, ch. 896, § 106, 64 Stat. 608.  
 June 22, 1949, ch. 235, § 106, 63 Stat. 230.  
 June 14, 1948, ch. 467, § 106, 62 Stat. 437.  
 July 17, 1947, ch. 262, § 106, 61 Stat. 377.  
 July 1, 1946, ch. 530, § 106, 60 Stat. 408.  
 June 13, 1945, ch. 189, § 106, 59 Stat. 259.  
 June 26, 1944, ch. 277, title I, § 105, 58 Stat. 354.  
 June 28, 1943, ch. 173, title I, 57 Stat. 230.  
 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. 390.

#### § 1963. Protection of grounds

It shall be the duty of the Capitol police on and after April 29, 1876, to prevent any portion of the Capitol Grounds and terraces from being used as playgrounds or otherwise, so far as may be necessary to protect the public property, turf and grass from destruction or injury.

(Apr. 29, 1876, ch. 86, 19 Stat. 41.)

#### Editorial Notes

##### CODIFICATION

Section was classified to section 214 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.

#### § 1964. Security systems for Capitol buildings and grounds

##### (a) Design and installation

(1) Effective October 1, 1995, the unexpended balances of appropriations specified in paragraph (2) are transferred to the appropriation for general expenses of the Capitol Police, to be used for design and installation of security systems for the Capitol buildings and grounds.

(2) The unexpended balances referred to in paragraph (1) are—

(A) the unexpended balance of appropriations for security installations, as referred to in the paragraph under the heading “CAPITOL BUILDINGS”, under the general headings “JOINT ITEMS”, “ARCHITECT OF THE CAPITOL”, and “CAPITOL BUILDINGS AND GROUNDS” in title I of the Legislative Branch Appropriations Act, 1995 (108 Stat. 1434), including any unexpended balance from a prior fiscal year and any unexpended balance under such headings in this Act; and

(B) the unexpended balance of the appropriation for an improved security plan, as transferred to the Architect of the Capitol by section 102 of the Legislative Branch Appropriations Act, 1989 (102 Stat. 2165).

##### (b) Transfer of responsibility to Capitol Police Board

Effective October 1, 1995, the responsibility for design and installation of security systems for the Capitol buildings and grounds is transferred from the Architect of the Capitol to the Capitol

Police Board. Such design and installation shall be carried out under the direction of the Committee on House Oversight of the House of Representatives and the Committee on Rules and Administration of the Senate, and without regard to section 6101 of title 41. On and after October 1, 1995, any alteration to a structural, mechanical, or architectural feature of the Capitol buildings and grounds that is required for a security system under the preceding sentence may be carried out only with the approval of the Architect of the Capitol.

**(c) Transfer of positions to Capitol Police**

(1) Effective October 1, 1995, all positions specified in paragraph (2) and each individual holding any such position (on a permanent basis) immediately before that date, as identified by the Architect of the Capitol, shall be transferred to the Capitol Police.

(2) The positions referred to in paragraph (1) are those positions which, immediately before October 1, 1995, are—

(A) under the Architect of the Capitol;

(B) within the Electronics Engineering Division of the Office of the Architect of the Capitol; and

(C) related to the design or installation of security systems for the Capitol buildings and grounds.

(3) All annual leave and sick leave standing to the credit of an individual immediately before such individual is transferred under paragraph (1) shall be credited to such individual, without adjustment, in the new position of the individual.

(Pub. L. 104-53, title III, §308, Nov. 19, 1995, 109 Stat. 537.)

**Editorial Notes**

**REFERENCES IN TEXT**

The paragraph under the heading “CAPITOL BUILDINGS”, under the general headings “JOINT ITEMS”, “ARCHITECT OF THE CAPITOL”, and “CAPITOL BUILDINGS AND GROUNDS” in title I of the Legislative Branch Appropriations Act, 1995, referred to in subsec. (a)(2)(A), is contained in Pub. L. 103-283, title I, July 22, 1994, 108 Stat. 1423, 1434, and is not classified to the Code.

This Act, referred to in subsec. (a)(2)(A), is Pub. L. 104-53, Nov. 19, 1995, 109 Stat. 514, known as the Legislative Branch Appropriations Act, 1996. Provisions under such headings in this Act appear at 109 Stat. 527, and are not classified to the Code.

Section 102 of the Legislative Branch Appropriations Act, 1989, referred to in subsec. (a)(2)(B), is section 102 of Pub. L. 100-458, title I, Oct. 1, 1988, 102 Stat. 2165, which is not classified to the Code.

**CODIFICATION**

In subsec. (b), “section 6101 of title 41” substituted for “section 3709 of the Revised Statutes of the United States (41 U.S.C. 5)” on authority of Pub. L. 111-350, §6(c), Jan. 4, 2011, 124 Stat. 3854, which Act enacted Title 41, Public Contracts.

Section was classified to section 212a-4 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**

**CHANGE OF NAME**

Committee on House Oversight of House of Representatives changed to Committee on House Adminis-

tration of House of Representatives by House Resolution No. 5, One Hundred Sixth Congress, Jan. 6, 1999.

**§ 1965. Maintenance of security systems for Capitol buildings and grounds**

(a) Effective October 1, 1996, the responsibility for maintenance of security systems for the Capitol buildings and grounds is transferred from the Architect of the Capitol to the Capitol Police Board. Such maintenance shall be carried out under the direction of the Committee on House Oversight of the House of Representatives and the Committee on Rules and Administration of the Senate. On and after October 1, 1996, any alteration to a structural, mechanical, or architectural feature of the Capitol buildings and grounds that is required for security system maintenance under the preceding sentence may be carried out only with the approval of the Architect of the Capitol.

(b)(1) Effective October 1, 1996, all positions specified in paragraph (2) and each individual holding any such position (on a permanent basis) immediately before that date, as identified by the Architect of the Capitol, shall be transferred to the Capitol Police.

(2) The positions referred to in paragraph (1) are those positions which, immediately before October 1, 1996, are—

(A) under the Architect of the Capitol;

(B) within the Electronics Engineering Division of the Office of the Architect of the Capitol; and

(C) related to the maintenance of security systems for the Capitol buildings and grounds.

(3) All annual leave and sick leave standing to the credit of an individual immediately before such individual is transferred under paragraph (1) shall be credited to such individual, without adjustment, in the new position of the individual.

(Pub. L. 104-197, title III, §308, Sept. 16, 1996, 110 Stat. 2413.)

**Editorial Notes**

**CODIFICATION**

Section was classified to section 212a-4a 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**

**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.

**§ 1965a. Prohibition on use of funds for installation of permanent fencing on Capitol Grounds**

None of the funds made available in this or any other Act in prior fiscal years, this fiscal year, or any fiscal year thereafter may be used to install permanent, above-ground fencing around the perimeter, or any portion thereof, of the United States Capitol Grounds, as described in section 5102 of title 40.

(Pub. L. 117-31, title III, §310, July 30, 2021, 135 Stat. 314.)

**§ 1966. Protection of Members of Congress, officers of Congress, and members of their families**

**(a) Authority of the Capitol Police**

Subject to the direction of the Capitol Police Board, the United States Capitol Police is authorized to protect, in any area of the United States, the person of any Member of Congress, officer of the Congress, as defined in section 4101(b) of this title, and any member of the immediate family of any such Member or officer, if the Capitol Police Board determines such protection to be necessary.

**(b) Detail of police**

In carrying out its authority under this section, the Capitol Police Board, or its designee, is authorized, in accordance with regulations issued by the Board pursuant to this section, to detail, on a case-by-case basis, members of the United States Capitol Police to provide such protection as the Board may determine necessary under this section.

**(c) Arrest of suspects**

In the performance of their protective duties under this section, members of the United States Capitol Police are authorized (1) to make arrests without warrant for any offense against the United States committed in their presence, or for any felony cognizable under the laws of the United States if they have reasonable grounds to believe that the person to be arrested has committed or is committing such felony; and (2) to utilize equipment and property of the Capitol Police.

**(d) Fines and penalties**

Whoever knowingly and willfully obstructs, resists, or interferes with a member of the Capitol Police engaged in the performance of the protective functions authorized by this section, shall be fined not more than \$300 or imprisoned not more than one year, or both.

**(e) Construction of provisions**

Nothing contained in this section shall be construed to imply that the authority, duty, and function conferred on the Capitol Police Board and the United States Capitol Police are in lieu of or intended to supersede any authority, duty, or function imposed on any Federal department, agency, bureau, or other entity, or the Metropolitan Police of the District of Columbia, involving the protection of any such Member, officer, or family member.

**(f) “United States” defined**

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

(July 31, 1946, ch. 707, §9A, as added Pub. L. 97-143, §1(a), Dec. 29, 1981, 95 Stat. 1723.)

**Editorial Notes**

**CODIFICATION**

Section was classified to section 212a-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.

**§ 1966a. Protection of former Speakers of the House of Representatives**

Notwithstanding any other provision of law (except section 1341 of title 31, United States Code), hereafter, the United States Capitol Police shall perform a threat assessment for former Speakers of the House of Representatives, and if warranted, any such former Speaker shall receive a United States Capitol Police protective detail for a period of not more than one year beginning on the date they leave such office, except that such former Speaker shall have the option to decline such protective detail at any time: *Provided*, That at the conclusion of the one year period, the United States Capitol Police shall perform a threat assessment to determine whether extension of the protective detail is warranted: *Provided further*, That, the protective detail may be extended beyond the initial one year period, with the concurrence of the relevant former Speaker, if the United States Capitol Police determines that information or conditions, including but not limited to violent threats, warrant such protection: *Provided further*, That the United States Capitol Police is authorized to enter into Memoranda of Understanding with relevant state and local law enforcement agencies, as needed, to carry out this section.

(Pub. L. 117-328, div. I, title I, §121, Dec. 29, 2022, 136 Stat. 4926.)

**§ 1967. Law enforcement authority**

**(a) Scope**

Subject to such regulations as may be prescribed by the Capitol Police Board and approved by the Committee on House Oversight of the House of Representatives and the Committee on Rules and Administration of the Senate, a member of the Capitol Police shall have authority to make arrests and otherwise enforce the laws of the United States, including the laws of the District of Columbia—

(1) within the District of Columbia, with respect to any crime of violence committed within the United States Capitol Grounds;

(2) within the District of Columbia, with respect to any crime of violence committed in the presence of the member, if the member is in the performance of official duties when the crime is committed;

(3) within the District of Columbia, to prevent imminent loss of life or injury to person or property, if the officer is in the performance of official duties when the authority is exercised;

(4) within the area described under subsection (b)(1); and

(5) within the area described under subsection (b)(2)—

(A) with respect to any crime of violence committed in the presence of the member, if the member is in the performance of official duties, as defined under such regulations, when the crime is committed; and

(B) to prevent imminent loss of life or injury to person or property, if the officer is in the performance of official duties, as defined under such regulations, when the authority is exercised.

**(b) Area**

(1) The area referred to in subsection (a)(4) is that area bounded by the north curb of H Street from 3rd Street, N.W. to 7th Street, N.E., the east curb of 7th Street from H Street, N.E., to M Street, S.E., the south curb of M Street from 7th Street, S.E. to 1st Street, S.E., the east curb of 1st Street from M Street, S.E. to Potomac Avenue S.E., the southeast curb of Potomac Avenue from 1st Street, S.E. to South Capitol Street, S.W., the west curb of South Capitol Street from Potomac Avenue, S.W. to P Street, S.W., the north curb of P Street from South Capitol Street, S.W. to 3rd Street, S.W., and the west curb of 3rd Street from P Street, S.W. to H Street, N.W.

(2) The area referred to under subsection (a)(5) is that area bounded by the north curb of Constitution Avenue from 14th Street, N.W., to 3rd Street, N.W., the east curb of 3rd Street from Constitution Avenue, N.W., to Independence Avenue, S.W., the south curb of Independence Avenue from 3rd Street, S.W., to 14th Street, S.W., and the west curb of 14th Street from Independence Avenue, S.W., to Constitution Avenue, N.W.

**(c) Authority of Metropolitan Police unaffected**

This section does not affect the authority of the Metropolitan Police force of the District of Columbia with respect to the area described in subsection (b).

**(d) “Crime of violence” defined**

As used in this section, the term “crime of violence” has the meaning given that term in section 16 of title 18.

(July 31, 1946, ch. 707, §9B, as added Pub. L. 102-397, title I, §101, Oct. 6, 1992, 106 Stat. 1949; amended Pub. L. 104-186, title II, §221(13), Aug. 20, 1996, 110 Stat. 1750; Pub. L. 108-83, title I, §1003(a), Sept. 30, 2003, 117 Stat. 1021.)

**Editorial Notes****CODIFICATION**

Section was classified to section 212a-3 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**

2003—Subsec. (a)(3). Pub. L. 108-83, §1003(a)(1)(A), struck out “and” after the semicolon.

Subsec. (a)(4). Pub. L. 108-83, §1003(a)(1)(B), which directed the substitution of “under subsection (b)(1); and” for “in subsection (b) of this section,” was executed by making the substitution for language which read in the original “in subsection (b).”, to reflect the probable intent of Congress.

Subsec. (a)(5). Pub. L. 108-83, §1003(a)(1)(C), added par. (5).

Subsec. (b). Pub. L. 108-83, §1003(a)(2), designated existing provisions as par. (1) and added par. (2).

1996—Subsec. (a). 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 OF 2003 AMENDMENT**

Pub. L. 108-83, title I, §1003(c), Sept. 30, 2003, 117 Stat. 1022, provided that: “This section [amending this section and enacting provisions set out as a note under this section] shall take effect on the date on which the Committee on Rules and Administration of the Senate and the Committee on House Administration of the House of Representatives approve regulations prescribed by the Capitol Police Board for the sole implementation, execution and maintenance of the truck interdiction program.” [Regulations approved by Committee on Rules and Administration of the Senate on Jan. 5, 2004, and by Committee on House Administration of the House of Representatives on Dec. 18, 2003.]

**RULE OF CONSTRUCTION**

Pub. L. 108-83, title I, §1003(b), Sept. 30, 2003, 117 Stat. 1022, provided that: “Nothing in the amendments made by this section [amending this section] may be construed to limit the authority of the Capitol Police as in effect before the effective date of this section [see Effective Date of 2003 Amendment note set out above].”

**§ 1968. Citation release****(a) In general**

The Chief of the Capitol Police, with the approval of the Capitol Police Board, may designate a member of the Capitol Police to have responsibility for citation release.

**(b) Authority**

(1) In the same manner as provided for with respect to an official of the Metropolitan Police Department of the District of Columbia under section 23-1110(a) of the District of Columbia Code, the Superior Court of the District of Columbia shall have the authority to appoint the member of the Capitol Police designated under subsection (a) of this section to take bail or collateral from persons charged with offenses triable in the Superior Court of the District of Columbia. Pursuant to that authority—

(A) the citation power described in subsection (b) of section 23-1110 of the District of Columbia Code shall be exercised by such member of the Capitol Police in the same manner as by an official of the Metropolitan Police Department; and

(B) paragraph (4) of subsection (b) of section 23-1110 of the District of Columbia Code, relating to failure to appear, shall apply with respect to citations under subparagraph (A) of this paragraph.

(2) The United States District Court for the District of Columbia shall have the power to authorize the member of the Capitol Police referred to in subsection (a) of this section to take bond from persons arrested upon writs and process from that court in criminal cases in the same manner as provided for with respect to an official of the Metropolitan Police Department of the District of Columbia under the third sentence of section 23-1110(a) of the District of Columbia Code.

(Pub. L. 104-186, title I, §108, Aug. 20, 1996, 110 Stat. 1723.)

**Editorial Notes****CODIFICATION**

Section was classified to section 212a-5 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.

### **§ 1969. Regulation of traffic by Capitol Police Board**

#### **(a) Exclusive charge and control of all vehicular and other traffic**

The Capitol Police Board, consisting of the Sergeant at Arms of the United States Senate, the Sergeant at Arms of the House of Representatives, and the Architect of the Capitol, shall have exclusive charge and control of the regulation and movement of all vehicular and other traffic, including the parking and impounding of vehicles and limiting the speed thereof, within the United States Capitol Grounds; and said Board is authorized and empowered to make and enforce all necessary regulations therefor and to prescribe penalties for violation of such regulations, such penalties not to exceed a fine of \$300 or imprisonment for not more than ninety days. Notwithstanding the foregoing provisions of this section those provisions of the District of Columbia Traffic Act of 1925, as amended, for the violation of which specific penalties are provided in said Act, as amended, shall be applicable to the United States Capitol Grounds. Prosecutions for violation of such regulations shall be in the Superior Court of the District of Columbia, upon information by the Corporation Counsel of the District of Columbia or any of his assistants.

#### **(b) Promulgation of regulations**

Regulations authorized to be promulgated under this section shall be promulgated by the Capitol Police Board and such regulations may be amended from time to time by the Capitol Police Board whenever it shall deem it necessary: *Provided*, That until such regulations are promulgated and become effective, the traffic regulations of the District of Columbia shall be applicable to the United States Capitol Grounds.

#### **(c) Printing of regulations and effective dates**

All regulations promulgated under the authority of this section shall, when adopted by the Capitol Police Board, be printed in one or more of the daily newspapers published in the District of Columbia, and shall not become effective until the expiration of ten days after the date of such publication, except that whenever the Capitol Police Board deems it advisable to make effective immediately any regulation relating to parking, diverting of vehicular traffic, or the closing of streets to such traffic, the regulation shall be effective immediately upon placing at the point where it is to be in force conspicuous signs containing a notice of the regulation. Any expenses incurred under this subsection shall be payable from the appropriation "Uniforms and Equipment, Capitol Police".

#### **(d) Cooperation with Mayor of District of Columbia**

It shall be the duty of the Mayor of the District of Columbia, or any officer or employee of the government of the District of Columbia designated by said Mayor upon request of the Capitol Police Board, to cooperate with the Board in the preparation of the regulations authorized to be promulgated under this section, and any future amendments thereof.

(July 31, 1946, ch. 707, §14, 60 Stat. 720; July 11, 1947, ch. 221, 61 Stat. 308; Pub. L. 87-873, §1, Oct. 23, 1962, 76 Stat. 1171; Pub. L. 88-60, §1, July 8, 1963, 77 Stat. 77; 1967 Reorg. Plan No. 3, §401, eff. Nov. 3, 1967, 32 F.R. 11669, 81 Stat. 951; Pub. L. 91-358, title I, §155(a), July 29, 1970, 84 Stat. 570; Pub. L. 93-198, title IV, §421, title VII, §739(g)(6), Dec. 24, 1973, 87 Stat. 789, 829.)

### **Editorial Notes**

#### **REFERENCES IN TEXT**

The District of Columbia Traffic Act of 1925, referred to in subsec. (a), is act Mar. 3, 1925, ch. 443, 43 Stat. 1119, as amended, which is not classified to the Code.

#### **CODIFICATION**

Section was classified to section 212b 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**

1973—Subsec. (a). Pub. L. 93-198, §739(g)(6), struck out “, except on those streets and roadways shown on the map referred to in section 193a of this title as being under the jurisdiction and control of the Commissioner of the District of Columbia”.

1947—Subsec. (b). Act July 11, 1947, §1, struck out reference to six months after July 31, 1946, as the time for promulgation of regulations and authorized amendment of regulations.

Subsec. (c). Act July 11, 1947, §2, authorized certain traffic regulations to be effective immediately upon placing conspicuous signs containing notice of regulations at the places affected thereby and inserted provision for payment of expenses.

### **Statutory Notes and Related Subsidiaries**

#### **CHANGE OF NAME**

“District of Columbia Court of General Sessions” changed to “Superior Court of the District of Columbia” pursuant to Pub. L. 91-358, which provided that such change is effective first day of seventh calendar month which begins after July 29, 1970.

Pub. L. 87-873, §1, Oct. 23, 1962, 76 Stat. 1171 and Pub. L. 88-60, §1, July 8, 1963, 77 Stat. 77, both redesignated the “Municipal Court for the District of Columbia” as the “District of Columbia Court of General Sessions”.

#### **EFFECTIVE DATE OF 1973 AMENDMENT**

Pub. L. 93-198, title VII, §771(d), Dec. 24, 1973, 87 Stat. 836, provided that the amendment made by Pub. L. 93-198 is effective on Jan. 2, 1975, if a majority of the registered qualified electors in the District of Columbia voting on the charter issue in the charter referendum accepted the charter set out in title IV of Pub. L. 93-198, Dec. 24, 1973, 87 Stat. 785. The charter was approved by the voters on May 7, 1974.

### **Executive Documents**

#### **TRANSFER OF FUNCTIONS**

Except as otherwise provided in Reorg. Plan No. 3, of 1967, functions of Board of Commissioners of District of Columbia transferred to Commissioner of District of Columbia by section 401 of Reorg. Plan No. 3 of 1967. 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 subsec. (d) for “commissioner”.

## § 1970. Assistance by Executive departments and agencies

### (a) Assistance

#### (1) In general

Executive departments and Executive agencies may assist the United States Capitol Police in the performance of its duties by providing services (including personnel), equipment, and facilities on a temporary and reimbursable basis when requested by the Capitol Police Board or in accordance with paragraph (4) and on a permanent and reimbursable basis upon advance written request of the Capitol Police Board; except that the Department of Defense and the Coast Guard may provide such assistance on a temporary basis without reimbursement when assisting the United States Capitol Police in its duties directly related to protection under sections 1922, 1961, 1966, 1967, and 1969 of this title and sections 5101 to 5107 and 5109 of title 40.<sup>1</sup> Before making a request under this paragraph, the Capitol Police Board shall consult with appropriate Members of the Senate and House of Representatives in leadership positions, except in an emergency.

#### (2) Procurement

No services (including personnel), equipment, or facilities may be ordered, purchased, leased, or otherwise procured for the purposes of carrying out the duties of the United States Capitol Police by persons other than officers or employees of the Federal Government duly authorized by the Chairman of the Capitol Police Board to make such orders, purchases, leases, or procurements.

#### (3) Expenditures or obligation of funds

No funds may be expended or obligated for the purpose of carrying out this section other than funds specifically appropriated to the Capitol Police Board or the United States Capitol Police for those purposes with the exception of—

(A) expenditures made by the Department of Defense or the Coast Guard from funds appropriated to the Department of Defense or the Coast Guard in providing assistance on a temporary basis to the United States Capitol Police in the performance of its duties directly related to protection under sections 1922, 1961, 1966, 1967, and 1969 of this title and sections 5101 to 5107 and 5109 of title 40;<sup>1</sup> and

(B) expenditures made by Executive departments and agencies, in providing assistance at the request of the United States Capitol Police in the performance of its duties, and which will be reimbursed by the United States Capitol Police under this section.

#### (4) Provision of assistance

Assistance under this section shall be provided—

(A) consistent with the authority of the Capitol Police under sections 1961 and 1966 of this title;

(B) upon the written request of—

- (i) the Capitol Police Board; or
- (ii) in an emergency—

(I) the Sergeant at Arms and Doorkeeper of the Senate in any matter relating to the Senate;

(II) the Sergeant at Arms of the House of Representatives in any matter relating to the House of Representatives; or

(III) the Chief of the Capitol Police, if the Chief of the Capitol Police has determined that the provision of assistance is necessary to prevent the significant disruption of governmental function and public order within the United States Capitol Buildings and Grounds, as described in section 1961<sup>1</sup> of this title; and

(C)(i) on a temporary and reimbursable basis;

(ii) on a permanent reimbursable basis upon advance written request of the Capitol Police Board; or

(iii) on a temporary basis without reimbursement by the Department of Defense and the Coast Guard as described under paragraph (1).

#### (5) Revocation

The Capitol Police Board may revoke a request for assistance provided under paragraph (4)(B)(ii)(III) upon consultation with appropriate Members of the Senate and House of Representatives in leadership positions.

### (b) Reports

#### (1) Submission

With respect to any fiscal year in which an executive department or executive agency provides assistance under this section, the head of that department or agency shall submit a report not later than 90 days after the end of the fiscal year to the Chairman of the Capitol Police Board.

#### (2) Content

The report submitted under paragraph (1) shall contain a detailed account of all expenditures made by the Executive department or executive agency in providing assistance under this section during the applicable fiscal year.

#### (3) Summary

After receipt of all reports under paragraph (2) with respect to any fiscal year, the Chairman of the Capitol Police Board shall submit a summary of such reports to the Committees on Appropriations of the Senate and the House of Representatives.

### (c) Effective date

This section shall take effect on January 10, 2002, and apply to each fiscal year occurring after such date.

(Pub. L. 107–117, div. B, §911, Jan. 10, 2002, 115 Stat. 2322; Pub. L. 117–77, §2(a), Dec. 22, 2021, 135 Stat. 1522.)

#### Editorial Notes

##### REFERENCES IN TEXT

Sections 1922, 1961, 1966, 1967, and 1969 of this title and sections 5101 to 5107 and 5109 of title 40, referred to in subsec. (a)(1), (3)(A), (4)(B)(ii)(III), was in the original a reference to the Act of July 31, 1946 (40 U.S.C. 212a–2),

<sup>1</sup> See References in Text note below.



which is act July 31, 1946, ch. 707, 60 Stat. 718. Sections 9, 9A, 9B, 9C, and 14 of the Act are classified, respectively, to sections 1961, 1966, 1967, 1922, and 1969 of this title, and section 16(b) of the Act is set out as a note under section 1961 of this title. Sections 1 to 8, 10 to 13, and 16(a) of the Act, which were classified to sections 193a to 193m of former Title 40, Public Buildings, Property, and Works, were repealed and reenacted as sections 5101 to 5107 and 5109 of Title 40, Public Buildings, Property, and Works, by Pub. L. 107-217, §§1, 6(b), Aug. 21, 2002, 116 Stat. 1062, 1312, the first section of which enacted Title 40. Section 5(c) of Pub. L. 107-217, set out as a note preceding section 101 of Title 40, provides that a reference to a law replaced by section 1 of Pub. L. 107-217 is deemed to refer to the corresponding provision enacted by Pub. L. 107-217. For complete classification of the act of July 31, 1946, to the Code, see Tables. For disposition of sections of former Title 40, see table at the beginning of Title 40.

#### CODIFICATION

Section was classified to section 212c 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

2021—Subsec. (a)(1). Pub. L. 117-77, §2(a)(1), inserted “or in accordance with paragraph (4)” before “and on a permanent”.

Subsec. (a)(4)(B). Pub. L. 117-77, §2(a)(2)(A), struck out “advance” before “written request” in introductory provisions.

Subsec. (a)(4)(B)(ii)(III). Pub. L. 117-77, §2(a)(2)(B), added subcl. (III).

Subsec. (a)(5). Pub. L. 117-77, §2(a)(3), added par. (5).

#### Statutory Notes and Related Subsidiaries

##### EFFECTIVE DATE OF 2021 AMENDMENT

Pub. L. 117-77, §4, Dec. 22, 2021, 135 Stat. 1524, provided that: “The amendments made by this Act [amending this section and section 1974 of this title] shall take effect on October 1, 2021.”

#### § 1971. Contributions of meals and refreshments during emergency duty

At any time on or after November 12, 2001, the United States Capitol Police may accept contributions of meals and refreshments in support of activities of the United States Capitol Police during a period of emergency (as determined by the Capitol Police Board).

(Pub. L. 107-68, title I, §121, Nov. 12, 2001, 115 Stat. 576.)

#### Editorial Notes

##### CODIFICATION

Section was classified to section 206d 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.

#### § 1972. Contributions of comfort and other incidental items and services during emergency duty

In addition to the authority provided under section 1971 of this title, at any time on or after January 10, 2002, the Capitol Police Board may accept contributions of comfort and other incidental items and services to support officers and employees of the United States Capitol Police while such officers and employees are on duty in

response to emergencies involving the safety of human life or the protection of property.

(Pub. L. 107-117, div. B, §910, Jan. 10, 2002, 115 Stat. 2322.)

#### Editorial Notes

##### CODIFICATION

Section was classified to section 206d-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.

#### § 1973. Support and maintenance expenditures during emergency duty

At any time on or after November 12, 2001, the Capitol Police Board may incur obligations and make expenditures out of available appropriations for meals, refreshments and other support and maintenance for the Capitol Police when, in the judgment of the Capitol Police Board, such obligations and expenditures are necessary to respond to emergencies involving the safety of human life or the protection of property.

(Pub. L. 107-68, title I, §124, Nov. 12, 2001, 115 Stat. 576.)

#### Editorial Notes

##### CODIFICATION

Section was classified to section 206e 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.

#### § 1974. Capitol Police special officers

##### (a) In general

In the event of an emergency, as determined by the Capitol Police Board or in a concurrent resolution of Congress, or as determined by the Chief of the Capitol Police in accordance with section 1970(a)(4)(B)(ii)(III) of this title, the Chief of the Capitol Police may appoint—

(1) any law enforcement officer from any Federal agency or State or local government 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 Rep-

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 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.

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

**§ 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.

**(B) Extension**

The 90-day period in subparagraph (A)(ii) may be extended for an additional period (not to exceed 90 days) for good cause by the Chairman of the applicable Committee, upon the request of the Chief of the Capitol Police.

**(C) Approval consistent with Federal Tort Claims Act**

Nothing in this paragraph may be construed to permit the Chairman of an applicable Committee to approve a proposal for the resolution of a claim described in paragraph (1) which is not consistent with the terms and conditions applicable under chapter 171 of title 28 to the resolution of claims for money damages against the United States.

**(D) Applicable Committee defined**

In this paragraph, the term “applicable Committee” means—

(i) the Committee on Rules and Administration of the Senate, in the case of a claim of a Senator or an officer or employee whose pay is disbursed by the Secretary of the Senate; or

(ii) the Committee on House Administration of the House of Representatives, in the case of a Member of the House of Representatives (including a Delegate or Resident Commissioner to the Congress) or an officer or employee whose pay is disbursed

by the Chief Administrative Officer of the House of Representatives.

**(3) Head of agency**

For purposes of section 2672 of title 28, the Chief of the Capitol Police shall be the head of a Federal agency with respect to the Capitol Police.

**(4) Regulations**

The Capitol Police Board may prescribe regulations to carry out this subsection.

**(b) Claims of employees of Capitol Police**

**(1) In general**

The Capitol Police Board may prescribe regulations to apply the provisions of section 3721 of title 31 for the settlement and payment of a claim against the Capitol Police by an employee of the Capitol Police for damage to, or loss of personal property incident to service.

**(2) Limitation**

No settlement and payment of a claim under regulations prescribed under this subsection may exceed the limits applicable to the settlement and payment of claims under section 3721 of title 31.

**(c) Rule of construction**

Nothing in this section may be construed to affect—

(1) any payment under section 1304 of title 31 of a final judgment, award, compromise settlement, and interest and costs specified in the judgment based on a claim against the Capitol Police; or

(2) any authority for any—

(A) settlement under section 1414 of this title, or

(B) payment under section 1415 of this title.

**(d) Effective date**

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

(Pub. L. 108-447, div. G, title I, § 1006, 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.

**§ 1978. Deployment outside of jurisdiction**

**(a) Requirements for prior notice and approval**

The Chief of the Capitol Police may not deploy any officer outside of the areas established by law for the jurisdiction of the Capitol Police unless—

(1) the Chief provides prior notification to the Committee on House Administration of the House of Representatives, the Committee on Rules and Administration of the Senate, and the Committees on Appropriations of the House of Representatives and Senate of the costs anticipated to be incurred with respect to the deployment; and

(2) the Capitol Police Board gives prior approval to the deployment.

**(b) Exception for certain services**

Subsection (a) does not apply with respect to the deployment of any officer for any of the following purposes:

(1) Responding to an imminent threat or emergency.

(2) Intelligence gathering.

(3) Providing protective services.

**(c) 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, § 1007, Dec. 8, 2004, 118 Stat. 3182; Pub. L. 111-145, § 2(c), Mar. 4, 2010, 124 Stat. 51.)

**Editorial Notes**

**CODIFICATION**

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

**AMENDMENTS**

2010—Subsec. (a)(1). Pub. L. 111-145 substituted “prior notification to the Committee on House Administration of the House of Representatives, the Committee on Rules and Administration of the Senate, and” for “prior notification to”.

**§ 1979. Release of security information**

**(a) Definition**

In this section, the term “security information” means information that—

(1) is sensitive with respect to the policing, protection, physical security, intelligence, counterterrorism actions, or emergency preparedness and response relating to Congress, any statutory protectee of the Capitol Police, and the Capitol buildings and grounds; and

(2) is obtained by, on behalf of, or concerning the Capitol Police Board, the Capitol Police, or any incident command relating to emergency response.

**(b) Authority of Board to determine conditions of release**

Notwithstanding any other provision of law, any security information in the possession of the Capitol Police may be released by the Capitol Police to another entity, including an individual, only if the Capitol Police Board determines in consultation with other appropriate law enforcement officials, experts in security preparedness, and appropriate committees of Congress, that the release of the security information will not compromise the security and safety of the Capitol buildings and grounds or any individual whose protection and safety is under the jurisdiction of the Capitol Police.

**(c) Rule of construction**

Nothing in this section may be construed to affect the ability of the Senate and the House of Representatives (including any Member, officer, or committee of either House of Congress) to obtain information from the Capitol Police regarding the operations and activities of the Capitol Police that affect the Senate and House of Representatives.

**(d) Regulations**

The Capitol Police Board may promulgate regulations to carry out this section, with the ap-

proval of the Committee on Rules and Administration of the Senate and the Committee on House Administration of the House of Representatives.

**(e) Effective date**

This section shall take effect on December 8, 2004, and apply with respect to—

- (1) any remaining portion of fiscal year 2004, if this Act is enacted before October 1, 2004; and
- (2) fiscal year 2005 and each fiscal year thereafter.

(Pub. L. 108-447, div. G, title I, § 1009, Dec. 8, 2004, 118 Stat. 3182.)

**Editorial Notes**

REFERENCES IN TEXT

This Act, referred to in subsec. (e)(1), is div. G of Pub. L. 108-447, Dec. 8, 2004, 118 Stat. 3166, known as the Legislative Branch Appropriations Act, 2005, which was enacted Dec. 8, 2004.

CODIFICATION

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

**§ 1980. Mounted horse unit**

(a) The United States Capitol Police may not operate a mounted horse unit during fiscal year 2006 or any succeeding fiscal year.

(b) Not later than 60 days after the date of the enactment of this Act, the Chief of the Capitol Police shall transfer to the Chief of the United States Park Police the horses, equipment, and supplies of the Capitol Police mounted horse unit which remain in the possession of the Capitol Police as of such date.

(Pub. L. 109-55, title I, § 1002, Aug. 2, 2005, 119 Stat. 572.)

**Editorial Notes**

REFERENCES IN TEXT

The date of the enactment of this Act, referred to in subsec. (b), is the date of the enactment of Pub. L. 109-55, which was approved Aug. 2, 2005.

CODIFICATION

Section is from the Legislative Branch Appropriations Act, 2006.

**§ 1981. Advance payments**

During fiscal year 2008 and each succeeding fiscal year, following notification of the Committees on Appropriations of the House of Representatives and the Senate, the Committee on House Administration of the House of Representatives, and the Committee on Rules and Administration of the Senate<sup>1</sup> the Chief of the Capitol Police may make payments in advance for obligations of the United States Capitol Police for subscription services if the Chief determines it to be more prompt, efficient, or economical to do so.

(Pub. L. 110-161, div. H, title I, § 1002, Dec. 26, 2007, 121 Stat. 2227; Pub. L. 111-145, § 2(d)(1), Mar. 4, 2010, 124 Stat. 51.)

<sup>1</sup> So in original. Probably should be followed by a comma.

**Editorial Notes**

CODIFICATION

Section is from the Legislative Branch Appropriations Act, 2008, which is div. H of the Consolidated Appropriations Act, 2008.

AMENDMENTS

2010—Pub. L. 111-145 inserted “the Committee on House Administration of the House of Representatives, and the Committee on Rules and Administration of the Senate” after “House of Representatives and the Senate,”.

**Statutory Notes and Related Subsidiaries**

EFFECTIVE DATE OF 2010 AMENDMENT

Pub. L. 111-145, § 2(d)(2), Mar. 4, 2010, 124 Stat. 51, provided that: “The amendment made by this subsection [amending this section] shall take effect 30 days after the date of enactment of this Act [Mar. 4, 2010] and apply to payments made on or after that effective date.”

**§ 1982. Acceptance of surplus or obsolete property**

Upon notifying the Committees of Appropriations of the House of Representatives and Senate, the United States Capitol Police may accept surplus or obsolete property offered by another Federal department, agency, or office.

(Pub. L. 115-31, div. I, title I, § 1001(b), May 5, 2017, 131 Stat. 578.)

**Editorial Notes**

CODIFICATION

Section is from the Legislative Branch Appropriations Act, 2017, which is div. I of the Consolidated Appropriations Act, 2017.

**Statutory Notes and Related Subsidiaries**

EFFECTIVE DATE

Section applicable with respect to fiscal year 2017 and each succeeding fiscal year, see section 1001(c) of Pub. L. 115-31, set out as an Effective Date of 2017 Amendment note under section 1906 of this title.

**CHAPTER 30—OPERATION AND MAINTENANCE OF CAPITOL COMPLEX**

**SUBCHAPTER I—HOUSE OF REPRESENTATIVES**

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2001.	House Office Building; control, supervision, and care.
2002.	Acquisition of buildings and facilities for use in emergency situation.
2003.	Speaker as member of House Office Building commission.
2004.	Assignment of rooms in House Office Building.
2005.	Vacant rooms; assignment to Representatives.
2006.	Withdrawal by Representative of request for vacant rooms.
2007.	Exchange of rooms.
2008.	Record of assignment of rooms.
2009.	Assignment of rooms to Commissioner from Puerto Rico.
2010.	Assignment of rooms; control of by House.
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2013.	Revolving fund for House gymnasium; deposit of receipts; availability for expenditure.