

Property, and Works, by Pub. L. 107-217, §1, Aug. 21, 2002, 116 Stat. 1062.

CHANGE OF NAME

Committee on House Oversight of House of Representatives changed to Committee on House Administration of House of Representatives by House Resolution No. 5, One Hundred Sixth Congress, Jan. 6, 1999.

§ 1924. Repealed. Pub. L. 111-145, §5(a)(2)(A), Mar. 4, 2010, 124 Stat. 53

Section, Pub. L. 92-184, ch. IV, Dec. 15, 1971, 85 Stat. 636; Pub. L. 93-245, ch. VI, §600, Jan. 3, 1974, 87 Stat. 1079; Pub. L. 93-554, title I, ch. III, Dec. 27, 1974, 88 Stat. 1777; Pub. L. 104-186, title II, §221(10), (11), Aug. 20, 1996, 110 Stat. 1750, related to emergency duty overtime pay from funds disbursed by the Chief Administrative Officer.

CODIFICATION

Section was classified to section 206b of former Title 40, prior to the enactment of Title 40, Public Buildings, Property, and Works, by Pub. L. 107-217, §1, Aug. 21, 2002, 116 Stat. 1062.

Subsecs. (a) to (f) of this section were based on section 3 of H. Res. No. 449, Ninety-second Congress, June 2, 1971, enacted into permanent law by Pub. L. 92-184, as amended by H. Res. No. 398, Ninety-third Congress, June 4, 1973, eff. Jan. 3, 1974, enacted into permanent law by Pub. L. 93-245, and H. Res. No. 1309, Ninety-third Congress, Oct. 10, 1974, eff. Dec. 27, 1974, enacted into permanent law by Pub. L. 93-554.

Subsec. (g) of this section was based on section 3 of H. Res. No. 1309, Ninety-third Congress, Oct. 10, 1974, eff. Dec. 27, 1974, enacted into permanent law by Pub. L. 93-554, and was repealed by Pub. L. 104-186, title II, §221(11)(B), Aug. 20, 1996, 110 Stat. 1750.

As originally codified, this section consisted of two undesignated pars. based on sections 3 and 5 of H. Res. No. 449, Ninety-second Congress, June 2, 1971, enacted into permanent law by Pub. L. 92-184. Section 5 of H. Res. No. 449 was superseded by section 3 of H. Res. No. 1309, formerly set out as subsec. (g) of this section, and was subsequently repealed by Pub. L. 104-186, title II, §221(11)(B), Aug. 20, 1996, 110 Stat. 1750.

§ 1925. Repealed. Pub. L. 111-145, §5(a)(2)(B), Mar. 4, 2010, 124 Stat. 53

Section, Pub. L. 92-51, July 9, 1971, 85 Stat. 130; Pub. L. 93-145, Nov. 1, 1973, 87 Stat. 532; Pub. L. 93-371, §5, Aug. 13, 1974, 88 Stat. 430, related to emergency duty overtime pay from funds disbursed by Secretary of the Senate.

CODIFICATION

Section was classified to section 206c of former Title 40, prior to the enactment of Title 40, Public Buildings, Property, and Works, by Pub. L. 107-217, §1, Aug. 21, 2002, 116 Stat. 1062.

§ 1926. Educational assistance program for employees

(a) Establishment

In order to recruit or retain qualified personnel, the Chief of the Capitol Police may establish an educational assistance program for employees of the Capitol Police under which the Capitol Police may agree—

(1) to repay (by direct payments on behalf of the participating employee) all or any portion of a student loan previously taken out by the employee;

(2) to make direct payments to an educational institution on behalf of a participating employee or to reimburse a participating

employee for all or any portion of any tuition or related educational expenses paid by the employee.

(b) Special rules for student loan repayments

(1) Application of regulations under executive branch program

In carrying out subsection (a)(1) of this section, the Chief of the Capitol Police may, by regulation, make applicable such provisions of section 5379 of title 5 as the Chief determines necessary to provide for such program.

(2) Restrictions on prior reimbursements

The Capitol Police may not reimburse any individual under subsection (a)(1) of this section for any repayments made by the individual prior to entering into an agreement with the Capitol Police to participate in the program under this section.

(3) Use of recovered amounts

Any amount repaid by, or recovered from, an individual under subsection (a)(1) of this section and its implementing regulations shall be credited to the appropriation account available for salaries or general expenses of the Capitol Police at the time of repayment or recovery. Such credited amount may be used for any authorized purpose of the account and shall remain available until expended.

(c) Limit on amount of payments

The total amount paid by the Capitol Police with respect to any individual under the program under this section may not exceed \$40,000.

(d) No review of determinations

Any determination made under the program under this section shall not be reviewable or appealable in any manner.

(e) Effective date

This section shall apply with respect to fiscal year 2003 and each succeeding fiscal year.

(Pub. L. 107-117, div. B, §908, Jan. 10, 2002, 115 Stat. 2319; Pub. L. 108-7, div. H, title I, §1007, Feb. 20, 2003, 117 Stat. 358.)

CODIFICATION

Section was classified to section 207b-1 of former Title 40, prior to the enactment of Title 40, Public Buildings, Property, and Works, by Pub. L. 107-217, §1, Aug. 21, 2002, 116 Stat. 1062.

AMENDMENTS

2003—Pub. L. 108-7 amended section generally. Prior to amendment, section consisted of subsecs. (a) to (f) relating to student loan repayment program.

DEADLINE FOR REGULATIONS

Pub. L. 108-7, div. H, title I, §1020, Feb. 20, 2003, 117 Stat. 370, provided that: “Not later than 60 days after the date of the enactment of this Act [Feb. 20, 2003], the Chief of the Capitol Police shall promulgate any regulations required by sections 1004, 1006, 1007, and 1011 of this Act [enacting section 1931 of this title and amending this section and section 1927 of this title].”

§ 1927. Bonuses, retention allowances, and additional compensation

(a) Recruitment and relocation bonuses

(1) Authorization of payment

The Capitol Police Board (hereafter in this section referred to as the “Board”) may au-

thorize the Chief of the United States Capitol Police (hereafter in this section referred to as the “Chief”) to pay a bonus to an individual who is newly appointed to a position as an officer or employee of the Capitol Police, and to pay an additional bonus to an individual who must relocate to accept a position as an officer or employee of the Capitol Police, if the Chief, in the Chief’s sole discretion, determines that such a bonus will assist the Capitol Police in recruitment efforts.

(2) Amount of payment

The amount of a bonus under this subsection shall be determined by regulations of the Board, but the amount of any bonus paid to an individual under this subsection may not exceed 25 percent of the annual rate of basic pay of the position to which the individual is being appointed.

(3) Minimum period of service required

Payment of a bonus under this subsection shall be contingent upon the individual entering into an agreement with the Capitol Police to complete a period of employment with the Capitol Police, with the required period determined pursuant to regulations of the Board. If the individual voluntarily fails to complete such period of service or is separated from the service before completion of such period of service for cause on charges of misconduct or delinquency, the individual shall repay the bonus on a pro rata basis.

(4) Bonus not considered part of basic pay

A bonus under this subsection shall be paid as a lump sum, and may not be considered to be part of the basic pay of the officer or employee.

(5) Payment permitted prior to commencement of duty

Under regulations of the Board, a bonus under this subsection may be paid to a newly-hired officer or employee before the officer or employee enters on duty.

(6) Determination not appealable or reviewable

Any determination of the Chief under this subsection shall not be appealable or reviewable in any manner.

(b) Retention allowances

(1) Authorization of payment

The Board may authorize the Chief to pay an allowance to an officer or employee of the United States Capitol Police if the Chief, in the Chief’s sole discretion, determines that such a bonus will assist the Capitol Police in retention efforts.

(2) Amount of payment

A retention allowance, which shall be stated as a percentage of the rate of basic pay of the officer or employee, may not exceed 25 percent of such rate of basic pay.

(3) Payment not considered part of basic pay

A retention allowance may not be considered to be part of the basic pay of an officer or employee, and any determination of the Chief

under this subsection, or the reduction or elimination of a retention allowance, shall not be appealable or reviewable in any manner. The preceding sentence shall not be construed to extinguish or lessen any right or remedy under any of the laws made applicable to the Capitol Police pursuant to section 1302 of this title.

(4) Time and manner of payment

A retention allowance under this subsection shall be paid at the same time and in the same manner as the officer’s or employee’s basic pay is paid.

(c) Lump sum incentive and merit bonus payments

(1) In general

The Board may pay an incentive or merit bonus to an officer or employee of the United States Capitol Police who meets such criteria for receiving the bonus as the Board may establish.

(2) Bonus not considered part of basic pay

A bonus under this subsection shall be paid as a lump sum, and may not be considered to be part of the basic pay of the officer or employee.

(d) Service step increases for meritorious service for officers

Upon the approval of the Chief—

(1) an officer of the United States Capitol Police in a service step who has demonstrated meritorious service (in accordance with criteria established by the Chief or the Chief’s designee) may be advanced in compensation to the next higher service step, effective with the first pay period which begins after the date of the Chief’s approval; and

(2) an officer of the United States Capitol Police in a service step who has demonstrated extraordinary performance (in accordance with criteria established by the Chief or the Chief’s designee) may be advanced in compensation to the second next higher service step, effective with the first pay period which begins after the date of the Chief’s approval.

(e) Regulations

(1) In general

The payment of bonuses, allowances, step increases, compensation, and other payments pursuant to this section shall be carried out in accordance with regulations prescribed by the Board.

(2) Repealed. Pub. L. 108-7, div. H, title I, § 1004(2), Feb. 20, 2003, 117 Stat. 358

(f) Effective date

This section shall apply with respect to fiscal year 2002 and each succeeding fiscal year.

(Pub. L. 107-117, div. B, §909, Jan. 10, 2002, 115 Stat. 2320; Pub. L. 108-7, div. H, title I, §§1004, 1006, Feb. 20, 2003, 117 Stat. 358.)

CODIFICATION

Section was classified to section 207b-2 of former Title 40, prior to the enactment of Title 40, Public Buildings, Property, and Works, by Pub. L. 107-217, §1, Aug. 21, 2002, 116 Stat. 1062.

AMENDMENTS

2003—Subsec. (a)(1). Pub. L. 108-7, §1004(1)(A), substituted “the Chief, in the Chief’s sole discretion, determines that such a bonus will assist the Capitol Police in recruitment efforts” for “the Board determines that the Capitol Police would be likely, in the absence of such a bonus, to encounter difficulty in filling the position”.

Subsec. (a)(6). Pub. L. 108-7, §1004(1)(B), added par. (6).

Subsec. (b)(1). Pub. L. 108-7, §1006(1), substituted “if the Chief, in the Chief’s sole discretion, determines that such a bonus will assist the Capitol Police in retention efforts.” for “if—” and struck out pars. (A) and (B) which read as follows:

“(A) the unusually high or unique qualifications of the officer or employee or a special need of the Capitol Police for the officer’s or employee’s services makes it essential to retain the officer or employee; and

“(B) the Chief determines that the officer or employee would be likely to leave in the absence of a retention allowance.”

Subsec. (b)(3). Pub. L. 108-7, §1006(2), which directed the substitution of “any determination of the Chief under this subsection, or the reduction or elimination of a retention allowance, shall not be appealable or reviewable in any manner” for “the reduction or the elimination of a retention allowance may not be appealed”, was executed by making the substitution for “the reduction or elimination of a retention allowance may not be appealed”, to reflect the probable intent of Congress.

Subsec. (e). Pub. L. 108-7, §1004(2), (3), redesignated subsec. (f) as (e) and struck out former subsec. (e) which related to additional compensation for field training officers.

Subsec. (f). Pub. L. 108-7, §1004(3), redesignated subsec. (g) as (f). Former subsec. (f) redesignated (e).

Subsec. (f)(2). Pub. L. 108-7, §1004(2), struck out heading and text of par. (2). Text read as follows: “The regulations prescribed pursuant to this subsection shall be subject to the approval of the Committee on Rules and Administration of the Senate, the Committee on House Administration of the House of Representatives, and the Committees on Appropriations of the Senate and the House of Representatives.”

Subsec. (g). Pub. L. 108-7, §1004(3), redesignated subsec. (g) as (f).

CAPITOL POLICE LONGEVITY COMPENSATION

Pub. L. 88-454, §104(c), Aug. 20, 1964, 78 Stat. 550, provided that: “Any member of the Capitol Police who by reason of the provision repealed by subsection (b) [subsec. (c) of section 4507 of this title] was receiving immediately prior to the effective date of this section [Sept. 1, 1964], longevity compensation provided by [former] section 105 of the Legislative Branch Appropriation Act, 1959 [Pub. L. 85-570, 72 Stat. 453], shall, on and after such effective date, receive in lieu thereof a longevity increase under section 106(b) of the Legislative Branch Appropriation Act, 1963 [2 U.S.C. 4507(b)], in addition to any other such increases (not to exceed three) to which he may otherwise be entitled under such section. In computing the length of service of such member for the purpose of such other increases, only service performed subsequent to the date on which he began receiving longevity compensation in accordance with such [former] section 105 shall be counted.”

[Section 4507 of this title, referred to above, not to apply, on or after Oct. 1, 1983, to any individual whose pay is disbursed by the Secretary of the Senate except for individuals entitled to longevity compensation prior to Oct. 1, 1983, on the basis of service performed prior to such date, see section 4509 of this title.]

[Pub. L. 88-454, §104(d), Aug. 20, 1964, 78 Stat. 550, provided that: “This section [amending section 4507 of this title and enacting provisions set out as a note above] shall become effective on the first day of the month following the date of enactment of this Act [Aug. 20, 1964].”]

§ 1928. Repealed. Pub. L. 111-145, §2(a)(4)(B)(i), Mar. 4, 2010, 124 Stat. 50

Section, R.S. §1823; Mar. 3, 1921, ch. 124, §1, 41 Stat. 1291, related to suspension of members of the force.

CODIFICATION

Section was classified to section 208 of former Title 40, prior to the enactment of Title 40, Public Buildings, Property, and Works, by Pub. L. 107-217, §1, Aug. 21, 2002, 116 Stat. 1062.

R.S. §1823 derived from acts Mar. 3, 1873, ch. 226, 17 Stat. 488; June 20, 1874, ch. 328, 18 Stat. 86; Mar. 3, 1875, ch. 129, 18 Stat. 345.

§ 1929. Repealed. Pub. L. 111-145, §2(a)(4)(B)(ii), Mar. 4, 2010, 124 Stat. 50

Section, Mar. 3, 1875, ch. 129, 18 Stat. 345, related to pay of members under suspension.

CODIFICATION

Section was classified to section 209 of former Title 40, prior to the enactment of Title 40, Public Buildings, Property, and Works, by Pub. L. 107-217, §1, Aug. 21, 2002, 116 Stat. 1062.

Section was based on a proviso in act Mar. 3, 1875, popularly known as the “Legislature, Executive, and Judicial Appropriation Act, fiscal year 1876”.

§ 1930. Applicable pay rate upon appointment**(a) In general**

Notwithstanding any other provision of law, the rate of basic pay payable to an individual upon appointment to a position with the Capitol Police shall be at a rate within the minimum and maximum pay rates applicable to the position.

(b) Effective date

This section shall apply to fiscal year 2003 and each fiscal year thereafter.

(Pub. L. 108-7, div. H, title I, §1008, Feb. 20, 2003, 117 Stat. 359.)

CODIFICATION

Section is from the Legislative Branch Appropriations Act, 2003, which is div. H of Pub. L. 108-7.

§ 1931. Additional compensation for employees with specialty assignments and proficiencies**(a) Establishment of positions**

The Chief of the Capitol Police may establish and determine, from time to time, positions in salary classes of employees of the Capitol Police to be designated as employees with specialty assignments or proficiencies, based on the experience, education, training, or other appropriate factors required to carry out the duties of such employees.

(b) Additional compensation

In addition to the regularly scheduled rate of basic pay, each employee holding a position designated under this section shall receive an amount determined by the Chief, except that—

(1) such amount may not exceed 25 percent of the employee’s annual rate of basic pay; and

(2) such amount may not be paid in a calendar year to the extent that, when added to the total basic pay paid or payable to such employee for service performed in the year, such amount would cause the total to exceed the