

112TH CONGRESS
1ST SESSION

H. R. 324

To amend title 10, United States Code, to provide police officers, criminal investigators, and game law enforcement officers of the Department of Defense with authority to execute warrants, make arrests, and carry firearms.

IN THE HOUSE OF REPRESENTATIVES

JANUARY 19, 2011

Mr. FILNER introduced the following bill; which was referred to the
Committee on Armed Services

A BILL

To amend title 10, United States Code, to provide police officers, criminal investigators, and game law enforcement officers of the Department of Defense with authority to execute warrants, make arrests, and carry firearms.

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

1 **SECTION 1. AUTHORITY FOR POLICE OFFICERS, CRIMINAL**
2 **INVESTIGATORS, AND GAME LAW ENFORCE-**
3 **MENT OFFICERS OF THE DEPARTMENT OF**
4 **DEFENSE TO EXECUTE WARRANTS, MAKE AR-**
5 **RESTS, AND CARRY FIREARMS.**

6 (a) **AUTHORITY.**—Chapter 81 of title 10, United
7 States Code, is amended by adding at the end the fol-
8 lowing new section:

9 **“§ 1585b. Law enforcement officers of the Department**
10 **of Defense: authority to execute war-**
11 **rants, make arrests, and carry firearms**

12 **“(a) AUTHORITY.**—The Secretary of Defense shall
13 authorize any law enforcement officer of the Department
14 of Defense—

15 **“(1)** to execute and serve any warrant or other
16 process issued under the authority of the United
17 States;

18 **“(2)** to make arrests without a warrant—

19 **“(A)** for any offense against the United
20 States committed in the presence of that offi-
21 cer; and

22 **“(B)** for any felony cognizable under the
23 laws of the United States if the officer has
24 probable cause to believe that the person to be
25 arrested has committed or is committing the
26 felony; and

1 “(3) to carry firearms.

2 “(b) PERSONS TO HAVE AUTHORITY.—Subsection
3 (a) applies to any law enforcement officer of the Depart-
4 ment of Defense whose duties include—

5 “(1) enforcing laws enacted for the protection
6 of persons and property;

7 “(2) preventing breaches of the peace and sup-
8 pressing affrays or unlawful assemblies;

9 “(3) conducting, supervising, or coordinating
10 investigations of criminal activity in programs and
11 operations of the Department of Defense; or

12 “(4) enforcing any rules or regulations with re-
13 spect to Department of Defense property prescribed
14 by duly authorized officials.

15 “(c) GUIDELINES ON EXERCISE OF AUTHORITY.—
16 The authority provided under subsection (a) shall be exer-
17 cised in accordance with guidelines issued by the Secretary
18 of Defense and approved by the Attorney General.

19 “(d) DEFINITION OF LAW ENFORCEMENT OFFICER
20 OF THE DEPARTMENT OF DEFENSE.—In this section, the
21 term ‘law enforcement officer of the Department of De-
22 fense’ means a civilian employee of the Department of De-
23 fense who is any of the following:

24 “(1) A Federal police officer or detective as
25 classified by the Office of Personnel Management

1 Occupational Series 0083 (or any successor to that
2 series).

3 “(2) A game law enforcement officer or special
4 agent as classified by the Office of Personnel Man-
5 agement Occupational Series 1812 (or any successor
6 to that series).

7 “(3) A criminal investigator as classified by the
8 Office of Personnel Management Occupational Series
9 1811 (or any successor to that series) and not em-
10 ployed as a special agent of the Defense Criminal
11 Investigative Service (or any successor to that serv-
12 ice).”.

13 (b) CLERICAL AMENDMENT.—The table of sections
14 at the beginning of such chapter is amended by adding
15 at the end the following new item:

“1585b. Law enforcement officers of the Department of Defense: authority to
execute warrants, make arrests, and carry firearms.”.

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