

Public Law 96-152
96th Congress

An Act

To establish by law the position of Chief of the Capitol Police, and for other purposes.

Dec. 20, 1979
[H.R. 5651]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That (a) section 1821 of the Revised Statutes of the United States (40 U.S.C. 206) is amended by adding at the end thereof the following new sentence: "The Capitol Police shall be headed by a Chief who shall be appointed by the Capitol Police Board and shall serve at the pleasure of the Board."

Capitol Police
Chief, position
establishment.

(b) The individual serving as Chief of the Capitol Police on the effective date of this Act shall be deemed, effective on such date, to be appointed to the position established by the amendment made by subsection (a).

(c) The Chief of the Capitol Police shall receive compensation at a rate determined by the Capitol Police Board, but not to exceed the annual rate of basic pay payable for level IV of the Executive Schedule under section 5315 of title 5, United States Code.

40 USC 206-1.

SEC. 2. (a) Any member of the Metropolitan Police force detailed to the Capitol Police (other than the individual referred to in subsection (b) of the first section)—

Transfers
between
Metropolitan
Police force and
Capitol Police.

(1) who on August 31, 1980, has completed 20 years or more of police service shall be reassigned to the Metropolitan Police force effective October 1, 1980, unless during the 30-day period beginning on September 1, 1980, such member makes an election under subsection (b); or

(2) who after August 31, 1980, completes 20 years of police service shall be reassigned to the Metropolitan Police force effective at the end of the 30-day period beginning on the date of such completion, unless, during such period, such member makes an election under subsection (b).

(b)(1) A member of the Metropolitan Police force described in subsection (a) may elect to transfer to the Capitol Police with the rank, pay, and seniority that are most nearly equivalent to the rank, pay, and seniority of such member on the day before the date of such transfer, as determined by the Capitol Police Board.

(2) A transfer to the Capitol Police under this subsection shall be effective on the date on which the electing member would have been reassigned to the Metropolitan Police force but for the election by such member under paragraph (1).

(3) An election under paragraph (1) shall be made in writing to the Chairman of the Capitol Police Board in such form and manner as may be prescribed by the Board.

(c) In each case in which a member of the Metropolitan Police force transfers to the Capitol Police under subsection (b), the position occupied by such member immediately before the effective date of such transfer shall, beginning on such date, be a position on the rolls of the Capitol Police for the purpose of providing for the assimilation of such member.

SEC. 3. (a) Any police service—

(1) of the individual referred to in subsection (b) of the first section shall be treated, effective on the effective date of this Act; and

(2) of a member of the Metropolitan Police force transferred to the Capitol Police under section 2(b) shall be treated, effective on the effective date of such transfer;

as creditable service as a congressional employee for purposes of determining eligibility for, and the amount of, an annuity under subchapter III of chapter 83 of title 5, United States Code.

5 USC 8331.

(b) Effective on the date on which police service is first treated as creditable service as a congressional employee under subsection (a), the individual or member involved shall forfeit all annuity rights under the Policemen and Firemen's Retirement and Disability Act (D.C. Code, sec. 4-521 et seq.).

SEC. 4. (a) An amount equal to the total amount of—

(1) deductions and withholdings from pay for retirement under the Policemen and Firemen's Retirement and Disability Act (D.C. Code, sec. 4-521 et seq.) for police service treated as creditable service as a congressional employee under section 3; and

(2) sums paid by the Congress to the District of Columbia as a retirement contribution for any such police service performed while detailed to the Capitol Police;

shall be paid by the Mayor of the District of Columbia into the Treasury to the credit of the Civil Service Retirement and Disability Fund. For purposes of section 8334(c) of title 5, United States Code, such payment shall constitute the required deposit for police service treated as creditable service as a congressional employee under section 3.

(b) Payments into the Treasury required by subsection (a) shall be made not later than the date on which police service is first treated as creditable service as a congressional employee under section 3 with respect to the individual or member involved.

SEC. 5. As used in this Act—

(1) the term "Metropolitan Police force" means the Metropolitan Police force of the District of Columbia; and

(2) the term "police service" means creditable service under subdivision (c) of the Policemen and Firemen's Retirement and Disability Act (D.C. Code, sec. 4-523).

"Metropolitan Police force."

"Police service."

SEC. 6. Until otherwise provided by law, the contingent fund of the House of Representatives shall be available to carry out this Act.

Funding.

SEC. 7. This Act shall take effect on the first day of the second month after the month in which this Act is enacted.

Effective date.
40 USC 206 note.

Approved December 20, 1979.

LEGISLATIVE HISTORY:

HOUSE REPORT No. 96-581 (Comm. on House Administration).
SENATE REPORT No. 96-436 (Comm. on Rules and Administration).
CONGRESSIONAL RECORD, Vol. 125 (1979):
Nov. 8, considered and passed House.
Dec. 6, considered and passed Senate.