

108TH CONGRESS
1ST SESSION

H. R. 2276

To provide for the establishment of the National Institutes of Health Police,
and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

MAY 22, 2003

Mr. VAN HOLLEN (for himself, Mr. TOM DAVIS of Virginia, Mr. WAXMAN, Mrs. JO ANN DAVIS of Virginia, Mr. DAVIS of Illinois, Ms. NORTON, Mr. WYNN, Mr. CARDIN, Ms. JACKSON-LEE of Texas, Mr. McDERMOTT, Mr. FROST, Mr. KILDEE, and Mr. BISHOP of New York) introduced the following bill; which was referred to the Committee on Energy and Commerce, and in addition to the Committee on Government Reform, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned

A BILL

To provide for the establishment of the National Institutes
of Health Police, and for other purposes.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. SHORT TITLE.**

4 This Act may be cited as the “NIH Security Act”.

5 **SEC. 2. NATIONAL INSTITUTES OF HEALTH POLICE.**

6 (a) ESTABLISHMENT.—The Director of the National
7 Institutes of Health (in this section referred to as the “Di-

1 rector of NIH”) shall establish a permanent police force,
2 to be known as the National Institutes of Health Police
3 (in this section referred to as the “NIH Police”), for the
4 purpose of performing law enforcement, security, and in-
5 vestigative functions for property under the jurisdiction,
6 custody, and control of or occupied by the National Insti-
7 tutes of Health.

8 (b) APPOINTMENT OF OFFICERS.—

9 (1) IN GENERAL.—The Director of NIH shall
10 appoint a Chief, a Deputy Chief, and such other of-
11 ficers as may be necessary to carry out the purpose
12 of the NIH Police.

13 (2) OFFICERS ABOVE MAXIMUM AGE.—The Di-
14 rector of NIH may appoint officers of the NIH Po-
15 lice without regard to standard maximum limits of
16 age prescribed under section 3307 of title 5, United
17 States Code. Officers appointed under this
18 paragraph—

19 (A) may include the Chief and Deputy
20 Chief of the NIH Police, shall have the same
21 authorities and powers as other officers of the
22 NIH Police, and shall receive the same pay and
23 benefits as other officers of the NIH Police;
24 and

1 (B) shall not be treated as law enforce-
2 ment officers for purposes of retirement bene-
3 fits.

4 (c) POWERS.—Each officer of the NIH Police may—

5 (1) carry firearms, serve warrants and sub-
6 poenas issued under the authority of the United
7 States, and make arrests without warrant for any
8 offense against the United States committed in the
9 officer’s presence, or for any felony cognizable under
10 the laws of the United States, if the officer has rea-
11 sonable grounds to believe that the person to be ar-
12 rested has committed or is committing such a felony;

13 (2) conduct investigations within the United
14 States and its territories for offenses that have been
15 or may be committed on property described in para-
16 graph (1) or (2) of subsection (d); and

17 (3) protect in any area of the United States or
18 its territories the Director of NIH and other offi-
19 cials, as authorized by the Director of NIH.

20 (d) JURISDICTION.—Officers of the NIH Police may
21 exercise their powers—

22 (1) on all properties under the custody and con-
23 trol of the National Institutes of Health;

1 (2) on other properties occupied by the Na-
2 tional Institutes of Health, as determined by the Di-
3 rector of NIH; and

4 (3) as authorized under paragraphs (2) and (3)
5 of subsection (c).

6 (e) PAY, BENEFITS, RETIREMENT.—

7 (1) IN GENERAL.—Subject to subsection
8 (b)(2)(B) and paragraph (2)(A) of this subsection,
9 all officers of the NIH Police appointed under sub-
10 section (b) are law enforcement officers as that term
11 is used in title 5, United States Code, without re-
12 gard to any eligibility requirements prescribed by
13 law, and are eligible for all pay and benefits pre-
14 scribed by law for such law enforcement officers.

15 (2) PAY; RANKS.—

16 (A) PAY.—The officers of the NIH Police
17 shall receive the same pay and benefits, as de-
18 termined by the Director of NIH, as officers
19 who hold comparable positions in the United
20 States Park Police. For purposes of this sub-
21 paragraph, the Chief of the NIH Police is
22 deemed comparable to the Assistant Chief in
23 the United States Park Police, and the Deputy
24 Chief of the NIH Police is deemed comparable

1 to the Deputy Chief in the United States Park
2 Police.

3 (B) RANK.—The Chief and Deputy Chief
4 of the NIH Police shall have ranks not lower
5 than a colonel and a lieutenant colonel, respec-
6 tively. Other ranks and equivalences shall be de-
7 termined by the Director of NIH or the Direc-
8 tor's designee.

○