

## (2) United States Supreme Court

The authority under subsection (a) shall not apply with respect to the admission of any person to practice before the United States Supreme Court.

## (c) Effective date

This section shall apply to fiscal year 2004, and each fiscal year thereafter.

(Pub. L. 108–83, title I, § 1002, Sept. 30, 2003, 117 Stat. 1020; Pub. L. 111–145, §§ 3(b)(1), 4(a)(1), Mar. 4, 2010, 124 Stat. 52.)

## Editorial Notes

### CODIFICATION

Section is from the Legislative Branch Appropriations Act, 2004.

### AMENDMENTS

2010—Subsec. (a)(2)(A). Pub. L. 111–145, § 3(b)(1), substituted “the General Counsel to the Chief of Police and the United States Capitol Police” for “the General Counsel for the United States Capitol Police Board and the Chief of the Capitol Police”.

Subsec. (a)(2)(B). Pub. L. 111–145, § 4(a)(1), substituted “the Employment Counsel to the Chief of Police and the United States Capitol Police” for “the Employment Counsel for the United States Capitol Police Board and the United States Capitol Police”.

## Statutory Notes and Related Subsidiaries

### CONSTRUCTION OF 2010 AMENDMENT

Pub. L. 111–145, § 3(b)(2), Mar. 4, 2010, 124 Stat. 52, provided that: “Nothing in the amendment made by paragraph (1) [amending this section] may be construed to affect the authority of any individual to enter an appearance in any proceeding before any court of the United States or of any State or political subdivision thereof which is initiated prior to the date of the enactment of this Act [Mar. 4, 2010].”

Pub. L. 111–145, § 4(a)(2), Mar. 4, 2010, 124 Stat. 52, provided that: “Nothing in the amendment made by paragraph (1) [amending this section] may be construed to affect the authority of any individual to enter an appearance in any proceeding before any court of the United States or of any State or political subdivision thereof which is initiated prior to the date of the enactment of this Act [Mar. 4, 2010].”

Pub. L. 111–145, § 4(b), Mar. 4, 2010, 124 Stat. 52, provided that: “Nothing in this section [amending this section and enacting provisions set out as a note above] or the amendments made by this section may be construed to affect the status of the individual serving as the Employment Counsel to the Chief of Police and the United States Capitol Police as of the date of the enactment of this Act [Mar. 4, 2010].”

## § 1909. Inspector General for the United States Capitol Police

### (a) Establishment of Office

There is established in the United States Capitol Police the Office of the Inspector General (hereafter in this section referred to as the “Office”), headed by the Inspector General of the United States Capitol Police (hereafter in this section referred to as the “Inspector General”).

### (b) Inspector General

#### (1) Appointment

The Inspector General shall be appointed by, and under the general supervision of, the Capitol Police Board. The appointment shall be

made in consultation with the Inspectors General of the Library of Congress, Government Publishing Office, and the Government Accountability Office. The Capitol Police Board shall appoint the Inspector General without regard to political affiliation and solely on the basis of integrity and demonstrated ability in accounting, auditing, financial analysis, law, management analysis, public administration, or investigations.

#### (2) Term of service

The Inspector General shall serve for a term of 5 years, and an individual serving as Inspector General may be reappointed for not more than 2 additional terms.

#### (3) Removal

The Inspector General may be removed from office prior to the expiration of his term only by the unanimous vote of all of the voting members of the Capitol Police Board, and the Board shall communicate the reasons for any such removal to the Committee on House Administration, the Senate Committee on Rules and Administration and the Committees on Appropriations of the House of Representatives and of the Senate.

#### (4) Salary

The Inspector General shall be paid at an annual rate equal to \$1,000 less than the annual rate of pay in effect for the Chief of the Capitol Police.

#### (5) Deadline

The Capitol Police Board shall appoint the first Inspector General under this section not later than 180 days after August 2, 2005.

## (c) Duties

### (1) Applicability of duties of Inspector General of executive branch establishment

The Inspector General shall carry out the same duties and responsibilities with respect to the United States Capitol Police as an Inspector General of an establishment carries out with respect to an establishment under section 404 of title 5, under the same terms and conditions which apply under such section.

### (2) Semiannual reports

The Inspector General shall prepare and submit semiannual reports summarizing the activities of the Office in the same manner, and in accordance with the same deadlines, terms, and conditions, as an Inspector General of an establishment under section 405 (other than subsection (b)(13) thereof) of title 5. For purposes of applying section 405 of such title to the Inspector General, the Chief of the Capitol Police shall be considered the head of the establishment. The Chief shall, within 30 days of receipt of a report, report to the Capitol Police Board, the Committee on House Administration, the Senate Committee on Rules and Administration, and the Committees on Appropriations of the House of Representatives and of the Senate consistent with section 405(c) of such title.

**(3) Investigations of complaints of employees and members**

**(A) Authority**

The Inspector General may receive and investigate complaints or information from an employee or member of the Capitol Police concerning the possible existence of an activity constituting a violation of law, rules, or regulations, or mismanagement, gross waste of funds, abuse of authority, or a substantial and specific danger to the public health and safety, including complaints or information the investigation of which is under the jurisdiction of the Internal Affairs Division of the Capitol Police as of August 2, 2005.

**(B) Nondisclosure**

The Inspector General shall not, after receipt of a complaint or information from an employee or member, disclose the identity of the employee or member without the consent of the employee or member, unless required by law or the Inspector General determines such disclosure is otherwise unavoidable during the course of the investigation.

**(C) Prohibiting retaliation**

An employee or member of the Capitol Police who has authority to take, direct others to take, recommend, or approve any personnel action, shall not, with respect to such authority, take or threaten to take any action against any employee or member as a reprisal for making a complaint or disclosing information to the Inspector General, unless the complaint was made or the information disclosed with the knowledge that it was false or with willful disregard for its truth or falsity.

**(4) Independence in carrying out duties**

Neither the Capitol Police Board, the Chief of the Capitol Police, nor any other member or employee of the Capitol Police may prevent or prohibit the Inspector General from carrying out any of the duties or responsibilities assigned to the Inspector General under this section.

**(d) Powers**

**(1) In general**

The Inspector General may exercise the same authorities with respect to the United States Capitol Police as an Inspector General of an establishment may exercise with respect to an establishment under section 406(a) of title 5, other than paragraphs (7) and (8) of such section.

**(2) Staff**

**(A) In general**

The Inspector General may appoint and fix the pay of such personnel as the Inspector General considers appropriate. Such personnel may be appointed without regard to the provisions of title 5 regarding appointments in the competitive service, and may be paid without regard to the provisions of chapter 51 and subchapter III of chapter 53 of such title relating to classification and Gen-

eral Schedule pay rates, except that no personnel of the Office (other than the Inspector General) may be paid at an annual rate greater than \$500 less than the annual rate of pay of the Inspector General under subsection (b)(4).

**(B) Experts and consultants**

The Inspector General may procure temporary and intermittent services under section 3109 of title 5 at rates not to exceed the daily equivalent of the annual rate of basic pay for level IV of the Executive Schedule under section 5315 of such title.

**(C) Independence in appointing staff**

No individual may carry out any of the duties or responsibilities of the Office unless the individual is appointed by the Inspector General, or provides services procured by the Inspector General, pursuant to this paragraph. Nothing in this subparagraph may be construed to prohibit the Inspector General from entering into a contract or other arrangement for the provision of services under this section.

**(D) Applicability of Capitol Police personnel rules**

None of the regulations governing the appointment and pay of employees of the Capitol Police shall apply with respect to the appointment and compensation of the personnel of the Office, except to the extent agreed to by the Inspector General. Nothing in the previous sentence may be construed to affect subparagraphs (A) through (C).

**(3) Equipment and supplies**

The Chief of the Capitol Police shall provide the Office with appropriate and adequate office space, together with such equipment, supplies, and communications facilities and services as determined by the Inspector General to be necessary for the operation of the Office, and shall provide necessary maintenance services for such office space and the equipment and facilities located therein.

**(e) Transfer of functions**

**(1) Transfer**

To the extent that any office or entity in the Capitol Police prior to the appointment of the first Inspector General under this section carried out any of the duties and responsibilities assigned to the Inspector General under this section, the functions of such office or entity shall be transferred to the Office upon the appointment of the first Inspector General under this section.

**(2) No reduction in pay or benefits**

The transfer of the functions of an office or entity to the Office under paragraph (1) may not result in a reduction in the pay or benefits of any employee of the office or entity, except to the extent required under subsection (d)(2)(A).

**(f) Effective date**

This section shall be effective on August 2, 2005.

(Pub. L. 109-55, title I, §1004, Aug. 2, 2005, 119 Stat. 572; Pub. L. 113-235, div. H, title I, §1301(b),

Dec. 16, 2014, 128 Stat. 2537; Pub. L. 117–286, § 4(b)(4), Dec. 27, 2022, 136 Stat. 4342.)

### Editorial Notes

#### REFERENCES IN TEXT

The provisions of title 5 regarding appointments in the competitive service, referred to in subsec. (d)(2)(A), are classified generally to section 3301 et seq. of Title 5, Government Organization and Employees.

#### CODIFICATION

Section is comprised of section 1004 of Pub. L. 109–55. Subsec. (g) of section 1004 of Pub. L. 109–55 amended section 1903 of this title.

Section is from the Legislative Branch Appropriations Act, 2006.

#### AMENDMENTS

2022—Subsec. (c)(1). Pub. L. 117–286, § 4(b)(4)(A), substituted “section 404 of title 5,” for “section 4 of the Inspector General Act of 1978, (5 U.S.C. App. 4),”.

Subsec. (c)(2). Pub. L. 117–286, § 4(b)(4)(B), substituted “section 405 (other than subsection (b)(13) thereof) of title 5,” for “section 5 (other than subsection (a)(13) thereof) of the Inspector General Act of 1978, (5 U.S.C. App. 5),” “section 405 of such title” for “section 5 of such Act”, and “section 405(c) of such title.” for “section 5(b) of such Act.”

Subsec. (d)(1). Pub. L. 117–286, § 4(b)(4)(C), substituted “section 406(a) of title 5, other than paragraphs (7) and (8) of such section.” for “section 6(a) of the Inspector General Act of 1978, (5 U.S.C. App. 6(a)), other than paragraphs (7) and (8) of such section.”

### Statutory Notes and Related Subsidiaries

#### CHANGE OF NAME

“Government Publishing Office” substituted for “Government Printing Office” in subsec. (b)(1) on authority of section 1301(b) of Pub. L. 113–235, set out as a note preceding section 301 of Title 44, Public Printing and Documents.

### § 1910. Report of disbursements

#### (a) In general

Not later than 60 days after the last day of each semiannual period, the Chief of the Capitol Police shall submit to Congress, with respect to that period, a detailed, itemized report of the disbursements for the operations of the United States Capitol Police.

#### (b) Contents

The report required by subsection (a) shall include—

(1) the name of each person or entity who receives a payment from the Capitol Police and the amount thereof;

(2) a description of any service rendered to the Capitol Police, together with service dates;

(3) a statement of all amounts appropriated to, or received or expended by, the Capitol Police and any unexpended balances of such amounts for any open fiscal year; and

(4) such additional information as may be required by regulation of the Committee on House Administration of the House of Representatives or the Committee on Rules and Administration of the Senate.

#### (c) Printing

Each report under this section shall be printed as a House document.

#### (d) Effective date

This section shall apply with respect to the semiannual periods of October 1 through March 31 and April 1 through September 30 of each year, beginning with the semiannual period in which this section is enacted.

(Pub. L. 109–55, title I, § 1005, Aug. 2, 2005, 119 Stat. 575.)

### Editorial Notes

#### CODIFICATION

Section is from the Legislative Branch Appropriations Act, 2006.

### § 1911. General Counsel to the Chief of Police and the United States Capitol Police

#### (1) In general

There shall be within the United States Capitol Police the General Counsel to the Chief of Police and the United States Capitol Police (in this subsection referred to as the “General Counsel”), who shall report to and serve at the pleasure of the Chief of the United States Capitol Police.

#### (2) Appointment

The General Counsel shall be appointed by the Chief of the Capitol Police in accordance with section 1907(e)(1) of this title (as amended by section 2(a)(4)),<sup>1</sup> after consultation with the Capitol Police Board, without regard to political affiliation and solely on the basis of fitness to perform the duties of the position.

#### (3) Compensation

##### (A) In general

Subject to subparagraph (B), the annual rate of pay for the General Counsel shall be fixed by the Chief of the Capitol Police.

##### (B) Limitation

The annual rate of pay for the General Counsel may not exceed an annual rate equal to \$1,000 less than the annual rate of pay in effect for the Chief of the Capitol Police.

#### (4) Omitted

#### (5) No effect on current General Counsel

Nothing in this section or the amendments made by this section may be construed to affect the status of the individual serving as the General Counsel to the Chief of Police and the United States Capitol Police as of March 4, 2010.

(Pub. L. 111–145, § 3(a), Mar. 4, 2010, 124 Stat. 51.)

### Editorial Notes

#### REFERENCES IN TEXT

Section 2(a)(4), referred to in par. (2), means section 2(a)(4) of Pub. L. 111–145.

For the amendments made by this section, referred to in par. (5), see Codification note below.

#### CODIFICATION

Section is comprised of subsec. (a) of section 3 of Pub. L. 111–145. Subsec. (a)(4) of section 3 of Pub. L. 111–145 repealed section 84–2 of this title, now section 5521 of

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