

107TH CONGRESS
1ST SESSION

H. R. 3531

To authorize appropriations for salaries and expenses of the United States Capitol Police, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

DECEMBER 19, 2001

Mr. HOYER introduced the following bill; which was referred to the Committee on House Administration

A BILL

To authorize appropriations for salaries and expenses of the United States Capitol 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 “United States Capitol
5 Police Authorization Act of 2001”.

6 **SEC. 2. AUTHORIZATION OF APPROPRIATIONS FOR SALA-**
7 **RIES AND EXPENSES OF UNITED STATES CAP-**
8 **ITOL POLICE.**

9 (a) IN GENERAL.—There are authorized to be appro-
10 priated for the salaries and expenses of the United States

1 Capitol Police such sums as may be necessary for fiscal
2 year 2002 and each succeeding fiscal year (consistent with
3 the number of positions set forth in subsection (b)).

4 (b) NUMBER OF AUTHORIZED POSITIONS.—Effective
5 with respect to fiscal year 2002 and each fiscal year there-
6 after, the total number of full-time equivalent positions of
7 the United States Capitol Police (including positions for
8 members of the Capitol Police and civilian employees) may
9 not exceed 1,981 positions.

10 **SEC. 3. RATES OF BASIC PAY FOR OFFICERS AND MEMBERS**
11 **OF THE CAPITOL POLICE.**

12 (a) ADJUSTMENT OF RATES TO LEVELS APPLICABLE
13 TO UNIFORMED SECRET SERVICE AND PARK POLICE.—

14 (1) IN GENERAL.—Effective with respect to the
15 first pay period beginning after the date of the en-
16 actment of this Act, the Capitol Police Board shall
17 adjust the annual rates of basic compensation for of-
18 ficers and members of the United States Capitol Po-
19 lice so that such rates are the same as the annual
20 rates of basic compensation applicable during such
21 pay period for officers and members of the United
22 States Secret Service Uniformed Division and the
23 United States Park Police serving in corresponding
24 or similar classes, except as provided in paragraph
25 (2).

1 (2) NO DECREASE IN RATES PERMITTED.—

2 Paragraph (1) shall not apply with respect to any
3 rate of basic compensation for an officer or member
4 of the United States Capitol Police for the pay pe-
5 riod described in paragraph (1) which is greater
6 than the rate of basic compensation for such pay pe-
7 riod applicable to an officer or member of the
8 United States Secret Service Uniformed Division or
9 the United States Park Police serving in a cor-
10 responding or similar class.

11 (b) PROVIDING SAME ANNUAL ADJUSTMENT IN
12 RATES PROVIDED FOR UNIFORMED SECRET SERVICE
13 AND PARK POLICE.—

14 (1) IN GENERAL.—Effective at the beginning of
15 the first applicable pay period commencing on or
16 after the first day of the month in which an adjust-
17 ment takes effect under section 5303 of title 5,
18 United States Code, (or any subsequent similar pro-
19 vision of law) in the rates of pay under the General
20 Schedule (or any pay system that may supersede
21 such schedule), the annual rates of basic compensa-
22 tion of officers and members of the United States
23 Capitol Police shall be adjusted by the Capitol Police
24 Board by an amount equal to the percentage of such
25 annual rate of pay which corresponds to the overall

1 percentage of the adjustment made in the rates of
2 pay under the General Schedule, except that in no
3 case may the annual rate of basic compensation for
4 any such officer or member exceed the rate of basic
5 pay payable for level IV of the Executive Schedule
6 contained in subchapter II of chapter 53 of title 5,
7 United States Code.

8 (2) AVAILABILITY OF APPROPRIATIONS.—Any
9 adjustment under this subsection shall be subject to
10 the availability of appropriations. If appropriations
11 are not available to make an adjustment as provided
12 under paragraph (1), the Capitol Police Board shall
13 make that adjustment on the first day of the first
14 applicable pay period beginning on or after the date
15 on which appropriations are made available.

16 (c) APPLICABLE RATE OF PAY UPON APPOINT-
17 MENT.—Notwithstanding any other provision of law, the
18 annual rate of basic compensation payable to an individual
19 upon appointment to a position as an officer or member
20 of the United States Capitol Police shall be determined
21 by the Capitol Police Board in accordance with regulations
22 promulgated by the Board and approved by the Committee
23 on Rules and Administration of the Senate and the Com-
24 mittee on House Administration of the House of Rep-
25 resentatives, except that in no case may such a rate be

1 less than the minimum, or greater than the maximum, an-
2 nual rate of basic compensation otherwise applicable to the
3 position.

4 **SEC. 4. DEPOSIT AND EXPENDITURE OF CERTAIN FUNDS**
5 **RELATING TO THE CAPITOL POLICE.**

6 (a) IN GENERAL.—

7 (1) DISPOSAL OF PROPERTY.—Any funds from
8 the proceeds of the disposal of property of the Cap-
9 itol Police shall be deposited in the United States
10 Treasury for credit to the appropriation for “GEN-
11 ERAL EXPENSES” under the heading “CAPITOL PO-
12 LICE BOARD”, or “SECURITY ENHANCEMENTS”
13 under the heading “CAPITOL POLICE BOARD”.

14 (2) COMPENSATION.—Any funds for compensa-
15 tion for damage to, or loss of, property of the Cap-
16 itol Police, including any insurance payment or pay-
17 ment made by an officer or civilian employee of the
18 Capitol Police for such compensation, shall be depos-
19 ited in the United States Treasury for credit to the
20 appropriation for “GENERAL EXPENSES” under the
21 heading “CAPITOL POLICE BOARD”.

22 (3) EXPENDITURES.—Funds deposited under
23 this subsection may be expended by the Capitol Po-
24 lice Board for any authorized purpose and shall re-
25 main available until expended.

1 (4) EFFECTIVE DATE.—This subsection shall
2 apply with respect to fiscal year 2002 and each suc-
3 ceeding fiscal year.

4 (b) INCENTIVE, PERFORMANCE, AND SPECIALTY
5 SKILLS EXPENDITURES.—

6 (1) IN GENERAL.—The Capitol Police Board
7 may expend funds from the appropriation “SALA-
8 RIES” under the heading “CAPITOL POLICE BOARD”
9 for—

10 (A) an incentive and performance mone-
11 tary award program established by the Capitol
12 Police Board for officers or civilian employees
13 of the Capitol Police; and

14 (B) specialty skills pay for field training
15 officers not to exceed \$2,000 a year per officer.

16 (2) MONETARY AWARD PROGRAM.—Any pay-
17 ment of a monetary award under the program estab-
18 lished under paragraph (1)(A)—

19 (A) shall be made at the same time and in
20 the same manner as annual compensation is
21 disbursed for the officer or civilian employee;

22 (B) in any pay period for any officer or ci-
23 vilian employee may not result in the sum of
24 compensation for that period and the award
25 payment exceeding—

1 (i) in the case of an officer or civilian
2 employee to whom subsection (f) of section
3 105 of the Legislative Branch Appropria-
4 tion Act, 1968 (2 U.S.C. 61–1(f)) applies,
5 the amount equal to $\frac{1}{24}$ th of the annual
6 maximum gross compensation limitation
7 under that subsection; or

8 (ii) in the case of an officer or civilian
9 employee to whom subsection (d) of section
10 311 of the Legislative Branch Appropria-
11 tions Act, 1988 (2 U.S.C. 60a–2a) applies,
12 the amount equal to $\frac{1}{26}$ th of the annual
13 maximum limitation in pay adjusted under
14 that subsection;

15 (C) shall not be basic pay of an employee
16 for purposes of chapters 83 and 84 of title 5,
17 United States Code (relating to retirement) and
18 chapter 87 of such title (relating to life insur-
19 ance coverage);

20 (D) shall not be premium or overtime pay;

21 (E) shall not be included in Federal wages
22 for purposes of chapter 85 of such title (relat-
23 ing to unemployment compensation); and

1 (F) shall be paid from the appropriation or
2 fund used to pay the officer or civilian em-
3 ployee.

4 **SEC. 5. PERMITTING CAPITOL POLICE BOARD TO LEASE**
5 **FACILITIES AND PROPERTY FOR USE OF CAP-**
6 **ITOL POLICE.**

7 (a) IN GENERAL.—The Capitol Police Board may at
8 any time after the date of the enactment of this Act enter
9 into agreements to lease facilities and property for the use
10 of the United States Capitol Police, subject to the ap-
11 proval of the Committee on House Administration of the
12 House of Representatives and the Committee on Rules
13 and Administration of the Senate.

14 (b) ACQUISITION OF INTERIM TRAINING FACILITY.—

15 (1) IN GENERAL.—Pursuant to the authority
16 provided under subsection (a), the Capitol Police
17 Board may take such steps as it considers appro-
18 priate to secure the use of an interim facility for
19 training for the Capitol Police pending the comple-
20 tion of the permanent law enforcement training fa-
21 cility in Cheltenham, Maryland.

22 (2) AUTHORIZATION OF APPROPRIATIONS.—

23 There are authorized to be appropriated such sums
24 as may be necessary to carry out this subsection.

1 (c) ASSISTANCE OF ARCHITECT OF THE CAPITOL.—
2 At the request of the Capitol Police Board, the Architect
3 of the Capitol shall provide such assistance to the Capitol
4 Police Board in entering into lease agreements pursuant
5 to this section (a) as the Board may require, including
6 assistance in negotiating the terms of such agreements.

7 **SEC. 6. USE OF CERTAIN PROPERTY FOR VEHICLE MAINTENANCE FOR CAPITOL POLICE.**
8

9 (a) IN GENERAL.—Notwithstanding any other provi-
10 sion of law, the property referred to in subsection (d) shall
11 be under the control of the Chief of the United States
12 Capitol Police and shall be used by the Chief for the care
13 and maintenance of vehicles of the United States Capitol
14 Police, in accordance with a plan prepared by the Chief.

15 (b) ADDITIONAL USES PERMITTED.—In addition to
16 the use described in subsection (a), the Chief of the United
17 States Capitol Police may permit the property referred to
18 in subsection (d) to be used for other purposes by the
19 United States Capitol Police, the House of Representa-
20 tives, the Senate, and the Architect of the Capitol, subject
21 to—

22 (1) the approval of the Committee on House
23 Administration of the House of Representatives, in
24 the case of use by the House of Representatives;

1 (2) the approval of the Committee on Rules and
2 Administration of the Senate, in the case of use by
3 the Senate; or

4 (3) the approval of both the Committee on
5 House Administration of the House of Representa-
6 tives and the Committee on Rules and Administra-
7 tion of the Senate, in the case of use by the United
8 States Capitol Police or the Architect of the Capitol.

9 (c) OCCUPATIONAL SAFETY AND HEALTH.—The
10 Chief of the United States Capitol Police shall take such
11 actions as may be necessary to ensure that, in using the
12 property referred to in subsection (d), the United States
13 Capitol Police are in compliance with the provisions of sec-
14 tion 5 of the Occupational Safety and Health Act of 1970
15 (29 U.S.C. 654), as applied to the United States Capitol
16 Police pursuant to section 215 of the Congressional Ac-
17 countability Act of 1995 (2 U.S.C. 1341).

18 (d) PROPERTY DESCRIBED.—The property referred
19 to in this subsection is the property secured by the Archi-
20 tect of the Capitol pursuant to section 128 of the Legisla-
21 tive Branch Appropriations Act, 2002 (Public Law 107–
22 68).

23 **SEC. 7. DISPOSAL OF FIREARMS.**

24 The disposal of firearms by officers and members of
25 the United States Capitol Police shall be carried out in

1 accordance with regulations promulgated by the Capitol
2 Police Board and approved by the Committee on Rules
3 and Administration of the Senate and the Committee on
4 House Administration of the House of Representatives.

5 **SEC. 8. AUTHORIZATION TO CARRY OUT PROJECTS IN RE-**
6 **SPONSE TO EMERGENCY.**

7 (a) IN GENERAL.—

8 (1) AUTHORIZATION.—There are authorized to
9 be appropriated to the Capitol Police Board from
10 the Emergency Response Fund established by Public
11 Law 107–38 such sums as may be necessary to en-
12 able the United States Capitol Police to carry out
13 the following:

14 (A) Immediate actions to safeguard people.

15 (B) Actions to reduce threats.

16 (C) Actions to ensure the continuation of
17 government and its operations.

18 (D) Recovery and preparedness.

19 (2) REQUIRING APPROVAL FOR OBLIGATION.—

20 The Capitol Police Board may not obligate any
21 amounts authorized to be appropriated pursuant to
22 paragraph (1) without—

23 (A) the approval of the Committee on
24 House Administration of the House of Rep-
25 resentatives, in the case of amounts to be obli-

1 gated to carry out activities on behalf of the
2 House of Representatives;

3 (B) the approval of the Committee on
4 Rules and Administration of the Senate, in the
5 case of amounts to be obligated to carry out ac-
6 tivities on behalf of the Senate; or

7 (C) the approval of both the Committee on
8 House Administration of the House of Rep-
9 resentatives and the Committee on Rules and
10 Administration of the Senate, in the case of
11 amounts to be obligated to carry out any other
12 activities.

13 (b) PERMITTING ACCEPTANCE OF DONATED SUP-
14 PORT ITEMS AND SERVICES DURING EMERGENCIES.—
15 Notwithstanding any other provision of law, at any time
16 after the date of the enactment of this Act the Capitol
17 Police Board may accept contributions of recreational,
18 comfort, and other incidental items and services to support
19 officers and employees of the United States Capitol Police
20 while such officers and employees are on duty in response
21 to emergencies involving the safety of human life or the
22 protection of property.

1 **SEC. 9. CLARIFICATION OF AUTHORITY OF CAPITOL PO-**
2 **LICE TO POLICE BOTANIC GARDEN.**

3 (a) IN GENERAL.—Section 9 of the Act of July 31,
4 1946 (40 U.S.C. 212a) is amended by adding at the end
5 the following new subsection:

6 “(c)(1) For purposes of this section, ‘the United
7 States Capitol Buildings and Grounds’ shall include all
8 buildings and grounds of the United States Botanic Gar-
9 den, including the National Garden and Bartholdi Park.

10 “(2) For purposes of this section, the Joint Com-
11 mittee on the Library may suspend the application of sec-
12 tion 4 of this Act to the buildings and grounds described
13 in paragraph (1) in order to promote the interests of the
14 United States Botanic Garden.”.

15 (b) EFFECTIVE DATE.—The amendment made by
16 subsection (a) shall apply with respect to fiscal year 2002
17 and each succeeding fiscal year.

18 **SEC. 10. USE OF VEHICLES TO TRANSPORT POLICE DOGS.**

19 Notwithstanding any other provision of law, an offi-
20 cer of the United States Capitol Police who works with
21 a police dog and who is responsible for the care of the
22 dog during non-working hours may use an official Capitol
23 Police vehicle to travel between the officer’s residence and
24 duty station when the officer is accompanied by the dog.

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