

tion and enacting provisions set out as a note under section 1901 of this title) and the amendment made by this section shall apply with respect to pay periods beginning on or after the date of the enactment of this Act [Jan. 10, 2002].”

EFFECTIVE DATE OF 2000 AMENDMENT

Pub. L. 106-554, §1(a)(2) [title I, §109(b)], Dec. 21, 2000, 114 Stat. 2763, 2763A-107, provided that: “The amendment made by subsection (a) [amending this section] shall apply with respect to pay periods beginning on or after the date of the enactment of this Act [Dec. 21, 2000].”

EFFECTIVE DATE

Section effective Feb. 1, 1980, see section 7 of Pub. L. 96-152, set out as an Effective Date of 1979 Amendment note under section 1901 of this title.

**§ 1903. Chief Administrative Officer**

**(a) Chief Administrative Officer**

**(1) Establishment**

There shall be within the United States Capitol Police an Office of Administration, to be headed by the Chief Administrative Officer, who shall report to and serve at the pleasure of the Chief of the Capitol Police.

**(2) Appointment**

The Chief Administrative Officer shall be appointed by the Chief of the United States Capitol Police, 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**

The annual rate of pay for the Chief Administrative Officer shall be the amount equal to \$1,000 less than the annual rate of pay in effect for the Chief of the Capitol Police.

**(b) Responsibilities**

The Chief Administrative Officer shall have the following areas of responsibility:

**(1) Budgeting**

The Chief Administrative Officer shall—

- (A) prepare and submit to the Capitol Police Board an annual budget for the Capitol Police; and
- (B) execute the budget and monitor through periodic examinations the execution of the Capitol Police budget in relation to actual obligations and expenditures.

**(2) Financial management**

The Chief Administrative Officer shall—

- (A) oversee all financial management activities relating to the programs and operations of the Capitol Police;
- (B) develop and maintain an integrated accounting and financial system for the Capitol Police, including financial reporting and internal controls, which—
  - (i) complies with applicable accounting principles, standards, and requirements, and internal control standards;
  - (ii) complies with any other requirements applicable to such systems; and
  - (iii) provides for—
    - (I) complete, reliable, consistent, and timely information which is prepared on

a uniform basis and which is responsive to financial information needs of the Capitol Police;

(II) the development and reporting of cost information;

(III) the integration of accounting and budgeting information; and

(IV) the systematic measurement of performance;

(C) direct, manage, and provide policy guidance and oversight of Capitol Police financial management personnel, activities, and operations, including—

(i) the recruitment, selection, and training of personnel to carry out Capitol Police financial management functions; and

(ii) the implementation of Capitol Police asset management systems, including systems for cash management, debt collection, and property and inventory management and control; and

(D) Prepare<sup>1</sup> annual financial statements for the Capitol Police, and such financial statements shall be audited by the Inspector General of the Capitol Police or by an independent public accountant, as determined by the Inspector General.

**(3) Information technology**

The Chief Administrative Officer shall—

(A) direct, coordinate, and oversee the acquisition, use, and management of information technology by the Capitol Police;

(B) promote and oversee the use of information technology to improve the efficiency and effectiveness of programs of the Capitol Police; and

(C) establish and enforce information technology principles, guidelines, and objectives, including developing and maintaining an information technology architecture for the Capitol Police.

**(4) Human resources**

The Chief Administrative Officer shall—

(A) direct, coordinate, and oversee human resources management activities of the Capitol Police;

(B) develop and monitor payroll and time and attendance systems and employee services; and

(C) develop and monitor processes for recruiting, selecting, appraising, and promoting employees.

(Pub. L. 106-554, §1(a)(2) [title I, §108], Dec. 21, 2000, 114 Stat. 2763, 2763A-104; Pub. L. 106-346, §101(a) [title V, §507(a)], Oct. 23, 2000, 114 Stat. 1356, 1356A-55; Pub. L. 107-68, title I, §122(a), Nov. 12, 2001, 115 Stat. 576; Pub. L. 108-7, div. H, title I, §1013(c), Feb. 20, 2003, 117 Stat. 361; Pub. L. 108-271, §8(b), July 7, 2004, 118 Stat. 814; Pub. L. 109-55, title I, §1004(g), Aug. 2, 2005, 119 Stat. 575; Pub. L. 111-145, §§2(a)(1), (2), 6(a), Mar. 4, 2010, 124 Stat. 49, 54.)

CODIFICATION

Section was classified to section 206a-9 of former Title 40, prior to the enactment of Title 40, Public

<sup>1</sup> So in original. Probably should not be capitalized.

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

#### AMENDMENTS

2010—Subsec. (a). Pub. L. 111-145, §2(a)(1), amended subsec. (a) generally. Prior to amendment, subsec. (a) related to the establishment of the Office of Administration and the appointment and compensation of the Chief Administrative Officer.

Subsec. (c). Pub. L. 111-145, §2(a)(2), struck out subsec. (c) which related to the Chief Administrative Officer's employment of personnel and access to resources of other agencies.

Subsecs. (d) to (g). Pub. L. 111-145, §6(a), struck out subsecs. (d) to (g) which related to a plan for office policies, procedures, and actions, a report on progress made in such planning, submission of the plan and report to the appropriate congressional committees, and termination of the role of the Comptroller General.

2005—Subsec. (b)(2)(D). Pub. L. 109-55 amended subpar. (D) generally. Prior to amendment, subpar. (D) read as follows: "shall prepare annual financial statements for the Capitol Police and provide for an annual audit of the financial statements by an independent public accountant in accordance with generally accepted government auditing standards."

2004—Subsec. (a)(5). Pub. L. 108-271 substituted "Government Accountability Office" for "General Accounting Office".

2003—Subsec. (a)(4). Pub. L. 108-7 amended par. (4) generally. Prior to amendment, par. (4) read as follows: "The Chief Administrative Officer shall receive basic pay at a rate determined by the Chief of the Capitol Police, but not to exceed \$1,000 less than the annual rate of pay for the Chief of the Capitol Police."

2001—Subsec. (a)(4). Pub. L. 107-68 substituted "the Chief of the Capitol Police, but not to exceed \$1,000 less than the annual rate of pay for the Chief of the Capitol Police" for "the Capitol Police Board, but not to exceed the annual rate of basic pay payable for ES-2 of the Senior Executive Service, as established under subchapter VIII of chapter 53 of title 5 (taking into account any comparability payments made under section 5304(h) of such title)".

2000—Pub. L. 106-346 amended section generally, substituting present provisions for similar provisions establishing within the Capitol Police an Office of Administration to be headed by a Chief Administrative Officer, providing that the Chief Administrative Officer would be appointed and his pay rate would be set by the Comptroller General, setting out the powers and duties of the Chief Administrative Officer, and providing that as of Oct. 1, 2002, the Chief Administrative Officer would cease to be an employee of the General Accounting Office, would become an employee of the Capitol Police, and the Capitol Police Board would assume all responsibilities of the Comptroller General under this section.

#### EFFECTIVE DATE OF 2005 AMENDMENT

Amendment by Pub. L. 109-55 effective Aug. 2, 2005, see section 1909(f) of this title.

#### EFFECTIVE DATE OF 2003 AMENDMENT

Amendment by Pub. L. 108-7 applicable with respect to the first pay period beginning on or after Feb. 20, 2003, see section 1013(d) of Pub. L. 108-7, set out as a note under section 1902 of this title.

#### EFFECTIVE DATE OF 2001 AMENDMENT

Pub. L. 107-68, title I, §122(b), Nov. 12, 2001, 115 Stat. 576, provided that: "The amendment made by subsection (a) [amending this section] shall apply with respect to pay periods beginning on or after October 1, 2001."

#### EFFECTIVE DATE OF 2000 AMENDMENT

Pub. L. 106-346, §101(a) [title V, §507(b)], Oct. 23, 2000, 114 Stat. 1356, 1356A-57, provided that: "The amend-

ments made by subsection (a) [amending this section] shall take effect as if included in the enactment of the Legislative Branch Appropriations Act, 2001 [H.R. 5657, as enacted by section 1(a)(2) of Pub. L. 106-554]."

#### CONSTRUCTION OF 2010 AMENDMENT

Pub. L. 111-145, §2(a)(6), Mar. 4, 2010, 124 Stat. 50, provided that: "Nothing in the amendments made by this subsection [amending this section and sections 1301, 1904, and 1907 of this title and repealing sections 1928 and 1929 of this title] may be construed to affect the status of any individual serving as an officer or employee of the United States Capitol Police as of the date of the enactment of this Act [Mar. 4, 2010]."

### § 1904. Certifying officers

#### (a) Appointment of certifying officers of the Capitol Police

The Chief Administrative Officer of the United States Capitol Police, or when there is not a Chief Administrative Officer, the Chief of the Capitol Police, shall appoint certifying officers to certify all vouchers for payment from funds made available to the United States Capitol Police.

#### (b) Responsibility and accountability of certifying officers

##### (1) In general

Each officer or employee of the Capitol Police who has been duly authorized in writing by the Chief Administrative Officer, or the Chief of the Capitol Police if there is not a Chief Administrative Officer, to certify vouchers pursuant to subsection (a) shall—

(A) be held responsible for the existence and correctness of the facts recited in the certificate or otherwise stated on the voucher or its supporting papers and for the legality of the proposed payment under the appropriation or fund involved;

(B) be held responsible and accountable for the correctness of the computations of certified vouchers; and

(C) be held accountable for and required to make good to the United States the amount of any illegal, improper, or incorrect payment resulting from any false, inaccurate, or misleading certificate made by such officer or employee, as well as for any payment prohibited by law or which did not represent a legal obligation under the appropriation or fund involved.

##### (2) Relief by Comptroller General

The Comptroller General may, at the Comptroller General's discretion, relieve such certifying officer or employee of liability for any payment otherwise proper if the Comptroller General finds—

(A) that the certification was based on official records and that the certifying officer or employee did not know, and by reasonable diligence and inquiry could not have ascertained, the actual facts; or

(B) that the obligation was incurred in good faith, that the payment was not contrary to any statutory provision specifically prohibiting payments of the character involved, and the United States has received value for such payment.

#### (c) Enforcement of liability

The liability of the certifying officers of the United States Capitol Police shall be enforced in