

107TH CONGRESS
2^D SESSION

H. R. 5003

To direct the Capitol Police Board to take steps to promote the retention of current officers and members of the Capitol Police and the recruitment of new officers and members of the Capitol Police, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

JUNE 24, 2002

Mr. NEY (for himself and Mr. HOYER) introduced the following bill; which was referred to the Committee on House Administration

A BILL

To direct the Capitol Police Board to take steps to promote the retention of current officers and members of the Capitol Police and the recruitment of new officers and members of the 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 “Capitol Police Reten-
5 tion, Recruitment, and Authorization Act of 2002”.

1 **SEC. 2. INCREASE IN ANNUAL RATE OF BASIC COMPENSA-**
2 **TION.**

3 For fiscal year 2003 and each of the 4 succeeding
4 fiscal years, the Capitol Police Board shall increase the
5 annual rate of basic compensation applicable for officers
6 and members of the Capitol Police for pay periods occur-
7 ring during such a year by 5 percent, except that in the
8 case of officers above the rank of captain the increase shall
9 be made at a rate determined by the Board at its discre-
10 tion (but not to exceed 5 percent).

11 **SEC. 3. INCREASE IN RATES APPLICABLE TO NEWLY-AP-**
12 **POINTED MEMBERS AND EMPLOYEES.**

13 The Capitol Police Board may compensate newly-ap-
14 pointed officers, members, and civilian employees of the
15 Capitol Police at an annual rate of basic compensation in
16 excess of the lowest rate of compensation otherwise appli-
17 cable to the position to which the employee is appointed,
18 except that in no case may such a rate be greater than
19 the maximum annual rate of basic compensation otherwise
20 applicable to the position.

21 **SEC. 4. ADDITIONAL COMPENSATION FOR SPECIALTY AS-**
22 **SIGNMENTS.**

23 (a) IN GENERAL.—Section 909(e) of the Emergency
24 Supplemental Act, 2002 (40 U.S.C. 207b–2(e)), is
25 amended—

1 (1) in the heading, by inserting “AND OFFI-
2 CERS HOLDING OTHER SPECIALTY ASSIGNMENTS”
3 after “OFFICERS”;

4 (2) in paragraph (1), by inserting “or who is
5 assigned to another specialty assignment designated
6 by the chief of the Capitol Police” after “field train-
7 ing officer”; and

8 (3) in paragraph (2), by striking “officer,” and
9 inserting “officer or to be assigned to a designated
10 specialty assignment,”.

11 (b) REMOVAL OF CAP ON AMOUNT.—Section
12 909(e)(1) of such Act (40 U.S.C. 207b–2(e)(1)) is amend-
13 ed by striking “(but not to exceed \$2,000 per annum)”.

14 **SEC. 5. APPLICATION OF PREMIUM PAY LIMITS ON**
15 **ANNUALIZED BASIS.**

16 (a) IN GENERAL.—Any limits on the amount of pre-
17 mium pay which may be earned by officers and members
18 of the Capitol Police during emergencies (as determined
19 by the Capitol Police Board) shall be applied by the Cap-
20 itol Police Board on an annual basis and not on a pay
21 period basis.

22 (b) EFFECTIVE DATE.—Subsection (a) shall apply
23 with respect to hours of duty occurring on or after Sep-
24 tember 11, 2001.

1 **SEC. 6. THRESHOLD FOR ELIGIBILITY FOR ADDITIONAL**
2 **ANNUAL LEAVE.**

3 The Capitol Police Board shall provide that an officer
4 or member of the Capitol Police who completes 3 years
5 of employment with the Capitol Police (taking into ac-
6 count any period occurring before, on, or after the date
7 of the enactment of this Act) shall receive 8 hours of an-
8 nual leave per pay period.

9 **SEC. 7. ANNUITIES AND PAY OF REEMPLOYED ANNUITANTS**
10 **SERVING WITH THE CAPITOL POLICE.**

11 (a) IN GENERAL.—Subject to subsection (b), the pro-
12 visions of sections 8344 and 8468 of title 5, United States
13 Code, shall not apply to any reemployed annuitant per-
14 forming service as an officer or member of the Capitol Po-
15 lice, and no reemployed annuitant exempted from such
16 provisions by this section shall become subject to any other
17 provision of subchapter III of chapter 83 or of chapter
18 84 of such title by virtue of any such service.

19 (b) LIMITATIONS.—This section shall not apply—

20 (1) to any individual who—

21 (A) is receiving an annuity under sub-
22 chapter III of chapter 83 or chapter 84 of title
23 5, United States Code, based on a separation
24 from service occurring on or after January 1,
25 2002;

1 (B) was subject to the provisions of section
2 8344 or 8468 of such title, at any time before
3 the date of the enactment of this Act in cal-
4 endar year 2002, while serving as an officer or
5 member of the Capitol Police; or

6 (C) would be 57 years of age or older as
7 of the date of commencing service with the Cap-
8 itol Police as a reemployed annuitant; or

9 (2) with respect to any service unless performed
10 during the period beginning on the date of the en-
11 actment of this Act and ending on September 30,
12 2004.

13 **SEC. 8. FINANCIAL ASSISTANCE FOR HIGHER EDUCATION**
14 **COSTS.**

15 (a) **TUITION REIMBURSEMENT.**—The Capitol Police
16 Board shall establish a tuition reimbursement program for
17 officers and members of the Capitol Police who are en-
18 rolled in or accepted for enrollment in a degree, certificate,
19 or other program leading to a recognized educational cre-
20 dential at an institution of higher education in a course
21 of study relating to law enforcement.

22 (b) **BONUS PAYMENTS FOR COMPLETION OF DE-**
23 **GREE.**—The Capitol Police Board may make a one-time
24 bonus payment to any officer or member who participates
25 in the program established under subsection (a) upon the

1 officer's or member's completion of the course of study
2 involved.

3 **SEC. 9. BONUS PAYMENTS FOR OFFICERS AND EMPLOYEES**
4 **WHO RECRUIT NEW OFFICERS.**

5 The Capitol Police Board may make a one-time bonus
6 payment to any officer, member, or civilian employee of
7 the Capitol Police who recruits another individual to serve
8 as an officer or member of the Capitol Police.

9 **SEC. 10. DEPOSIT OF CERTAIN FUNDS RELATING TO THE**
10 **CAPITOL POLICE.**

11 (a) IN GENERAL.—

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

19 (2) COMPENSATION.—Any funds for compensa-
20 tion for damage to, or loss of, property of the Cap-
21 itol Police, including any insurance payment or pay-
22 ment made by an officer or civilian employee of the
23 Capitol Police for such compensation, shall be depos-
24 ited in the United States Treasury for credit to the

1 appropriation for “GENERAL EXPENSES” under the
2 heading “CAPITOL POLICE BOARD”.

3 (3) REIMBURSEMENT FOR SERVICES PROVIDED
4 TO GOVERNMENTS.—Any funds from reimbursement
5 made by another entity of the Federal government
6 or by any State or local government for assistance
7 provided by the Capitol Police shall be deposited in
8 the United States Treasury for credit to the appro-
9 priation for “GENERAL EXPENSES” under the head-
10 ing “CAPITOL POLICE BOARD”.

11 (b) EXPENDITURES.—Funds deposited under sub-
12 section (a) may be expended by the Capitol Police Board
13 for any authorized purpose and shall remain available
14 until expended.

15 (c) EFFECTIVE DATE.—This section shall apply with
16 respect to fiscal year 2003 and each succeeding fiscal year.

17 **SEC. 11. PERMITTING CAPITOL POLICE BOARD TO LEASE**
18 **FACILITIES AND PROPERTY FOR USE OF CAP-**
19 **ITOL POLICE.**

20 (a) IN GENERAL.—The Capitol Police Board may at
21 any time after the date of the enactment of this Act enter
22 into agreements to lease facilities and property for the use
23 of the United States Capitol Police, subject to the ap-
24 proval of the Committee on House Administration of the

1 House of Representatives and the Committee on Rules
2 and Administration of the Senate.

3 (b) ACQUISITION OF INTERIM TRAINING FACILITY.—

4 (1) IN GENERAL.—Pursuant to the authority
5 provided under subsection (a), the Capitol Police
6 Board may take such steps as it considers appro-
7 priate to secure the use of an interim facility for
8 training for the Capitol Police pending the comple-
9 tion of the permanent law enforcement training fa-
10 cility in Cheltenham, Maryland.

11 (2) AUTHORIZATION OF APPROPRIATIONS.—

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

14 (c) ASSISTANCE OF ARCHITECT OF THE CAPITOL.—

15 At the request of the Capitol Police Board, the Architect
16 of the Capitol shall provide such assistance to the Capitol
17 Police Board in entering into lease agreements pursuant
18 to this section (a) as the Board may require, including
19 assistance in negotiating the terms of such agreements.

20 **SEC. 12. INCREASE IN NUMBER OF AUTHORIZED POSI-**
21 **TIONS.**

22 Effective with respect to fiscal year 2002 and each
23 fiscal year thereafter, the total number of full-time equiva-
24 lent positions of the United States Capitol Police (includ-

1 ing positions for members of the Capitol Police and civil-
2 ian employees) may not exceed 1,981 positions.

3 **SEC. 13. TEMPORARY INCREASE IN MANDATORY RETIRE-**
4 **MENT AGE.**

5 During fiscal years 2003 and 2004, sections 8335(c)
6 and 8425(c) of title 5, United States Code, shall apply
7 as if the reference to “57 years of age” in each such sec-
8 tion were a reference to “59 years of age”.

9 **SEC. 14. DISPOSAL OF FIREARMS.**

10 The disposal of firearms by officers and members of
11 the United States Capitol Police shall be carried out in
12 accordance with regulations promulgated by the Capitol
13 Police Board and approved by the Committee on Rules
14 and Administration of the Senate and the Committee on
15 House Administration of the House of Representatives.

16 **SEC. 15. USE OF VEHICLES TO TRANSPORT POLICE DOGS.**

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

1 **SEC. 16. SENSE OF CONGRESS ON MANAGEMENT OF CAP-**
2 **ITOL POLICE.**

3 It is the sense of Congress that, to the greatest extent
4 possible consistent with the mission of the Capitol Police,
5 the chief of the Capitol Police should seek to deploy the
6 human and other resources of the Police in a manner
7 maximizing opportunities for individual officers to be
8 trained for, and to acquire and maintain proficiency in,
9 all aspects of the Police's responsibilities, and to rotate
10 regularly among different posts and duties, in order to uti-
11 lize fully the skills and talents of officers, enhance the ap-
12 peal of their work, and ensure the highest state of readi-
13 ness.

14 **SEC. 17. AUTHORIZATION OF APPROPRIATIONS.**

15 There are authorized to be appropriated for fiscal
16 year 2003 and each succeeding fiscal year such sums as
17 may be necessary to carry out this Act and the amend-
18 ments made by this Act.

19 **SEC. 18. EFFECTIVE DATE.**

20 Except as otherwise provided, this Act and the
21 amendments made by this Act shall apply with respect to
22 pay periods occurring during fiscal year 2003 and each
23 succeeding fiscal year.

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