

DISTRICT OF COLUMBIA
OFFICIAL CODE

TITLE 10.
PARKS, PUBLIC BUILDINGS, GROUNDS,
AND SPACE.

CHAPTER 5.
REGULATORY PROVISIONS.

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DISTRICT OF COLUMBIA OFFICIAL CODE

CHAPTER 5. REGULATORY PROVISIONS.

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CHAPTER 5. REGULATORY PROVISIONS.

SUBCHAPTER I. WHARF PROPERTY.

§ 10-501.01. CONTROL.

With the exceptions hereinafter provided, the Mayor of the District of Columbia shall have the exclusive charge and control of all wharf property belonging to the United States or to the District of Columbia within said District, including all the wharves, piers, bulkheads, and structures thereon and waters adjacent thereto within the pier lines, and all slips, basins, docks, waterfronts, land under water, and structures thereon, and the appurtenances, easements, uses, reversions, and rights belonging thereto, which on March 3, 1899, were owned or possessed by the United States or the District of Columbia, or to which they or either of them was on that date or may thereafter become entitled, or which they or either of them may acquire under the provisions hereof or otherwise; and said Mayor of the District of Columbia shall have exclusive charge and control of the repairing, building, rebuilding, maintaining, altering, strengthening, leasing, and protecting said property and every part thereof, and all the cleaning, dredging, and deepening necessary in and about the same within the pier lines. The Council of the District of Columbia is authorized and empowered to make all needful rules and regulations for the government and control of all wharves, piers, bulkheads, and structures thereon, and waters adjacent thereto within the pier lines, and all the basins, slips, and docks, with the land under water, in said District not owned by the United States or the District of Columbia; provided, that the following described property shall be placed under the immediate jurisdiction and control of the Chief of Engineers of the United States Army: the banks of the Potomac River from the north line of the Arsenal Grounds to the southern curb line of N Street South; also 500 linear feet of shoreline in the Flushing Reservoir at the foot of 17th Street, West, and west from the western curb of said street, including a levee 100 feet wide.

(Mar. 3, 1899, 30 Stat. 1377, ch. 458, § 1.)

HISTORICAL AND STATUTORY NOTES

Prior Codifications

1981 Ed., § 9-101.

1973 Ed., § 9-101.

Change in Government

This section originated at a time when local government powers were delegated to a Board of Commissioners of the District of Columbia (see Acts Relating to the Establishment of the District of Columbia and its Various Forms of Governmental Organization in Volume 1). Section 402(186) of Reorganization Plan No. 3 of 1967 (see Reorganization Plans in Volume 1) transferred all of the functions of the Board of Commissioners under this section to the District of Columbia Council, subject to the right of the Commissioner as provided in § 406 of the Plan. The District of Columbia Self-Government and Governmental Reorganization Act, 87 Stat. 818, § 711 (D.C. Code, § 1-207.11), abolished the District of Columbia Council and the Office of Commissioner of the District of Columbia. These branches of government were replaced by the Council of the District of Columbia and the Office of Mayor of the District of Columbia, respectively. Accordingly, and also pursuant to § 714(a) of such Act (D.C. Code, § 1-207.14(a)), appropriate changes in terminology were made in this section.

Delegation of Authority

Delegation of authority to National Capital Revitalization Corporation and Anacostia Waterfront Corporation Reorganization Clarification Emergency Act of 2007, see Mayor's Order 2007-172, July 25, 2007 (54 DCR 11600).

§ 10-501.02. AUTHORITY TO MAKE RULES AND REGULATIONS.

(a) The Council of the District of Columbia and the Chief of Engineers of the United States Army are authorized and empowered to make all needful rules and regulations for the government and proper care

of all the property placed in the charge of the Mayor of the District of Columbia and the Chief of Engineers and under their respective control by the provisions of § 10-501.01 and to annex such reasonable penalties to said rules and regulations as will secure their enforcement; and also the Council and the Chief of Engineers are authorized and empowered to make, and the Mayor and the Chief of Engineers to enforce, rules and regulations in regard to building and repairing wharves, the rental thereof, and the rate of wharfage. All rents so collected shall be covered into the Treasury of the United States, to be placed to the credit of the United States and to the credit of the General Fund of the District of Columbia.

(b) The wharfage fee is \$25 per day.

(Mar. 3, 1899, 30 Stat. 1378, ch. 458, § 2; Feb. 22, 1921, 41 Stat. 1144, ch. 70, § 7; June 28, 1944, 58 Stat. 533, ch. 300, § 18; June 5, 2003, D.C. Law 14-307, § 1602, 49 DCR 11664; Mar. 11, 2009, 123 Stat. 700, Pub. L. 111-8, § 823.)

HISTORICAL AND STATUTORY NOTES

Prior Codifications

1981 Ed., § 9-102.

1973 Ed., § 9-102.

Effect of Amendments

D.C. Law 14-307 designated the existing text as subsection (a); and added subsec. (b).

Pub. L. 111-8, in subsec. (a), deleted the last sentence, which had read as follows: " No lease made under the provisions of said § 10-501.01 shall extend beyond the period of 10 years."

Emergency Act Amendments

For temporary (90 day) amendment of section, see § 1602 of Fiscal Year 2003 Budget Support Amendment Emergency Act of 2002 (D.C. Act 14-544, December 4, 2002, 49 DCR 11700).

For temporary (90 day) amendment of section, see § 1602 of the Fiscal Year 2003 Budget Support Amendment Congressional Review Emergency Act of 2003 (D.C. Act 15-27, February 24, 2003, 50 DCR 2151).

For temporary (90 day) amendment of section, see § 1602 of Fiscal Year 2003 Budget Support Amendment Second Congressional Review Emergency Act of 2003 (D.C. Act 15-103, June 20, 2003, 50 DCR 5499).

Legislative History of Laws

Law 14-307, the "Fiscal Year 2003 Budget Support Amendment Act of 2002", was introduced in Council and assigned Bill No. 14-892, which was referred to the Committee on the Whole. The Bill was adopted on first and second readings on October 1, 2002, and November 7, 2002, respectively. Signed by the Mayor on December 4, 2002, it was assigned Act No. 14-543 and transmitted to both Houses of Congress for its review. D.C. Law 14-307 became effective on June 5, 2003.

Change in Government

This section originated at a time when local government powers were delegated to a Board of Commissioners of the District of Columbia (see Acts Relating to the Establishment of the District of Columbia and its Various Forms of Governmental Organization in Volume 1). Section 402(187) of Reorganization Plan No. 3 of 1967 (see Reorganization Plans in Volume 1) transferred all of the functions of the Board of Commissioners under this section to the District of Columbia Council, subject to the right of the Commissioner as provided in § 406 of the Plan. The District of Columbia Self-Government and Governmental Reorganization Act, 87 Stat. 818, § 711 (D.C. Code, § 1-207.11), abolished the District of Columbia Council and the Office of Commissioner of the District of Columbia. These branches of government were replaced by the Council of the District of Columbia and the Office of Mayor of the District of Columbia, respectively. Accordingly, and also pursuant to § 714(a) of such Act (D.C. Code, § 1-207.14(a)), appropriate changes in terminology were made in this section.

§ 10-501.03. FURNISHING TO BUILDINGS IN JUDICIARY SQUARE.

The Secretary of the Interior, through the National Park Service, is authorized to furnish steam from the Central Heating Plant to such buildings as may be erected by the District of Columbia on the property bounded by 4th and 5th Streets, and D and G Streets, Northwest, in the District of Columbia, and known as Judiciary Square; provided, that the District of Columbia agrees to pay for the steam furnished at reasonable rates, not less than cost, as may be determined by the Secretary of the Interior; and provided further, that the District of Columbia agrees to provide all necessary connections with the government mains at its own expense, and in a manner satisfactory to the Secretary of the Interior.

(Apr. 27, 1937, 50 Stat. 95, ch. 136.)

HISTORICAL AND STATUTORY NOTES

Prior Codifications

1981 Ed., § 9-103.

1973 Ed., § 9-103.

§ 10-501.04. FURNISHING TO BUILDINGS ENUMERATED IN SECTION.

The Secretary of the Interior, through the National Park Service, is authorized to furnish steam from the Central Heating Plant to such buildings as may be erected by the District of Columbia on the property in the District of Columbia bounded by C Street, 3rd Street, Indiana Avenue, D Street, and John Marshall Place Northwest, and known as square 533; on the property bounded by C Street, John Marshall Place, Louisiana Avenue, and 6th Street Northwest, and known as square 490; on the property bounded by Pennsylvania Avenue, John Marshall Place, C Street, and 6th Street Northwest, and known as square 491; and on the property bounded by Pennsylvania Avenue, 3rd Street, C Street, and John Marshall Place Northwest, and known as reservation 10; provided, that the District of Columbia agrees to pay for the steam furnished at reasonable rates, not less than cost, as may be determined by the Secretary of the Interior; and provided further, that the District of Columbia agrees to provide all necessary connections with the government mains at its own expense, and in a manner satisfactory to the Secretary of the Interior.

(June 21, 1939, 53 Stat. 852, ch. 236.)

HISTORICAL AND STATUTORY NOTES

Prior Codifications

1981 Ed., § 9-104.

1973 Ed., § 9-104.

Miscellaneous Notes

National Academy of Sciences: Act of June 29, 1940, 54 Stat. 694, ch. 451, authorized the furnishing of steam from the Central Heating Plant to the National Academy of Sciences.

SUBCHAPTER II. CAPITOL GROUNDS.

PART A. AUTHORITY TO MAKE REGULATIONS; DUTY OF CAPITOL POLICE.

§ 10-503.01. AUTHORITY TO MAKE REGULATIONS.

The Sergeants at Arms of the Senate and of the House of Representatives are authorized to make such regulations as they may deem necessary for preserving the peace and securing the Capitol from defacement, and for the protection of the public property therein, and they shall have power to arrest and detain any person violating such regulations, until such person can be brought before the proper authorities for trial.

(R.S., § 1820.)

HISTORICAL AND STATUTORY NOTES

Prior Codifications

1981 Ed., § 9-105.

1973 Ed., § 9-105.

Miscellaneous Notes

Enlargement of Capitol Grounds: Act of March 4, 1929, 45 Stat. 1694, ch. 708, as amended, provided for the enlargement of the Capitol Grounds.

§ 10-503.02. DUTY OF CAPITOL POLICE.

It shall be the duty of the Capitol Police hereafter to prevent any portion of the Capitol Grounds and terraces from being used as playgrounds or otherwise, so far as may be necessary to protect the public property, turf and grass from destruction.

(Apr. 29, 1876, 19 Stat. 41, ch. 86.)

Prior Codifications

1981 Ed., § 9-107.

1973 Ed., § 9-118a.

PART B. GENERAL.

§ 10-503.11. BOUNDARIES; JURISDICTION OF ARCHITECT; RESPONSIBILITIES OF MAYOR.

The United States Capitol Grounds shall comprise all squares, reservations, streets, roadways, walks, and other areas as defined on a map entitled "Map showing areas comprising United States Capitol Grounds", dated June 25, 1946, approved by the Architect of the Capitol and recorded in the Office of the Surveyor of the District of Columbia in Book 127, Page 8, including all additions added thereto by law subsequent to June 25, 1946, and the jurisdiction and control over the United States Capitol Grounds, vested prior to July 31, 1946 by law in the Architect of the Capitol, is extended to the entire area of the United States Capitol Grounds, and the Architect of the Capitol shall be responsible for the maintenance and improvement thereof, including those streets and roadways in said United States Capitol Grounds as shown on said map as being under the jurisdiction and control of the Mayor of the District of Columbia, except that the Mayor of the District of Columbia shall be responsible for the maintenance and improvement of those portions of the following streets which are situated between the curblines thereof: Constitution Avenue from Second Street Northeast to Third Street Northwest, First Street from D Street N.E. to D Street S.E., D Street from First Street S.E. to Canal Street S.W., and First Street from the north side of Louisiana Avenue to the intersection of C Street and Canal Street S.W., Pennsylvania Avenue Northwest from First Street Northwest to Third Street Northwest, Maryland Avenue Southwest from First Street Southwest to Third Street Southwest, Second Street Northeast from F Street Northeast to C Street Southeast; C Street Southeast from Second Street Southeast to First Street Southeast; that portion of Maryland Avenue Northeast from Second Street Northeast to First Street Northeast; that portion of New Jersey Avenue Northwest from D Street Northwest to Louisiana Avenue; that portion of Second Street Southwest from the north curb of D Street to the south curb of Virginia Avenue Southwest; that portion of Virginia Avenue Southwest from the east curb of Second Street Southwest to the west curb of Third Street Southwest; that portion of Third Street Southwest from the south curb of Virginia Avenue Southwest to the north curb of D Street Southwest; that portion of D Street Southwest from the west curb of Third Street Southwest to the east curb of Second Street Southwest; that portion of Canal Street Southwest, including sidewalks and traffic islands, from the south curb of Independence Avenue Southwest to the west curb of South Capitol Street; provided, that the Mayor of the District of Columbia shall be permitted to enter any part of said United States Capitol Grounds for the purpose of repairing or maintaining or, subject to the approval of the Architect of the Capitol, for the purpose of constructing or altering, any utility service of the District of Columbia government.

(July 31, 1946, 60 Stat. 718, ch. 707, § 1; Oct. 20, 1967, 81 Stat. 275, Pub. L. 90-108, § 1(a); Dec. 24, 1973, 87 Stat. 829, Pub. L. 93-198, title VII, § 739(g)(7); Oct. 10, 1980, 94 Stat. 1852, Pub. L. 96-432, § 2.)

HISTORICAL AND STATUTORY NOTES

Prior Codifications

1981 Ed., § 9-106.

1973 Ed., § 9-118.

Change in Government

This section originated at a time when local government powers were delegated to a Board of Commissioners of the District of Columbia (see Acts Relating to the Establishment of the District of Columbia and its Various Forms of Governmental Organization in Volume 1). Section 401 of Reorganization Plan No. 3 of 1967 (see Reorganization Plans in Volume 1) transferred all of the functions of the Board of Commissioners under this section to a single Commissioner. The District of Columbia Self-Government and Governmental Reorganization Act, 87 Stat. 818, § 711 (D.C. Code, § 1-207.11), abolished the District of Columbia Council and the Office of Commissioner of the District of Columbia. These branches of government were replaced by the Council of the District of Columbia and the Office of Mayor of the District of Columbia, respectively. Accordingly, and also pursuant to § 714(a) of such Act (D.C. Code, § 1-207.14(a)), appropriate changes in terminology were made in this section.

Miscellaneous Notes

Extension of United States Capitol Grounds: Section 739(g)(3) of the Act of December 24, 1973, 87 Stat. 828, Pub. L. 93-198, provided that § 1 of the Act of July 31, 1946, 60 Stat. 718, as amended, is amended to

include within the definition of the United States Capitol Grounds the streets as set forth in the Act of December 24, 1973.

Section 1 of the Act of October 10, 1980, 94 Stat. 1852, Pub. L. 96-432, and the Act of December 22, 1982, 96 Stat. 1935, Pub. L. 97-379, provided that § 1 of the Act of July 31, 1946, 60 Stat. 718, as amended, is amended to include within the definition of the United States Capitol Grounds the areas as set forth in the Act of December 22, 1982.

Law Enforcement Authority of Capitol Police: Title I of Act of October 6, 1992, 106 Stat. 1949, Pub. L. 102-397, provided that "An Act to define the area of the United States Capitol Grounds, to regulate the use thereof, and for other purposes" is amended to expand the jurisdiction of the Capitol Police.

Order of House Office Building Commission: By order, dated October 17, 1967, the House Office Building Commission ordered that the Rayburn House Office Building, the subway connecting such building to the Capitol Building, the pedestrian tunnels connecting such building to the Longworth House Office Building, the underground garages in squares 637 and 691 and the tunnels connecting these garages to the House Office Buildings, are declared to be House Office Buildings and, as such, are made subject to the provisions of the Act of July 31, 1946, including any amendments to such Act, which are applicable to the Capitol Buildings.

§ 10-503.12. PUBLIC TRAVEL IN AND OCCUPANCY OF RESTRICTED.

Public travel in and occupancy of said United States Capitol Grounds shall be restricted to the roads, walks, and places prepared for that purpose by flagging, paving, or otherwise.

(July 31, 1946, 60 Stat. 718, ch. 707, § 2.)

HISTORICAL AND STATUTORY NOTES

Prior Codifications

1981 Ed., § 9-108.

1973 Ed., § 9-119.

§ 10-503.13. OBSTRUCTION OF ROADS.

It is forbidden to occupy the roads in said United States Capitol Grounds in such manner as to obstruct or hinder their proper use, or to use the roads in the area of said United States Capitol Grounds, south of Constitution Avenue and B Street and north of Independence Avenue and B Street, for the conveyance of goods or merchandise, except to or from the Capitol on government service.

(July 31, 1946, 60 Stat. 718, ch. 707, § 3.)

HISTORICAL AND STATUTORY NOTES

Prior Codifications

1981 Ed., § 9-109.

1973 Ed., § 9-120.

§ 10-503.14. SALE OF GOODS, ADVERTISING, OR BEGGING FORBIDDEN.

It is forbidden to offer or expose any article for sale in said United States Capitol Grounds; to display any sign, placard, or other form of advertisement therein; to solicit fares, alms, subscriptions, or contributions therein.

(July 31, 1946, 60 Stat. 718, ch. 707, § 4.)

HISTORICAL AND STATUTORY NOTES

Prior Codifications

1981 Ed., § 9-110.

1973 Ed., § 9-121.

§ 10-503.15. REMOVAL OR INJURY OF PROPERTY FORBIDDEN.

It is forbidden to step or climb upon, remove, or in any way injure any statue, seat, wall, fountain, or other erection or architectural feature, or any tree, shrub, plant, or turf in said United States Capitol Grounds.

(July 31, 1946, 60 Stat. 718, ch. 707, § 5.)

1981 Ed., § 9-111.

1973 Ed., § 9-122.

§ 10-503.16. UNLAWFUL CONDUCT.

(a) It shall be unlawful for any person or group of persons:

(1) Except as authorized by regulations which shall be promulgated by the Capitol Police Board:

(A) To carry on or have readily accessible to the person of any individual upon the United States Capitol Grounds or within any of the Capitol Buildings any firearm, dangerous weapon, explosive, or incendiary device; or

(B) To discharge any firearm or explosive, to use any dangerous weapon, or to ignite any incendiary device, upon the United States Capitol Grounds or within any of the Capitol Buildings; or

(C) To transport by any means upon the United States Capitol Grounds or within any of the Capitol Buildings any explosive or incendiary device; or

(2) Knowingly, with force and violence, to enter or to remain upon the floor of either House of the Congress.

(b) It shall be unlawful for any person or group of persons willfully and knowingly:

(1) To enter or to remain upon the floor of either House of the Congress, to enter or to remain in any cloakroom or lobby adjacent to such floor, or to enter or to remain in the Rayburn Room of the House or the Marble Room of the Senate, unless such person is authorized, pursuant to rules adopted by that House or pursuant to authorization given by that House, to enter or to remain upon such floor or in such cloakroom, lobby, or room;

(2) To enter or to remain in the gallery of either House of the Congress in violation of rules governing admission to such gallery adopted by that House or pursuant to authorization given by that House;

(3) To enter or to remain in any room within any of the Capitol Buildings set aside or designated for the use of either House of the Congress or any member, committee, subcommittee, officer, or employee of the Congress or either House thereof with intent to disrupt the orderly conduct of official business;

(4) To utter loud, threatening, or abusive language, or to engage in any disorderly or disruptive conduct, at any place upon the United States Capitol Grounds or within any of the Capitol Buildings with intent to impede, disrupt, or disturb the orderly conduct of any session of the Congress or either House thereof, or the orderly conduct within any such building of any hearing before, or any deliberations of, any committee or subcommittee of the Congress or either House thereof;

(5) To obstruct, or to impede passage through or within, the United States Capitol Grounds or any of the Capitol Buildings;

(6) To engage in any act of physical violence upon the United States Capitol Grounds or within any of the Capitol Buildings; or

(7) To parade, demonstrate, or picket within any of the Capitol Buildings.

(c) Nothing contained in this section shall forbid any act of any member of the Congress, or any employee of a member of the Congress, any officer or employee of the Congress or any committee or subcommittee thereof, or any officer or employee of either House of the Congress or any committee or subcommittee thereof, which is performed in the lawful discharge of his official duties.

(July 31, 1946, 60 Stat. 718, ch. 707, § 6; Aug. 6, 1962, 76 Stat. 307, Pub. L. 87-571; Oct. 20, 1967, 81 Stat. 276, Pub. L. 90-108, § 1(b).)

1981 Ed., § 9-112.

1973 Ed., § 9-123.

§ 10-503.17. PARADES, ASSEMBLAGES, AND DISPLAYS FORBIDDEN.

It is forbidden to parade, stand, or move in processions or assemblages in said United States Capitol Grounds, or to display therein any flag, banner, or device designed or adapted to bring into public notice any party, organization, or movement, except as hereinafter provided in §§ 10-503.22 and 10-503.23.

(July 31, 1946, 60 Stat. 719, ch. 707, § 7.)

HISTORICAL AND STATUTORY NOTES

Prior Codifications

1981 Ed., § 9-113.

1973 Ed., § 9-124.

§ 10-503.18. PROSECUTION AND PUNISHMENT OF OFFENSES.

(a) Any violation of § 10-503.16(a), and any attempt to commit any such violation, shall be a felony punishable by a fine not exceeding \$5,000, or imprisonment not exceeding 5 years, or both.

(b) Any violation of § 10-503.12, § 10-503.13, § 10-503.14, § 10-503.15, § 10-503.16(b), or § 10-503.17, and any attempt to commit any such violation, shall be a misdemeanor punishable by a fine not exceeding \$500, or imprisonment not exceeding 6 months, or both.

(c) Violations of this part, including attempts or conspiracies to commit such violations, shall be prosecuted by the United States Attorney or his assistants in the name of the United States. None of the general laws of the United States and none of the laws of the District of Columbia shall be superseded by any provision of this part. Where the conduct violating this part, also violates the general laws of the United States or the laws of the District of Columbia, both violations may be joined in a single prosecution. Prosecution for any violation of § 10-503.16(a) or for conduct which constitutes a felony under the general laws of the United States or the laws of the District of Columbia shall be in the United States District Court for the District of Columbia. All other prosecutions for violations of this part may be in the Superior Court of the District of Columbia. Whenever any person is convicted of a violation of this part and of the general laws of the United States or the laws of the District of Columbia, in a prosecution under this subsection, the penalty which may be imposed for such violation is the highest penalty authorized by any of the laws for violation of which the defendant is convicted.

(July 31, 1946, 60 Stat. 719, ch. 707, § 8; July 8, 1963, 77 Stat. 77, Pub. L. 88-60, § 1; Oct. 20, 1967, 81 Stat. 277, Pub. L. 90-108, § 1(c); July 29, 1970, 84 Stat. 570, Pub. L. 91-358, title I, § 155(a).)

HISTORICAL AND STATUTORY NOTES

Prior Codifications

1981 Ed., § 9-114.

1973 Ed., § 9-125.

§ 10-503.19. POLICING.

The Capitol Police shall police the United States Capitol Buildings and Grounds under the direction of the Capitol Police Board, consisting of the Sergeant at Arms of the United States Senate, the Sergeant at Arms of the House of Representatives, and the Architect of the Capitol, and shall have the power to enforce the provisions of this part, and regulations promulgated under § 10-503.25 and to make arrests within the United States Capitol Buildings and Grounds for any violations of any law of the United States, of the District of Columbia, or of any State, or any regulation promulgated pursuant thereto; provided, that for the fiscal year for which appropriations are made by this Act, the Capitol Police shall have the additional authority to make arrests within the District of Columbia for crimes of violence, as defined in 18 U.S.C. § 16, committed within the Capitol Buildings and Grounds and shall have the additional authority to make arrests, without a warrant, for crimes of violence, as defined in 18 U.S.C. § 16, committed in the presence of any member of the Capitol Police performing official duties; provided further, that the Metropolitan Police force of the District of Columbia are authorized to make arrests within the United States Capitol Buildings and Grounds for any violation of any such laws or regulations, but such authority shall not be construed as authorizing the Metropolitan Police force, except with the consent or upon the request of the Capitol Police Board, to enter such buildings to make arrests in response to complaints or to serve warrants or to patrol the United States Capitol Buildings and Grounds. For the purpose of this section, the word "grounds" shall include the House Office Buildings parking areas and that part or parts of property which have been or hereafter are acquired in the District of Columbia by the Architect of the Capitol, or by an officer of the Senate or the House, by lease, purchase, intergovernment transfer, or otherwise, for the use of the Senate, the House, or the Architect of the Capitol.

(July 31, 1946, 60 Stat. 719, ch. 707, § 9; Dec. 24, 1973, 87 Stat. 829, Pub. L. 93-198, title VII, § 739(g)(4), (5); Nov. 5, 1990, 104 Stat. 2264, Pub. L. 101-520, § 106(a).)

HISTORICAL AND STATUTORY NOTES

Prior Codifications

1981 Ed., § 9-115.

1973 Ed., § 9-126.

References in Text

"This Act," referred to in the first proviso, is Pub. L. 101-520, 104 Stat. 2264, November 5, 1990.

Miscellaneous Notes

Concurrent jurisdiction over Office of Technology Assessment: Act of November 14, 1977, 91 Stat. 1362, Pub. L. 95-175, provided that the supervision of the United States Capitol Police shall extend over that part or parts of the premises leased by the Office of Technology Assessment. In carrying out such supervision, the United States Capitol Police shall have concurrent jurisdiction with that of the Metropolitan Police of the District of Columbia.

§ 10-503.20. PROTECTION OF CONGRESSIONAL PERSONNEL BY CAPITOL POLICE.

(a) 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 2 U.S.C. § 60-1(b), 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) 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) 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) Whoever knowingly and willfully obstructs, resists, or interferes with a member of the Capitol 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 1 year, or both.

(e) 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) 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 Dec. 29, 1981, 95 Stat. 1723, Pub. L. 97-143, § 1(a).)

HISTORICAL AND STATUTORY NOTES

Prior Codifications

1981 Ed., § 9-115.1.

§ 10-503.21. EMPLOYEES TO ASSIST ENFORCEMENT AUTHORITIES.

It shall be the duty of all persons employed in the service of the government in the Capitol or in the United States Capitol Grounds to prevent, as far as may be in their power, offenses against this part, and to aid the police, by information or otherwise, in securing the arrest and conviction of offenders.

(July 31, 1946, 60 Stat. 719, ch. 707, § 10.)

HISTORICAL AND STATUTORY NOTES

Prior Codifications

1981 Ed., § 9-123.

1973 Ed., § 9-127.

**§ 10-503.22. SUSPENSION OF PROHIBITIONS AGAINST USE--
AUTHORIZATION GENERALLY.**

In order to admit of the due observance within the United States Capitol Grounds of occasions of national interest becoming the cognizance and entertainment of Congress, the President of the Senate and the Speaker of the House of Representatives, acting concurrently, are hereby authorized to suspend for such proper occasions so much of the prohibitions contained in §§ 10- 503.12 to 10-503.17 as would prevent the use of the roads and walks of the said grounds by processions or assemblages, and the use upon them of suitable decorations, music, addresses, and ceremonies; provided, that responsible officers shall have been appointed, and arrangements determined which are adequate, in the judgment of said President of the Senate and Speaker of the House of Representatives, for the maintenance of suitable order and decorum in the proceedings, and for guarding the Capitol and its grounds from injury.

(July 31, 1946, 60 Stat. 719, ch. 707, § 11.)

HISTORICAL AND STATUTORY NOTES

Prior Codifications

1981 Ed., § 9-124.

1973 Ed., § 9-128.

**§ 10-503.23. SUSPENSION OF PROHIBITIONS AGAINST USE--
AUTHORIZATION GENERALLY--AUTHORIZATION OF CAPITOL POLICE
BOARD.**

In the absence from Washington of either of the officers designated in § 10- 503.22, the authority therein given to suspend certain prohibitions of this part shall devolve upon the other, and in the absence from Washington of both it shall devolve upon the Capitol Police Board; provided, that notwithstanding the provisions of §§ 10-503.17 and 10-503.22, the Capitol Police Board is hereby authorized to grant the Mayor of the District of Columbia authority to permit the use of Louisiana Avenue for any of the purposes prohibited by said § 10-503.17.

(July 31, 1946, 60 Stat. 719, ch. 707, § 12.)

HISTORICAL AND STATUTORY NOTES

Prior Codifications

1981 Ed., § 9-125.

1973 Ed., § 9-129.

Change in Government

This section originated at a time when local government powers were delegated to a Board of Commissioners of the District of Columbia (see Acts Relating to the Establishment of the District of Columbia and its Various Forms of Governmental Organization in Volume 1). Section 401 of Reorganization Plan No. 3 of 1967 (see Reorganization Plans in Volume 1) transferred all of the functions of the Board of Commissioners under this section to a single Commissioner. The District of Columbia Self-Government and Governmental Reorganization Act, 87 Stat. 818, § 711 (D.C. Code, § 1-207.11), abolished the District of Columbia Council and the Office of Commissioner of the District of Columbia. These branches of government were replaced by the Council of the District of Columbia and the Office of Mayor of the District of Columbia, respectively. Accordingly, and also pursuant to § 714(a) of such Act (D.C. Code, § 1-207.14(a)), appropriate changes in terminology were made in this section.

§ 10-503.24. SUSPENSION OF PROHIBITIONS AGAINST USE--CONCERTS.

Nothing in this part shall be construed to prohibit the giving of concerts in the United States Capitol Grounds, at such times as will not interfere with the Congress, by any band in the service of the United States, when and as authorized by the Architect of the Capitol.

(July 31, 1946, 60 Stat. 720, ch. 707, § 13.)

HISTORICAL AND STATUTORY NOTES

Prior Codifications

1981 Ed., § 9-126.

1973 Ed., § 9-130.

§ 10-503.25. SUSPENSION OF PROHIBITIONS AGAINST USE--TRAFFIC REGULATIONS BY CAPITOL POLICE BOARD.

(a) The Capitol Police Board, consisting of the Sergeant at Arms of the United States Senate, the Sergeant at Arms of the House of Representatives, and the Architect of the Capitol, shall have exclusive charge and control of the regulation and movement of all vehicular and other traffic, including the parking and impounding of vehicles and limiting the speed thereof, within the United States Capitol Grounds; and said Board is hereby authorized and empowered to make and enforce all necessary regulations therefor and to prescribe penalties for violation of such regulations, such penalties not to exceed a fine of \$300 or imprisonment for not more than 90 days. Notwithstanding the foregoing provisions of this section those provisions of Chapters 14 and 22 of Title 50, for the violation of which specific penalties are provided in said Chapters, shall be applicable to the United States Capitol Grounds. Except as provided in Chapter 23 of Title 50, prosecutions for violation of such regulations shall be in the Superior Court of the District of Columbia, upon information by the Corporation Counsel of the District of Columbia or any of his assistants.

(b) Regulations authorized to be promulgated under this section shall be promulgated by the Capitol Police Board and such regulations may be amended from time to time by the Capitol Police Board whenever it shall deem it necessary; provided, that until such regulations are promulgated and become effective, the traffic regulations of the District of Columbia shall be applicable to the United States Capitol Grounds.

(c) All regulations promulgated under the authority of this section shall, when adopted by the Capitol Police Board, be printed in 1 or more of the daily newspapers published in the District of Columbia, and shall not become effective until the expiration of 10 days after the date of such publication, except that whenever the Capitol Police Board deems it advisable to make effective immediately any regulation relating to parking, diverting of vehicular traffic, or the closing of streets to such traffic, the regulation shall be effective immediately upon placing at the point where it is to be in force conspicuous signs containing a notice of the regulation. Any expenses incurred under this subsection shall be payable from the appropriation "Uniforms and Equipment, Capitol Police."

(d) It shall be the duty of the Mayor of the District of Columbia, or any officer or employee of the government of the District of Columbia designated by said Mayor, upon request of the Capitol Police Board, to cooperate with the Board in the preparation of the regulations authorized to be promulgated under this section, and any future amendments thereof.

(July 31, 1946, 60 Stat. 720, ch. 707, § 14; July 11, 1947, 61 Stat. 308, ch. 221, §§ 1, 2; July 8, 1963, 77 Stat. 77, Pub. L. 88-60, § 1; July 29, 1970, 84 Stat. 570, Pub. L. 91-358, title I, § 155(a); Dec. 24, 1973, 87 Stat. 829, Pub. L. 93-198, title VII, § 739(g)(6); May 15, 1993, D.C. Law 9-272, § 201, 40 DCR 796.)

HISTORICAL AND STATUTORY NOTES

Prior Codifications

1981 Ed., § 9-127.

1973 Ed., § 9-131.

Change in Government

This section originated at a time when local government powers were delegated to a Board of Commissioners of the District of Columbia (see Acts Relating to the Establishment of the District of Columbia and its Various Forms of Governmental Organization in Volume 1). Section 401 of Reorganization Plan No. 3 of 1967 (see Reorganization Plans in Volume 1) transferred all of the functions of the Board of Commissioners under this section to a single Commissioner. The District of Columbia Self-Government and Governmental Reorganization Act, 87 Stat. 818, § 711 (D.C. Code, § 1-207.11), abolished the District of Columbia Council and the Office of Commissioner of the District of Columbia. These branches of government were replaced by the Council of the District of Columbia and the Office of Mayor of the District of Columbia, respectively. Accordingly, and also pursuant to § 714(a) of such Act (D.C. Code, § 1-207.14(a)), appropriate changes in terminology were made in this section.

§ 10-503.26. DEFINITIONS.

As used in this part:

- (1) The term "Capitol Buildings" means the United States Capitol, the Senate and House Office Buildings and garages, the Capitol Power Plant, all subways and enclosed passages connecting 2 or more of such structures, and the real property underlying and enclosed by any such structure.
- (2) The term "firearm" shall have the same meaning as when used in § 901(3) of Title 15, United States Code.

(3) The term "dangerous weapon" includes all articles enumerated in § 22- 4514(a) and also any device designed to expel or hurl a projectile capable of causing injury to persons or property, daggers, dirks, stilettos, and knives having blades over 3 inches in length.

(4) The term "explosive" shall have the same meaning as when used in § 121(1) of Title 50, United States Code.

(5) The term "act of physical violence" means any act involving:

(A) An assault or any other infliction or threat of infliction of death or bodily harm upon any individual; or

(B) Damage to or destruction of any real property or personal property.

(July 31, 1946, 60 Stat. 721, ch. 707, § 16(a); Oct. 20, 1967, 81 Stat. 277, Pub. L. 90-108, § 1(d).)

HISTORICAL AND STATUTORY NOTES

Prior Codifications

1981 Ed., § 9-128.

1973 Ed., § 9-132.

References in Text

Section 901(3) of Title 15, United States Code, referred to in paragraph (2) of this section, was repealed by the Act of June 19, 1968, 82 Stat. 234, Pub. L. 90-351, § 906.

Section 121(1) of Title 50, United States Code, referred to in paragraph (4) of this section, was repealed by the Act of October 15, 1970, 84 Stat. 960, Pub. L. 91-452, § 1106(a).

SUBCHAPTER III. DETAILS AND TRANSFERS FROM MPD TO CAPITOL POLICE.

PART A. DETAILS.

§ 10-505.01. DETAIL OF PERSONNEL FROM METROPOLITAN POLICE TO CAPITOL POLICE BOARD.

The Mayor of the District of Columbia is authorized and directed to make such details upon the request of the Board. Personnel so detailed shall, during the period of such detail, serve under the direction and instructions of the Board and are authorized to exercise the same authority as members of such Metropolitan Police and members of the Capitol Police and to perform such other duties as may be assigned by the Board. Reimbursement for salaries and other expenses of such detail personnel shall be made to the government of the District of Columbia, and any sums so reimbursed shall be credited to the appropriation or appropriations from which such salaries and expenses are payable and shall be available for all the purposes thereof; provided, that any person detailed under the authority of this section or under similar authority in the Legislative Branch Appropriation Act, 1942, and the Second Deficiency Appropriation Act, 1940, from the Metropolitan Police of the District of Columbia shall be deemed a member of such Metropolitan Police during the period or periods of any such detail for all purposes of rank, pay, allowances, privileges, and benefits to the same extent as though such detail had not been made, and at the termination thereof any such person shall have a status with respect to rank, pay, allowances, privileges, and benefits which is not less than the status of such person in such police at the end of such detail.

(July 10, 1972, 86 Stat. 440, Pub. L. 92-342, § 101; Aug. 5, 1977, 91 Stat. 670, Pub. L. 95-94, title I.)

HISTORICAL AND STATUTORY NOTES

Prior Codifications

1981 Ed., § 9-116.

1973 Ed., § 9-126a.

References in Text

The Second Deficiency Appropriation Act, 1940 and the Legislative Branch Appropriation Act, 1942, both referred to in the proviso of the last sentence of this section, were enacted by 54 Stat. 629 and 55 Stat. 456, respectively.

PART B. TRANSFERS.

§ 10-505.02. TRANSFER OF MEMBER OF METROPOLITAN POLICE TO CAPITOL POLICE-- ELECTION.

(a) Any member of the Metropolitan Police force detailed to the Capitol Police (other than the Capitol Police Chief):

(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) of this section; 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) of this section.

(b)(1) A member of the Metropolitan Police force described in subsection (a) of this section 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) of this subsection.

(3) An election under paragraph (1) of this subsection 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) of this section, 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.

(Dec. 20, 1979, 93 Stat. 1099, Pub. L. 96-152, § 2.)

HISTORICAL AND STATUTORY NOTES

Prior Codifications

1981 Ed., § 9-117.

§ 10-505.03. TRANSFER OF MEMBER OF METROPOLITAN POLICE TO CAPITOL POLICE-- CREDITABLE SERVICE AS CONGRESSIONAL EMPLOYEE.

(a) Any police service: (1) of the Capitol Police Chief shall be treated, effective on the effective date of this part; and (2) of a member of the Metropolitan Police force transferred to the Capitol Police under § 10-505.02(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.

(b) Effective on the date on which police service is first treated as creditable service as a Congressional employee under subsection (a) of this section, the individual or member involved shall forfeit all annuity rights under the Policemen and Firemen's Retirement and Disability Act (§ 5-701 et seq.).

(Dec. 20, 1979, 93 Stat. 1099, Pub. L. 96-152, § 3.)

HISTORICAL AND STATUTORY NOTES

Prior Codifications

1981 Ed., § 9-118.

§ 10-505.04. TRANSFER OF MEMBER OF METROPOLITAN POLICE TO CAPITOL POLICE-- PAYMENTS INTO RETIREMENT AND DISABILITY FUND.

(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 (§ 5-701 et seq.) for police service treated as creditable service as a congressional employee under § 10-505.03; 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 of the credit

of the Civil Service Retirement and Disability Fund. For purposes of § 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 § 10-505.03.

(b) Payments into the Treasury required by subsection (a) of this section shall be made not later than the date on which police service is first treated as creditable service as a congressional employee under § 10-505.03 with respect to the individual or member involved.

(Dec. 20, 1979, 93 Stat. 1099, Pub. L. 96-152, § 4.)

HISTORICAL AND STATUTORY NOTES

Prior Codifications

1981 Ed., § 9-119.

§ 10-505.05. TRANSFER OF MEMBER OF METROPOLITAN POLICE TO CAPITOL POLICE-- DEFINITIONS.

As used in this part:

(1) The term "Metropolitan Police force" means the Metropolitan Police force of the District of Columbia.

(2) The term "police service" means creditable service under § 5-704.

(Dec. 20, 1979, 93 Stat. 1099, Pub. L. 96-152, § 5.)

HISTORICAL AND STATUTORY NOTES

Prior Codifications

1981 Ed., § 9-120.

§ 10-505.06. TRANSFER OF MEMBER OF METROPOLITAN POLICE TO CAPITOL POLICE-- APPROPRIATIONS.

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

(Dec. 20, 1979, 93 Stat. 1099, Pub. L. 96-152, § 6.)

HISTORICAL AND STATUTORY NOTES

Prior Codifications

1981 Ed., § 9-121.

§ 10-505.07. TRANSFER OF MEMBER OF METROPOLITAN POLICE TO CAPITOL POLICE-- EFFECTIVE DATE.

This part shall take effect on the 1st day of the 2nd month after the month in which this part is enacted.

(Dec. 20, 1979, 93 Stat. 1099, Pub. L. 96-152, § 7.)

HISTORICAL AND STATUTORY NOTES

Prior Codifications

1981 Ed., § 9-122.

SUBCHAPTER IV. CONTROL OF DISTRICT BUILDINGS.

§ 10-507.01. CONTROL OF DISTRICT OF COLUMBIA BUILDINGS.

All buildings belonging to the District of Columbia shall be under the jurisdiction and control of the Mayor of the District of Columbia.

(June 29, 1937, 50 Stat. 377, ch. 403, § 1.)

Prior Codifications

1981 Ed., § 9-129.

1973 Ed., § 9-133.

Temporary Addition of Section

Section 2 of D.C. Law 18-73 added a section to read as follows:

"Sec. 2. The University of the District of Columbia shall have exclusive use of the Bertie Backus Middle School building and site in Lot 802, Square 3757, located at 5171 South Dakota Avenue, N.E., in Ward 5, to expand upon its collegiate mission."

Section 4(b) of D.C. Law 18-73 provides that the act shall expire after 225 days of its having taken effect.

Section 1502 of D.C. Law 18-222 added a section to read as follows:

"Sec. 1502. The University of the District of Columbia shall have exclusive use of the closed Patricia R. Harris Educational Center School building and site located at 4600 Livingston Road, S.E., in Ward 8, to expand upon its collegiate mission and Workforce Development and Lifelong Learning Program by continuing to provide Vocational Education and Community College of the District of Columbia courses."

Section 2002(b) of D.C. Law 18-222 provides that the act shall expire after 225 days of its having taken effect.

Section 3(b) of D.C. Law 18-283 added sections to read as follows:

"SUBTITLE R. UNIVERSITY OF THE DISTRICT OF COLUMBIA EXPANSION.

"Sec. 1171. Short title.

"This subtitle may be cited as the 'University of the District of Columbia Expansion Act of 2010'.

"Sec. 1172. The University of the District of Columbia shall have exclusive use of the closed Patricia R. Harris Educational Center School building and site located at 4600 Livingston Road, S.E., in Ward 8, to expand upon its collegiate mission and Workforce Development and Lifelong Learning Program by continuing to provide Vocational Education and Community College of the District of Columbia courses.

"SUBTITLE S. DCPL AUTHORITY.

"Sec. 1181. Short title.

"This subtitle may be cited as the 'African-American Civil War Museum Clarification Act of 2010'.

"Sec. 1182. The District of Columbia Public Library is authorized to issue grants and execute contracts pursuant to its authority granted in the Reserve for African-American Civil War Records Act of 2009, effective March 3, 2010 (D.C. Law 18-111; 57 DCR 181)."

Section 6(b) of D.C. Law 18-283 provides that the act shall expire after 225 days of its having taken effect.

Emergency Act Amendments

For temporary (90 day) addition, see § 2 of University of the District of Columbia Expansion Emergency Act of 2009 (D.C. Act 18-144, July 18, 2009, 56 DCR 5877).

For temporary (90 day) addition, see § 3021 of Fiscal Year 2010 Budget Support Second Emergency Act of 2009 (D.C. Act 18-207, October 15, 2009, 56 DCR 8234).

For temporary (90 day) addition, see § 4091 of Fiscal Year 2010 Budget Support Second Emergency Act of 2009 (D.C. Act 18-207, October 15, 2009, 56 DCR 8234).

For temporary (90 day) addition, see § 3021 of Fiscal Year Budget Support Congressional Review Emergency Amendment Act of 2009 (D.C. Act 18-260, January 4, 2010, 57 DCR 345).

For temporary (90 day) addition, see § 4091 of Fiscal Year Budget Support Congressional Review Emergency Amendment Act of 2009 (D.C. Act 18-260, January 4, 2010, 57 DCR 345).

For temporary (90 day) addition of section, see § 1502 of Fiscal Year 2010 Balanced Budget Support Emergency Act of 2010 (D.C. Act 18-450, June 28, 2010, 57 DCR 5635).

For temporary (90 day) addition of section, see § 1502 of Fiscal Year 2010 Balanced Budget Support Congressional Review Emergency Act of 2010 (D.C. Act 18-531, August 6, 2010, 57 DCR 8109).

For temporary (90 day) additions, see § 3(b) of Budget Support Act Clarification and Technical Amendment Emergency Amendment Act of 2010 (D.C. Act 18-543, October 5, 2010, 57 DCR 9630).

For temporary (90 day) addition of section, see § 422 of Fiscal Year 2011 Supplemental Budget Support Emergency Act of 2010 (D.C. Act 18-694, January 19, 2011, 58 DCR 662).

Change in Government

This section originated at a time when local government powers were delegated to a Board of

Commissioners of the District of Columbia (see Acts Relating to the Establishment of the District of Columbia and its Various Forms of Governmental Organization in Volume 1). Section 401 of Reorganization Plan No. 3 of 1967 (see Reorganization Plans in Volume 1) transferred all of the functions of the Board of Commissioners under this section to a single Commissioner. The District of Columbia Self-Government and Governmental Reorganization Act, 87 Stat. 818, § 711 (D.C. Code, § 1-207.11), abolished the District of Columbia Council and the Office of Commissioner of the District of Columbia. These branches of government were replaced by the Council of the District of Columbia and the Office of Mayor of the District of Columbia, respectively. Accordingly, and also pursuant to § 714(a) of such Act (D.C. Code, § 1-207.14(a)), appropriate changes in terminology were made in this section.

Miscellaneous Notes

Short title: Section 3020 of D.C. Law 18-111 provided that subtitle C of title III of the act may be cited as the "FEMS and DOC Headquarters Act of 2009".

Section 3021 of D.C. Law 18-111 provides:

"Sec. 3021. Relocation of headquarters for Fire and Emergency Medical Services Department and Department of Corrections.

"(a) The headquarters of the Fire and Emergency Medical Services Department and the headquarters of the Department of Corrections shall not be relocated to or housed in the Patricia R. Harris Education Center and no funds shall be expended for those purposes.

"(b) The Mayor shall develop a plan for the permanent relocation of the headquarters for the Fire and Emergency Medical Services Department and the Department of Corrections that shall:

"(1) Be submitted to the Council no later than March 1, 2010;

"(2) Be included in the Mayor's fiscal year 2011 budget and financial plan submission to the Council;

"(3) Include the proposed location for a headquarters for each agency or the location of a headquarters for both agencies;

"(4) Include the time line for relocating the headquarters;

"(5) Include the total costs for relocating the headquarters; and

"(6) Identify funding for relocating the headquarters."

Short title: Section 4090 of D.C. Law 18-111 provided that subtitle J of title IV of the act may be cited as the "University of the District of Columbia Expansion Act of 2009".

Section 4091 of D.C. Law 18-111 provides:

"The University of the District of Columbia shall have exclusive use of the closed Bertie Backus Middle School building and site located at 5171 South Dakota Avenue, N.E., in Ward 5, to expand upon its collegiate mission."

Short title: Section 421 of D.C. Law 18-370 provided that subtitle C of title IV of the act may be cited as "University of the District of Columbia Expansion Act of 2010".

Section 422 of D.C. Law 18-370 provides:

"Sec. 422. The University of the District of Columbia shall have exclusive use of the closed Patricia R. Harris Educational Center School building and site located at 4600 Livingston Road, S.E., in Ward 8, to expand upon its collegiate mission and Workforce Development and Lifelong Learning Program by continuing to provide Vocational Education and Community College of the District of Columbia courses."

SUBCHAPTER V. PROTECTION OF PROPERTY OUTSIDE OF DISTRICT.

§ 10-509.01. DESIGNATION OF DISTRICT EMPLOYEES TO PROTECT LIFE AND PROPERTY OUTSIDE THE DISTRICT; POWERS OF ARREST; WEAPONS AND UNIFORMS.

(a) The Mayor of the District of Columbia may designate any employee of the District to protect life and property in and on the buildings and grounds of any institution upon land outside the District acquired by the United States for the District of Columbia for the establishment or operation thereon of any sanatorium, hospital, training school, correctional institution, reformatory, workhouse, or jail; provided, that such employee shall be bonded for the faithful discharge of such duties, and the Council of the District of Columbia shall fix the penalty of any such bond. Whenever any employee is so designated he is hereby authorized and empowered:

(1) To arrest under a warrant within the buildings and grounds of any such institution any person

accused of having committed within any such buildings or grounds any offense against the laws of the United States, or against any rule or regulation prescribed pursuant to this subchapter;

(2) To arrest without a warrant any person committing any such offense within such buildings or grounds, in his presence; or

(3) To arrest without warrant within such buildings or grounds, any person whom he has reasonable grounds to believe has committed a felony in such buildings or grounds.

(b) Any individual having the power to arrest as provided in subsection (a) of this section may carry firearms or other weapons and shall wear such uniform with such identification badge as the Mayor may direct or the Council by regulation may prescribe.

(July 3, 1956, 70 Stat. 488, ch. 508, § 1.)

HISTORICAL AND STATUTORY NOTES

Prior Codifications

1981 Ed., § 9-130.

1973 Ed., § 9-134.

Change in Government

This section originated at a time when local government powers were delegated to a Board of Commissioners of the District of Columbia (see Acts Relating to the Establishment of the District of Columbia and its Various Forms of Governmental Organization in Volume 1). Section 402 (188, 189) of Reorganization Plan No. 3 of 1967 (see Reorganization Plans in Volume 1) transferred all of the functions of the Board of Commissioners under this section to the District of Columbia Council, subject to the right of the Commissioner as provided in § 406 of the Plan. The District of Columbia Self-Government and Governmental Reorganization Act, 87 Stat. 818, § 711 (D.C. Code, § 1-207.11), abolished the District of Columbia Council and the Office of Commissioner of the District of Columbia. These branches of government were replaced by the Council of the District of Columbia and the Office of Mayor of the District of Columbia, respectively. Accordingly, and also pursuant to § 714(a) of such Act (D.C. Code, § 1-207.14(a)), appropriate changes in terminology were made in this section.

Miscellaneous Notes

Restriction on use of funds: Section 133 of Pub. L. 102-382, the District of Columbia Appropriations Act, 1993, provided that none of the funds made available in this Act may be used by the District of Columbia to operate, after June 1, 1993, the juvenile detention facility known as the Cedar Knoll Facility, and the Mayor shall transmit a plan and timetable for closing the Cedar Knoll Facility to the Committees on Appropriations of the House of Representatives and the Senate by January 15, 1993.

Authority to Director of Department of Administrative Services delegated: See Mayor's Order 85-4, January 17, 1985.

§ 10-509.01A. ESCAPE FROM JUVENILE FACILITIES.

No child who has been committed to a juvenile facility shall escape or attempt to escape from a District of Columbia institution described in § 10-509.01. No person shall aid or abet any person to violate this section.

(July 3, 1956, ch. 508, § 1a, as added May 15, 1993, D.C. Law 9-272, § 106, 40 DCR 796; May 16, 1995, D.C. Law 10-255, § 13, 41 DCR 5193.)

HISTORICAL AND STATUTORY NOTES

Prior Codifications

1981 Ed., § 9-130.1.

Legislative History of Laws

Law 9-272, the "Criminal and Juvenile Justice Reform Amendment Act of 1992," was introduced in Council and assigned Bill No. 9-374, which was referred to the Committee on the Judiciary. The Bill was adopted on first and second readings on December 1, 1972, and December 15, 1972, respectively. Signed by the Mayor on January 14, 1993, it was assigned Act No. 9-401 and transmitted to both Houses of Congress for its review. D.C. Law 9-272 became effective on May 15, 1993.

Law 10-255, the "Technical Amendments Act of 1994," was introduced in Council and assigned Bill No. 10-673, which was referred to the Committee of the Whole. The Bill was adopted on first and second readings on June 21, 1994, and July 5, 1994, respectively. Signed by the Mayor on July 25, 1994, it was assigned Act No. 10-302 and transmitted to both Houses of Congress for its review. D.C. Law 10-255 became effective May 16, 1995.

§ 10-509.02. COUNCIL AUTHORIZED TO MAKE RULES AND REGULATIONS.

The Council of the District of Columbia may make and amend such rules and regulations as it deems necessary for the protection of life and property in or on the buildings and grounds of any such institution.

(July 3, 1956, 70 Stat. 488, ch. 508, § 2.)

HISTORICAL AND STATUTORY NOTES

Prior Codifications

1981 Ed., § 9-131.

1973 Ed., § 9-135.

Change in Government

This section originated at a time when local government powers were delegated to a Board of Commissioners of the District of Columbia (see Acts Relating to the Establishment of the District of Columbia and its Various Forms of Governmental Organization in Volume 1). Section 402 (190) of Reorganization Plan No. 3 of 1967 (see Reorganization Plans in Volume 1) transferred all of the functions of the Board of Commissioners under this section to the District of Columbia Council, subject to the right of the Commissioner as provided in § 406 of the Plan. The District of Columbia Self-Government and Governmental Reorganization Act, 87 Stat. 818, § 711 (D.C. Code, § 1-207.11), abolished the District of Columbia Council and the Office of Commissioner of the District of Columbia. These branches of government were replaced by the Council of the District of Columbia and the Office of Mayor of the District of Columbia, respectively. Accordingly, and also pursuant to § 714(a) of such Act (D.C. Code, § 1-207.14(a)), appropriate changes in terminology were made in this section.

§ 10-509.03. PENALTY FOR VIOLATION OF RULES AND REGULATIONS.

Any person who knowingly and willfully violates any rule or regulation prescribed under this subchapter shall be guilty of a misdemeanor, and shall be fined not more than \$500 or imprisoned not more than 6 months or both.

(July 3, 1956, 70 Stat. 488, ch. 508, § 3.)

HISTORICAL AND STATUTORY NOTES

Prior Codifications

1981 Ed., § 9-132.

1973 Ed., § 9-136.

§ 10-509.04. ACCEPTANCE OF COLLATERAL FOR APPEARANCE BEFORE UNITED STATES MAGISTRATE; DEPOSIT OF COLLATERAL.

The officer on duty in command of those employees designated by the Mayor of the District of Columbia as provided in § 10-509.01 may accept deposit of collateral from any person charged with the violation of any rule or regulation prescribed under this subchapter, for appearance in court or before the appropriate United States Magistrate; and such collateral shall be deposited with the United States Magistrate sitting in the district where the offense has been committed.

(July 3, 1956, 70 Stat. 488, ch. 508, § 4.)

HISTORICAL AND STATUTORY NOTES

Prior Codifications

1981 Ed., § 9-133.

1973 Ed., § 9-137.

Change in Government

This section originated at a time when local government powers were delegated to a Board of Commissioners of the District of Columbia (see Acts Relating to the Establishment of the District of Columbia and its Various Forms of Governmental Organization in Volume 1). Section 401 of Reorganization Plan No. 3 of 1967 (see Reorganization Plans in Volume 1) transferred all of the functions of the Board of Commissioners under this section to a single Commissioner. The District of Columbia Self-Government and Governmental Reorganization Act, 87 Stat. 818, § 711 (D.C. Code, § 1-207.11), abolished the District of

Columbia Council and the Office of Commissioner of the District of Columbia. These branches of government were replaced by the Council of the District of Columbia and the Office of Mayor of the District of Columbia, respectively. Accordingly, and also pursuant to § 714(a) of such Act (D.C. Code, § 1-207.14(a)), appropriate changes in terminology were made in this section.

§ 10-509.05. RECIPROCAL AGREEMENTS WITH STATES.

The Mayor of the District of Columbia may enter into agreements with any of the states, or any political subdivision thereof, where any such institution mentioned in § 10-509.01 is located, for such governmental services as the Mayor shall deem necessary to the efficient and proper government of such institution, and they may, from time to time, agree to modifications in any such agreement; provided, that where the charge for any such service is established by the laws of the state within whose territorial limits such institution is situated, the Mayor may not pay for such service an amount in excess of the charge so established. There is hereby authorized to be appropriated such sums as may be necessary for the making of payment for services under any such agreement.

(July 3, 1956, 70 Stat. 488, ch. 508, § 5.)

HISTORICAL AND STATUTORY NOTES

Prior Codifications

1981 Ed., § 9-134.

1973 Ed., § 9-138.

Change in Government

This section originated at a time when local government powers were delegated to a Board of Commissioners of the District of Columbia (see Acts Relating to the Establishment of the District of Columbia and its Various Forms of Governmental Organization in Volume 1). Section 401 of Reorganization Plan No. 3 of 1967 (see Reorganization Plans in Volume 1) transferred all of the functions of the Board of Commissioners under this section to a single Commissioner. The District of Columbia Self-Government and Governmental Reorganization Act, 87 Stat. 818, § 711 (D.C. Code, § 1-207.11), abolished the District of Columbia Council and the Office of Commissioner of the District of Columbia. These branches of government were replaced by the Council of the District of Columbia and the Office of Mayor of the District of Columbia, respectively. Accordingly, and also pursuant to § 714(a) of such Act (D.C. Code, § 1-207.14(a)), appropriate changes in terminology were made in this section.

SUBCHAPTER VI. CAPITOL GROUNDS AND BOTANIC GARDEN TUNNEL.

§ 10-511.01. TUNNEL UNDER CAPITOL GROUNDS AND BOTANIC GARDEN GROUNDS-- REQUIRED.

The Mayor of the District of Columbia is authorized and directed, in constructing, maintaining, and operating a vehicular tunnel in the City of Washington, District of Columbia, extending from the vicinity of 2nd and C Streets Southwest, to the vicinity of 3rd and Constitution Avenue Northwest, as a part of the Innerloop Freeway System, to locate a portion of such tunnel under square W-576, which is a part of the United States Botanic Garden grounds, and reservation 12, which is a part of the United States Capitol Grounds.

(July 21, 1964, 78 Stat. 333, Pub. L. 88-381, § 1.)

HISTORICAL AND STATUTORY NOTES

Prior Codifications

1981 Ed., § 9-135.

1973 Ed., § 9-139.

Change in Government

This section originated at a time when local government powers were delegated to a Board of Commissioners of the District of Columbia (see Acts Relating to the Establishment of the District of Columbia and its Various Forms of Governmental Organization in Volume 1). Section 401 of Reorganization Plan No. 3 of 1967 (see Reorganization Plans in Volume 1) transferred all of the functions of the Board of Commissioners under this section to a single Commissioner. The District of Columbia Self-Government and Governmental Reorganization Act, 87 Stat. 818, § 711 (D.C. Code, § 1-207.11), abolished the District of

Columbia Council and the Office of Commissioner of the District of Columbia. These branches of government were replaced by the Council of the District of Columbia and the Office of Mayor of the District of Columbia, respectively. Accordingly, and also pursuant to § 714(a) of such Act (D.C. Code, § 1-207.14(a)), appropriate changes in terminology were made in this section.

§ 10-511.02. TUNNEL UNDER CAPITOL GROUNDS AND BOTANIC GARDEN GROUNDS-- CONSTRUCTION.

Subject to the approval of the Architect of the Capitol and to such conditions as he may prescribe, the Mayor of the District of Columbia is authorized to make such use of square W-576 and reservations 12 and 6B as may be necessary for the construction of the tunnel, including borings and other preliminary work and storing of materials, and the reconstruction of that section of the Tiber Creek sewer located under square W-576 and reservation 6B.

(July 21, 1964, 78 Stat. 334, Pub. L. 88-381, § 2.)

HISTORICAL AND STATUTORY NOTES

Prior Codifications

1981 Ed., § 9-136.

1973 Ed., § 9-140.

Change in Government

This section originated at a time when local government powers were delegated to a Board of Commissioners of the District of Columbia (see Acts Relating to the Establishment of the District of Columbia and its Various Forms of Governmental Organization in Volume 1). Section 401 of Reorganization Plan No. 3 of 1967 (see Reorganization Plans in Volume 1) transferred all of the functions of the Board of Commissioners under this section to a single Commissioner. The District of Columbia Self-Government and Governmental Reorganization Act, 87 Stat. 818, § 711 (D.C. Code, § 1-207.11), abolished the District of Columbia Council and the Office of Commissioner of the District of Columbia. These branches of government were replaced by the Council of the District of Columbia and the Office of Mayor of the District of Columbia, respectively. Accordingly, and also pursuant to § 714(a) of such Act (D.C. Code, § 1-207.14(a)), appropriate changes in terminology were made in this section.

§ 10-511.03. TUNNEL UNDER CAPITOL GROUNDS AND BOTANIC GARDEN GROUNDS--RIGHT, TITLE AND INTEREST TO REMAIN IN THE UNITED STATES; JURISDICTION AND RESPONSIBILITY OF MAYOR.

Except as provided in § 10-511.06, nothing in this subchapter shall be construed to grant to the Mayor of the District of Columbia any right, title, or interest in or to any real property of the United States, and reservation 12 shall in its entirety continue to be a part of the United States Capitol Grounds, and square W-576 shall in its entirety continue to be a part of the United States Botanic Garden grounds. The Mayor shall have jurisdiction and control of, and sole responsibility for the operation and maintenance of, those portions of the tunnel beneath square W-576 and reservation 12.

(July 21, 1964, 78 Stat. 334, Pub. L. 88-381, § 3.)

HISTORICAL AND STATUTORY NOTES

Prior Codifications

1981 Ed., § 9-137.

1973 Ed., § 9-141.

Change in Government

This section originated at a time when local government powers were delegated to a Board of Commissioners of the District of Columbia (see Acts Relating to the Establishment of the District of Columbia and its Various Forms of Governmental Organization in Volume 1). Section 401 of Reorganization Plan No. 3 of 1967 (see Reorganization Plans in Volume 1) transferred all of the functions of the Board of Commissioners under this section to a single Commissioner. The District of Columbia Self-Government and Governmental Reorganization Act, 87 Stat. 818, § 711 (D.C. Code, § 1-207.11), abolished the District of Columbia Council and the Office of Commissioner of the District of Columbia. These branches of government were replaced by the Council of the District of Columbia and the Office of Mayor of the District of Columbia, respectively. Accordingly, and also pursuant to § 714(a) of such Act (D.C. Code, § 1-207.14(a)), appropriate changes in terminology were made in this section.

§ 10-511.04. TUNNEL UNDER CAPITOL GROUNDS AND BOTANIC GARDEN GROUNDS-- RESTORATION OF GROUNDS TO ORIGINAL CONDITION.

All areas of square W-576 and reservations 12 and 6B disturbed by reason of operations under this subchapter shall, except as otherwise provided in this subchapter, be restored to their original condition to the satisfaction of the Architect of the Capitol.

(July 21, 1964, 78 Stat. 334, Pub. L. 88-381, § 4.)

HISTORICAL AND STATUTORY NOTES

Prior Codifications

1981 Ed., § 9-138.

1973 Ed., § 9-142.

§ 10-511.05. TUNNEL UNDER CAPITOL GROUNDS AND BOTANIC GARDEN GROUNDS--UNITED STATES NOT TO INCUR EXPENSE OR LIABILITY.

Except as provided in § 10-511.06, the United States shall not incur any expense or liability whatsoever under or by reason of this subchapter, or be liable under any claim of any nature or kind that may arise from the construction, or the operation or maintenance, of that portion of the tunnel authorized by this subchapter.

(July 21, 1964, 78 Stat. 334, Pub. L. 88-381, § 5.)

HISTORICAL AND STATUTORY NOTES

Prior Codifications

1981 Ed., § 9-139.

1973 Ed., § 9-143.

§ 10-511.06. CONVEYANCE OF REAL PROPERTY FOR INNERLOOP FREEWAY SYSTEM.

The Architect of the Capitol is authorized to convey to the Mayor of the District of Columbia, for purposes of constructing the Innerloop Freeway System, all, or so much as he determines necessary, of the right, title, and interest of the United States in and to reservations 6B, 6C, 6D, 6E, 6F, and 286 in the District of Columbia. Any real property conveyed under this section shall thereafter be under the sole jurisdiction and control of the Mayor of the District of Columbia.

(July 21, 1964, 78 Stat. 334, Pub. L. 88-381, § 6.)

HISTORICAL AND STATUTORY NOTES

Prior Codifications

1981 Ed., § 9-140.

1973 Ed., § 9-144.

Change in Government

This section originated at a time when local government powers were delegated to a Board of Commissioners of the District of Columbia (see Acts Relating to the Establishment of the District of Columbia and its Various Forms of Governmental Organization in Volume 1). Section 401 of Reorganization Plan No. 3 of 1967 (see Reorganization Plans in Volume 1) transferred all of the functions of the Board of Commissioners under this section to a single Commissioner. The District of Columbia Self-Government and Governmental Reorganization Act, 87 Stat. 818, § 711 (D.C. Code, § 1-207.11), abolished the District of Columbia Council and the Office of Commissioner of the District of Columbia. These branches of government were replaced by the Council of the District of Columbia and the Office of Mayor of the District of Columbia, respectively. Accordingly, and also pursuant to § 714(a) of such Act (D.C. Code, § 1-207.14(a)), appropriate changes in terminology were made in this section.

§ 10-511.07. AREA AUTHORIZED FOR CONSTRUCTION OF VEHICULAR TUNNEL; CONDITIONS.

Notwithstanding the joint resolution entitled "Joint resolution providing for the construction and maintenance of a National Gallery of Art", approved March 24, 1937 (50 Stat. 51; 20 U.S.C. § 71), the

Mayor of the District of Columbia is authorized to use the east 65 feet of the area bounded by 4th Street, Pennsylvania Avenue, 3rd Street, and North Mall Drive Northwest, in the District of Columbia for the construction and maintenance of a vehicular tunnel, on condition that after such construction is completed:

- (1) The surface thereof is maintained at its original grade;
- (2) No portion of the tunnel, including ventilating equipment and utilities, is nearer the surface than 8 feet; and
- (3) The surface ingress and egress to such property is not limited.

(July 21, 1964, 78 Stat. 334, Pub. L. 88-381, § 7.)

HISTORICAL AND STATUTORY NOTES

Prior Codifications

1981 Ed., § 9-141.

1973 Ed., § 9-145.

Change in Government

This section originated at a time when local government powers were delegated to a Board of Commissioners of the District of Columbia (see Acts Relating to the Establishment of the District of Columbia and its Various Forms of Governmental Organization in Volume 1). Section 401 of Reorganization Plan No. 3 of 1967 (see Reorganization Plans in Volume 1) transferred all of the functions of the Board of Commissioners under this section to a single Commissioner. The District of Columbia Self-Government and Governmental Reorganization Act, 87 Stat. 818, § 711 (D.C. Code, § 1-207.11), abolished the District of Columbia Council and the Office of Commissioner of the District of Columbia. These branches of government were replaced by the Council of the District of Columbia and the Office of Mayor of the District of Columbia, respectively. Accordingly, and also pursuant to § 714(a) of such Act (D.C. Code, § 1-207.14(a)), appropriate changes in terminology were made in this section.

SUBCHAPTER VII. FEDERAL ACTIVITIES AFFECTING DISTRICT PROPERTY.[REPEALED]

§ 10-513.01. PRIOR NOTICE FOR FEDERAL ACTIVITIES AFFECTING DISTRICT PROPERTY.[REPEALED]

(Aug. 5, 1997, 111 Stat. 784, Pub. L. 105-33, § 11715; Nov. 19, 1997, 111 Stat. 2186, Pub. L. 105-100, § 157(f).)

HISTORICAL AND STATUTORY NOTES

Prior Codifications

1981 Ed., § 9-1001.

Miscellaneous Notes

Pub.L. 105-33, title XI, § 11715, Aug. 5, 1997, 111 Stat. 784, added this section.

Pub.L. 105-100, title I, § 157(f), Nov. 19, 1997, 111 Stat. 2186, provides:

"(f) Repeal of prior notice requirement for Federal activities affecting real property in District of Columbia. Effective October 1, 1997, the Balanced Budget Act of 1997 (Public Law 105-33) is amended by striking section 11715."