

“ARCHITECT OF THE CAPITOL”, and “CAPITOL BUILDINGS AND GROUNDS” in title I of the Legislative Branch Appropriations Act, 1995, referred to in subsec. (a)(2)(A), is contained in Pub. L. 103-283, title I, July 22, 1994, 108 Stat. 1423, 1434, and is not classified to the Code.

This Act, referred to in subsec. (a)(2)(A), is Pub. L. 104-53, Nov. 19, 1995, 109 Stat. 514, known as the Legislative Branch Appropriations Act, 1996. Provisions under such headings in this Act appear at 109 Stat. 527, and are not classified to the Code.

Section 102 of the Legislative Branch Appropriations Act, 1989, referred to in subsec. (a)(2)(B), is section 102 of Pub. L. 100-458, title I, Oct. 1, 1988, 102 Stat. 2165, which is not classified to the Code.

CODIFICATION

In subsec. (b), “section 6101 of title 41” substituted for “section 3709 of the Revised Statutes of the United States (41 U.S.C. 5)” on authority of Pub. L. 111-350, §6(c), Jan. 4, 2011, 124 Stat. 3854, which Act enacted Title 41, Public Contracts.

Section was classified to section 212a-4 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.

Statutory Notes and Related Subsidiaries

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.

§ 1965. Maintenance of security systems for Capitol buildings and grounds

(a) Effective October 1, 1996, the responsibility for maintenance of security systems for the Capitol buildings and grounds is transferred from the Architect of the Capitol to the Capitol Police Board. Such maintenance shall be carried out under the direction of the Committee on House Oversight of the House of Representatives and the Committee on Rules and Administration of the Senate. On and after October 1, 1996, any alteration to a structural, mechanical, or architectural feature of the Capitol buildings and grounds that is required for security system maintenance under the preceding sentence may be carried out only with the approval of the Architect of the Capitol.

(b)(1) Effective October 1, 1996, all positions specified in paragraph (2) and each individual holding any such position (on a permanent basis) immediately before that date, as identified by the Architect of the Capitol, shall be transferred to the Capitol Police.

(2) The positions referred to in paragraph (1) are those positions which, immediately before October 1, 1996, are—

(A) under the Architect of the Capitol;

(B) within the Electronics Engineering Division of the Office of the Architect of the Capitol; and

(C) related to the maintenance of security systems for the Capitol buildings and grounds.

(3) All annual leave and sick leave standing to the credit of an individual immediately before such individual is transferred under paragraph (1) shall be credited to such individual, without adjustment, in the new position of the individual.

(Pub. L. 104-197, title III, §308, Sept. 16, 1996, 110 Stat. 2413.)

Editorial Notes

CODIFICATION

Section was classified to section 212a-4a 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.

Statutory Notes and Related Subsidiaries

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.

§ 1965a. Prohibition on use of funds for installation of permanent fencing on Capitol Grounds

None of the funds made available in this or any other Act in prior fiscal years, this fiscal year, or any fiscal year thereafter may be used to install permanent, above-ground fencing around the perimeter, or any portion thereof, of the United States Capitol Grounds, as described in section 5102 of title 40.

(Pub. L. 117-31, title III, §310, July 30, 2021, 135 Stat. 314.)

§ 1966. Protection of Members of Congress, officers of Congress, and members of their families

(a) Authority of the Capitol Police

Subject to the direction of the Capitol Police Board, the United States Capitol Police is authorized to protect, in any area of the United States, the person of any Member of Congress, officer of the Congress, as defined in section 4101(b) of this title, and any member of the immediate family of any such Member or officer, if the Capitol Police Board determines such protection to be necessary.

(b) Detail of police

In carrying out its authority under this section, the Capitol Police Board, or its designee, is authorized, in accordance with regulations issued by the Board pursuant to this section, to detail, on a case-by-case basis, members of the United States Capitol Police to provide such protection as the Board may determine necessary under this section.

(c) Arrest of suspects

In the performance of their protective duties under this section, members of the United States Capitol Police are authorized (1) to make arrests without warrant for any offense against the United States committed in their presence, or for any felony cognizable under the laws of the United States if they have reasonable grounds to believe that the person to be arrested has committed or is committing such felony; and (2) to utilize equipment and property of the Capitol Police.

(d) Fines and penalties

Whoever knowingly and willfully obstructs, resists, or interferes with a member of the Cap-

itol Police engaged in the performance of the protective functions authorized by this section, shall be fined not more than \$300 or imprisoned not more than one year, or both.

(e) Construction of provisions

Nothing contained in this section shall be construed to imply that the authority, duty, and function conferred on the Capitol Police Board and the United States Capitol Police are in lieu of or intended to supersede any authority, duty, or function imposed on any Federal department, agency, bureau, or other entity, or the Metropolitan Police of the District of Columbia, involving the protection of any such Member, officer, or family member.

(f) “United States” defined

As used in this section, the term “United States” means each of the several States of the United States, the District of Columbia, and territories and possessions of the United States.

(July 31, 1946, ch. 707, §9A, as added Pub. L. 97-143, §1(a), Dec. 29, 1981, 95 Stat. 1723.)

Editorial Notes

CODIFICATION

Section was classified to section 212a-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.

§ 1967. Law enforcement authority

(a) Scope

Subject to such regulations as may be prescribed by the Capitol Police Board and approved by the Committee on House Oversight of the House of Representatives and the Committee on Rules and Administration of the Senate, a member of the Capitol Police shall have authority to make arrests and otherwise enforce the laws of the United States, including the laws of the District of Columbia—

(1) within the District of Columbia, with respect to any crime of violence committed within the United States Capitol Grounds;

(2) within the District of Columbia, with respect to any crime of violence committed in the presence of the member, if the member is in the performance of official duties when the crime is committed;

(3) within the District of Columbia, to prevent imminent loss of life or injury to person or property, if the officer is in the performance of official duties when the authority is exercised;

(4) within the area described under subsection (b)(1); and

(5) within the area described under subsection (b)(2)—

(A) with respect to any crime of violence committed in the presence of the member, if the member is in the performance of official duties, as defined under such regulations, when the crime is committed; and

(B) to prevent imminent loss of life or injury to person or property, if the officer is in the performance of official duties, as defined under such regulations, when the authority is exercised.

(b) Area

(1) The area referred to in subsection (a)(4) is that area bounded by the north curb of H Street from 3rd Street, N.W. to 7th Street, N.E., the east curb of 7th Street from H Street, N.E., to M Street, S.E., the south curb of M Street from 7th Street, S.E. to 1st Street, S.E., the east curb of 1st Street from M Street, S.E. to Potomac Avenue S.E., the southeast curb of Potomac Avenue from 1st Street, S.E. to South Capitol Street, S.W., the west curb of South Capitol Street from Potomac Avenue, S.W. to P Street, S.W., the north curb of P Street from South Capitol Street, S.W. to 3rd Street, S.W., and the west curb of 3rd Street from P Street, S.W. to H Street, N.W.

(2) The area referred to under subsection (a)(5) is that area bounded by the north curb of Constitution Avenue from 14th Street, N.W., to 3rd Street, N.W., the east curb of 3rd Street from Constitution Avenue, N.W., to Independence Avenue, S.W., the south curb of Independence Avenue from 3rd Street, S.W., to 14th Street, S.W., and the west curb of 14th Street from Independence Avenue, S.W., to Constitution Avenue, N.W.

(c) Authority of Metropolitan Police unaffected

This section does not affect the authority of the Metropolitan Police force of the District of Columbia with respect to the area described in subsection (b).

(d) “Crime of violence” defined

As used in this section, the term “crime of violence” has the meaning given that term in section 16 of title 18.

(July 31, 1946, ch. 707, §9B, as added Pub. L. 102-397, title I, §101, Oct. 6, 1992, 106 Stat. 1949; amended Pub. L. 104-186, title II, §221(13), Aug. 20, 1996, 110 Stat. 1750; Pub. L. 108-83, title I, §1003(a), Sept. 30, 2003, 117 Stat. 1021.)

Editorial Notes

CODIFICATION

Section was classified to section 212a-3 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)(3). Pub. L. 108-83, §1003(a)(1)(A), struck out “and” after the semicolon.

Subsec. (a)(4). Pub. L. 108-83, §1003(a)(1)(B), which directed the substitution of “under subsection (b)(1); and” for “in subsection (b) of this section.” was executed by making the substitution for language which read in the original “in subsection (b).”, to reflect the probable intent of Congress.

Subsec. (a)(5). Pub. L. 108-83, §1003(a)(1)(C), added par. (5).

Subsec. (b). Pub. L. 108-83, §1003(a)(2), designated existing provisions as par. (1) and added par. (2).

1996—Subsec. (a). Pub. L. 104-186 substituted “House Oversight” for “House Administration”.

Statutory Notes and Related Subsidiaries

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.