

108TH CONGRESS
2D SESSION

S. 2574

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

IN THE SENATE OF THE UNITED STATES

JUNE 24, 2004

Ms. MIKULSKI (for herself and Mr. SARBANES) introduced the following bill;
which was read twice and referred to the Committee on Health, Edu-
cation, Labor, and Pensions

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-
8 rector of NIH”) shall establish a permanent police force,
9 to be known as the National Institutes of Health Police
10 (in this section referred to as the “NIH Police”), for the

PART S2

1 purpose of performing law enforcement, security, and in-
2 vestigative functions for property under the jurisdiction,
3 custody, and control of, or occupied by, the National Insti-
4 tutes of Health.

5 (b) APPOINTMENT OF OFFICERS.—

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

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

16 (A) may include the Chief and Deputy
17 Chief of the NIH Police;

18 (B) shall have the same authorities and
19 powers as other officers of the NIH Police;

20 (C) shall receive the same pay and benefits
21 as other officers of the NIH Police; and

22 (D) shall not be treated as law enforce-
23 ment officers for purposes of retirement bene-
24 fits.

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

PART S2

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

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

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

16 (d) JURISDICTION.—Officers of the NIH Police may
17 exercise their powers—

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

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

23 (3) as authorized under paragraphs (2) and (3)
24 of subsection (c).

25 (e) PAY, BENEFITS, RETIREMENT.—

PART S2

1 (1) IN GENERAL.—Subject to subsection
2 (b)(2)(D) and paragraph (2)(A), all officers of the
3 NIH Police appointed under subsection (b) are—

4 (A) law enforcement officers as that term
5 is used in title 5, United States Code, without
6 regard to any eligibility requirements prescribed
7 by law; and

8 (B) eligible for all pay and benefits pre-
9 scribed by law for such law enforcement offi-
10 cers.

11 (2) PAY; RANKS.—

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

23 (B) RANK.—The Chief and Deputy Chief
24 of the NIH Police shall have ranks not lower
25 than a colonel and a lieutenant colonel, respec-

PART S2

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1 tively. Other ranks and equivalences shall be de-
2 termined by the Director of NIH or the Direc-
3 tor's designee.

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