

91ST CONGRESS
2ND SESSION

H. R. 4

To formally establish and regulate the United States Capitol Police

IN THE HOUSE OF REPRESENTATIVES OF THE UNITED
STATES

January 25th, 2024

Speaker George Godsent (for himself) has introduced the following bill.

AN ACT

To formally establish and regulate the United States Capitol Police

*Be it enacted by the House of Representatives and the Senate of
the United States,*

SEC. 1—SHORT TITLE

- (a) This resolution shall be known as H. R. 4 of the 91st Congress, or the Capitol Police Act.

SEC. 2—GENERAL PROVISIONS

- (a) Any clause, subsection or part of any law that conflicts with this act shall be deemed null and void.
- (b) This act shall be servable, in which, if any provision of this act is found unconstitutional, the rest of the act shall be in full effect unless also found unconstitutional.
- (c) This act shall go into effect immediately.

SEC. 3—ESTABLISHMENT

- (a) There shall be a United States Capitol Police, established as a federal law enforcement agency under the legislative branch of the United States government.
- (b) The primary purpose of the Capitol Police shall be to ensure the safety and security of the United States Capitol Complex, its occupants, and visitors.
- (c) The second primary purpose of the Capitol Police is to provide support and security to the Members of the United States House of Representatives and to the Members of the United States Senate, as directed by law, by Capitol Police Board decisions and by Congressional resolutions. Law provisions are considered the primary ones.
- (d) Conflicting clauses and subclauses of the subchapters of 2 U.S. Code Chapter 29 are considered repealed by the provisions of this act.

SEC. 4—GENERAL JURISDICTION

- (a) Generally, the Capitol Police has jurisdiction within the United States Capitol Complex, including the Capitol building, the House and Senate office buildings, and surrounding grounds.
- (b) The Capitol Police has nationwide jurisdiction throughout the United States and its territories when conducting official duties, including the protection of Congressional members.
- (c) Law enforcement officers of the Capitol Police enforce federal law.
- (d) Officers have jurisdiction throughout the United States and its territories to take enforcement action when they observe or are

made aware of crimes of violence while on official duties. While performing protective functions, the Capitol Police have jurisdiction throughout the entire United States.

SEC. 5—THE BOARD

- (a) There is a Capitol Police Board. The board is the primary decision-making body of the United States Capitol Police.
- (b) The United States Capitol Police Board consists of the following officials:
 - (i) The Speaker of the United States House of Representatives, as an ex-officio member;
 - (ii) The President pro tempore of the United States Senate, as an ex-officio member;
 - (iii) The Sergeant-at-Arms of the United States Senate, who is appointed or elected, and dismissed, in accordance with Senate rules;
 - (iv) The Sergeant-at-Arms of the United States House of Representatives, who is appointed or elected, and dismissed, in accordance with House rules;
 - (v) One member from the United States Senate, elected or appointed to the board in accordance with Senate rules;
 - (vi) One member from the United States House of Representatives, elected or appointed to the board in accordance with House rules.
- (c) Each board member has one vote.
- (d) The board is presided by the Speaker of the House, or by the President pro tempore of the Senate when the Speaker is on official leave or the office is vacant, and has the following attributions:
 - (i) The appointment and dismissal of the Chief of Police;
 - (ii) The appointment and dismissal of up to three (3) Assistant Chiefs of Police;
 - (iii) The appointment and dismissal of the Chief Administrative Officer;
 - (iv) The appointment and dismissal of the General Counsel;
 - (v) Approving, enforcing, amending and repealing decisions with respect to the functioning of the Capitol Police;
 - (vi) Overseeing the general works of the Capitol Police;
 - (vii) Regulating the employment of staff and the organizational chart of the Capitol Police, in accordance with board decisions;

- (viii) Establishing protocols and other rules, handbooks and guidelines for protecting Congressional grounds, Congressional members and Congressional staff;
 - (ix) Opening, managing, regulating and closing offices, divisions, branches and bureaus inside the Capitol Police, including, but not limited to: relevant protection details and how they function, Capitol Police intelligence efforts, patrol divisions, the special operations division, the protective services bureau and others, as deemed appropriate.
- (e) After the beginning of every new Congress and after elections for Speaker of the House have concluded, the newly seated board shall elect a Chief of Police by default; thus making the term of the police Chief last one Congressional term. There are no limits on how many terms one can serve as Chief of Police of the United States Capitol Police.
 - (f) Officials appointed by the Capitol Police Board serve at the pleasure of the board.
 - (g) Board decisions are made with a majority. The presiding officer of the board ensures votes and proposals last for 24 hours, giving every board member the opportunity to voice their opinion and to vote. Should a majority make a clear decision, board votes may be closed earlier by the presiding officer of the board.
 - (h) Board members cannot be removed by the board, unless they are removed by their respective House of Congress, in accordance with said House's rules. Board roles that are considered ex-officio are considered vacant if the officeholder resigns or is removed from their role within their House. Congressional members serving on the board are considered removed if they are no longer members of Congress.

SEC. 6—DUTIES AND POWERS

- (a) The general policing powers are set by 2 U.S. Code Subchapter II - POWERS AND DUTIES, and are upheld. The provisions of SEC. 3 (d) of this act continue to apply.
- (b) Members of Congress cannot be denied Capitol Police protection. Members of Congress can voluntarily decline Capitol Police protection. Should such members reconsider, the Capitol Police must provide protection again.
- (c) The Capitol Police Board may prescribe how and when Capitol Police protection works for Congressional staff, visitors and other guests.

- (d) Judicial Branch and Executive Branch officials do not enjoy Capitol Police protection, except:
 - (i) If they are present on Congressional grounds on official business and as approved by the Capitol Police Board;
 - (ii) During State of the Union addresses;
 - (iii) During Congressional hearings or other Congressional events where they are explicitly invited to participate;
 - (iv) Unless otherwise provided by the board.
- (e) The provisions of subsection (d) of this section are enforced and decided by the Capitol Police Board.
- (f) Budgetary decisions are made by the Capitol Police Board.
Funds come from:
 - (i) Official appropriations as decided by Congress;
 - (ii) Donations;
 - (iii) Fundraising efforts.
- (g) For the purpose of subsection (f) of this section, funds are generally defined as in-game money and ROBUX.