

§ 1977. Settlement and payment of tort claims**(a) Federal Tort Claims Act****(1) In general**

Except as provided in paragraph (2), the Chief of the Capitol Police, in accordance with regulations prescribed by the Attorney General and any regulations as the Capitol Police Board may prescribe, may consider, ascertain, determine, compromise, adjust, and settle, in accordance with the provisions of chapter 171 of title 28, any claim for money damages against the United States for injury or loss of property or personal injury or death caused by the negligent or wrongful act or omission of any employee of the Capitol Police while acting within the scope of his office or employment, under circumstances where the United States, if a private person, would be liable to the claimant in accordance with the law of the place where the act or omission occurred.

(2) Special rule for claims made by Members of Congress and congressional employees**(A) In general**

With respect to any claim described in paragraph (1) which is made by a Member of Congress or any officer or employee of Congress, the Chief of the Capitol Police shall—

- (i) not later than 14 days after the receipt of such a claim, notify the Chairman of the applicable Committee of the receipt of the claim; and
- (ii) not later than 90 days after the receipt of such a claim, submit a proposal for the resolution of such claim which shall be subject to the approval of the Chairman of the applicable Committee.

(B) Extension

The 90-day period in subparagraph (A)(ii) may be extended for an additional period (not to exceed 90 days) for good cause by the Chairman of the applicable Committee, upon the request of the Chief of the Capitol Police.

(C) Approval consistent with Federal Tort Claims Act

Nothing in this paragraph may be construed to permit the Chairman of an applicable Committee to approve a proposal for the resolution of a claim described in paragraph (1) which is not consistent with the terms and conditions applicable under chapter 171 of title 28 to the resolution of claims for money damages against the United States.

(D) Applicable Committee defined

In this paragraph, the term “applicable Committee” means—

- (i) the Committee on Rules and Administration of the Senate, in the case of a claim of a Senator or an officer or employee whose pay is disbursed by the Secretary of the Senate; or
- (ii) the Committee on House Administration of the House of Representatives, in the case of a Member of the House of Representatives (including a Delegate or Resident Commissioner to the Congress) or an officer or employee whose pay is disbursed

by the Chief Administrative Officer of the House of Representatives.

(3) Head of agency

For purposes of section 2672 of title 28, the Chief of the Capitol Police shall be the head of a Federal agency with respect to the Capitol Police.

(4) Regulations

The Capitol Police Board may prescribe regulations to carry out this subsection.

(b) Claims of employees of Capitol Police**(1) In general**

The Capitol Police Board may prescribe regulations to apply the provisions of section 3721 of title 31 for the settlement and payment of a claim against the Capitol Police by an employee of the Capitol Police for damage to, or loss of personal property incident to service.

(2) Limitation

No settlement and payment of a claim under regulations prescribed under this subsection may exceed the limits applicable to the settlement and payment of claims under section 3721 of title 31.

(c) Rule of construction

Nothing in this section may be construed to affect—

- (1) any payment under section 1304 of title 31 of a final judgment, award, compromise settlement, and interest and costs specified in the judgment based on a claim against the Capitol Police; or
- (2) any authority for any—
 - (A) settlement under section 1414 of this title, or
 - (B) payment under section 1415 of this title.

(d) Effective date

This section shall apply to fiscal year 2005 and each fiscal year thereafter.

(Pub. L. 108–447, div. G, title I, § 1006, Dec. 8, 2004, 118 Stat. 3180.)

Editorial Notes**CODIFICATION**

Section is from the Legislative Branch Appropriations Act, 2005, which is div. G of the Consolidated Appropriations Act, 2005.

§ 1978. Deployment outside of jurisdiction**(a) Requirements for prior notice and approval**

The Chief of the Capitol Police may not deploy any officer outside of the areas established by law for the jurisdiction of the Capitol Police unless—

- (1) the Chief provides prior notification to the Committee on House Administration of the House of Representatives, the Committee on Rules and Administration of the Senate, and the Committees on Appropriations of the House of Representatives and Senate of the costs anticipated to be incurred with respect to the deployment; and
- (2) the Capitol Police Board gives prior approval to the deployment.

(b) Exception for certain services

Subsection (a) does not apply with respect to the deployment of any officer for any of the following purposes:

- (1) Responding to an imminent threat or emergency.
- (2) Intelligence gathering.
- (3) Providing protective services.

(c) Effective date

This section shall apply with respect to fiscal year 2005 and each succeeding fiscal year.

(Pub. L. 108-447, div. G, title I, §1007, Dec. 8, 2004, 118 Stat. 3182; Pub. L. 111-145, §2(c), Mar. 4, 2010, 124 Stat. 51.)

Editorial Notes

CODIFICATION

Section is from the Legislative Branch Appropriations Act, 2005, which is div. G of the Consolidated Appropriations Act, 2005.

AMENDMENTS

2010—Subsec. (a)(1). Pub. L. 111-145 substituted “prior notification to the Committee on House Administration of the House of Representatives, the Committee on Rules and Administration of the Senate, and” for “prior notification to”.

§ 1979. Release of security information**(a) Definition**

In this section, the term “security information” means information that—

- (1) is sensitive with respect to the policing, protection, physical security, intelligence, counterterrorism actions, or emergency preparedness and response relating to Congress, any statutory protectee of the Capitol Police, and the Capitol buildings and grounds; and
- (2) is obtained by, on behalf of, or concerning the Capitol Police Board, the Capitol Police, or any incident command relating to emergency response.

(b) Authority of Board to determine conditions of release

Notwithstanding any other provision of law, any security information in the possession of the Capitol Police may be released by the Capitol Police to another entity, including an individual, only if the Capitol Police Board determines in consultation with other appropriate law enforcement officials, experts in security preparedness, and appropriate committees of Congress, that the release of the security information will not compromise the security and safety of the Capitol buildings and grounds or any individual whose protection and safety is under the jurisdiction of the Capitol Police.

(c) Rule of construction

Nothing in this section may be construed to affect the ability of the Senate and the House of Representatives (including any Member, officer, or committee of either House of Congress) to obtain information from the Capitol Police regarding the operations and activities of the Capitol Police that affect the Senate and House of Representatives.

(d) Regulations

The Capitol Police Board may promulgate regulations to carry out this section, with the ap-

proval of the Committee on Rules and Administration of the Senate and the Committee on House Administration of the House of Representatives.

(e) Effective date

This section shall take effect on December 8, 2004, and apply with respect to—

- (1) any remaining portion of fiscal year 2004, if this Act is enacted before October 1, 2004; and
- (2) fiscal year 2005 and each fiscal year thereafter.

(Pub. L. 108-447, div. G, title I, §1009, Dec. 8, 2004, 118 Stat. 3182.)

Editorial Notes

REFERENCES IN TEXT

This Act, referred to in subsec. (e)(1), is div. G of Pub. L. 108-447, Dec. 8, 2004, 118 Stat. 3166, as amended, known as the Legislative Branch Appropriations Act, 2005, which was enacted Dec. 8, 2004.

CODIFICATION

Section is from the Legislative Branch Appropriations Act, 2005, which is div. G of the Consolidated Appropriations Act, 2005.

§ 1980. Mounted horse unit

(a) The United States Capitol Police may not operate a mounted horse unit during fiscal year 2006 or any succeeding fiscal year.

(b) Not later than 60 days after the date of the enactment of this Act, the Chief of the Capitol Police shall transfer to the Chief of the United States Park Police the horses, equipment, and supplies of the Capitol Police mounted horse unit which remain in the possession of the Capitol Police as of such date.

(Pub. L. 109-55, title I, §1002, Aug. 2, 2005, 119 Stat. 572.)

Editorial Notes

REFERENCES IN TEXT

The date of the enactment of this Act, referred to in subsec. (b), is the date of the enactment of Pub. L. 109-55, which was approved Aug. 2, 2005.

CODIFICATION

Section is from the Legislative Branch Appropriations Act, 2006.

§ 1981. Advance payments

During fiscal year 2008 and each succeeding fiscal year, following notification of the Committees on Appropriations of the House of Representatives and the Senate, the Committee on House Administration of the House of Representatives, and the Committee on Rules and Administration of the Senate¹ the Chief of the Capitol Police may make payments in advance for obligations of the United States Capitol Police for subscription services if the Chief determines it to be more prompt, efficient, or economical to do so.

(Pub. L. 110-161, div. H, title I, §1002, Dec. 26, 2007, 121 Stat. 2227; Pub. L. 111-145, §2(d)(1), Mar. 4, 2010, 124 Stat. 51.)

¹ So in original. Probably should be followed by a comma.