

107th CONGRESS }
1st Session }

SENATE

{ REPORT
107-103 }

**DISTRICT OF COLUMBIA POLICE
COORDINATION AMENDMENT ACT OF 2001**

R E P O R T

OF THE

**COMMITTEE ON GOVERNMENTAL AFFAIRS
UNITED STATES SENATE**

TO ACCOMPANY

H.R. 2199

TO AMEND THE NATIONAL CAPITAL REVITALIZATION AND SELF-
GOVERNMENT IMPROVEMENT ACT OF 1997 TO PERMIT ANY
FEDERAL LAW ENFORCEMENT AGENCY TO ENTER INTO A CO-
OPERATIVE AGREEMENT WITH THE METROPOLITAN POLICE DE-
PARTMENT OF THE DISTRICT OF COLUMBIA TO ASSIST THE DE-
PARTMENT IN CARRYING OUT CRIME PREVENTION AND LAW
ENFORCEMENT ACTIVITIES IN THE DISTRICT OF COLUMBIA IF
DEEMED APPROPRIATE BY THE CHIEF OF THE DEPARTMENT
AND THE UNITED STATES ATTORNEY FOR THE DISTRICT OF CO-
LUMBIA, AND FOR OTHER PURPOSES



NOVEMBER 29, 2001.—Ordered to be printed

U.S. GOVERNMENT PRINTING OFFICE

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Calendar No. 246

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DISTRICT OF COLUMBIA POLICE COORDINATION AMENDMENT ACT OF 2001

NOVEMBER 29, 2001.—Ordered to be printed

Mr. LIEBERMAN, from the Committee on Governmental Affairs,
submitted the following

R E P O R T

[To accompany H.R. 2199]

The Committee on Governmental Affairs, to which was referred the bill (H.R. 2199) to amend the National Capital Revitalization and Self-Government Improvement Act of 1997 to permit any Federal law enforcement agency to enter into a cooperative agreement with the Metropolitan Police Department of the District of Columbia to assist the Department in carrying out crime prevention and law enforcement activities in the District of Columbia if deemed appropriate by the Chief of the Department and the United States Attorney for the District of Columbia, and for other purposes, reports favorably thereon and recommends that the bill do pass.

I. PURPOSE AND SUMMARY

The purpose of H.R. 2199, the District of Columbia Police Coordination Act of 2001, is to amend the National Capital Revitalization and Self-Government Improvement Act of 1997 (D.C. Code sec. 4-192) [recodified in 2001 as D.C. Code sec. 5-133.17] to permit any Federal law enforcement agency to enter into a cooperative agreement with the Metropolitan Police Department of the District of Columbia to assist the Department in carrying out crime prevention and law enforcement activities in the District of Columbia if deemed appropriate by the Chief of the Metropolitan Police Department and the United States Attorney for the District of Columbia.

II. BACKGROUND

On August 5, 1997, the National Capital Revitalization and Self-Government Improvement Act of 1997 was signed into law as part

of the Balanced Budget Act of 1997 (P.L. 105–33). Section 11712(d) of that Act enabled Federal law enforcement agencies to enforce local District of Columbia laws on or near their jurisdictional boundaries. Prior to this authority, Federal law enforcement officers, such as Amtrak Police or United States Park Service Police, for example, had no authority to enforce local laws and had to rely on the authority of local Metropolitan Police Department officers.

The 1997 law granting such authority, however, inadvertently omitted certain agencies from coverage under the law, by failing to enumerate them within the definition of “covered agencies.” Consequently, unless a law enforcement agency was one of the 32 specifically listed in the law, that agency could not enter into a cooperative agreement to assist the Metropolitan Police Department in carrying out local crime prevention and law enforcement activities in the District.

H.R. 2199 addresses this problem, by adding a new catch-all clause to encompass any other appropriate Federal law enforcement agency which the Metropolitan Police Department and the United States Attorney for the District of Columbia determine to be appropriate to enter into a cooperative agreement. This change will expand the list of Federal law enforcement agencies which may enter into cooperative agreements to include any others, such as the United States Mint Police, not expressly mentioned in the original definition.

III. LEGISLATIVE HISTORY

H.R. 2199 was introduced in the House of Representatives on June 14, 2001, by Congresswoman Eleanor Holmes Norton. The bill was referred to the House Committee on Government Reform, and on June 19, 2001, referred to the Subcommittee on District of Columbia. On June 26, 2001, the Subcommittee on District of Columbia considered the bill, and forwarded it to the full Committee on Government Reform by unanimous consent. On July 25, 2001, the Committee on Government Reform considered the bill and ordered it reported (without written report). On September 25, 2001, H.R. 2199 was considered by the House of representatives under suspension of the rules, and passed by voice vote.

H.R. 2199 was received in the Senate and referred to the Committee on Governmental Affairs on September 25, 2001. On October 16, 2001, it was referred to the Subcommittee on Oversight of Government Management, Restructuring, and the District of Columbia. On November 7, 2001, H.R. 2199 was favorably polled out of the Subcommittee on Oversight of Government Management, Restructuring, and the District of Columbia. H.R. 2199 was considered by the Committee on Governmental Affairs on November 14, 2001, approved by voice vote without amendment, and ordered to be reported, with no Members present dissenting. Present were Senators Akaka, Durbin, Cleland, Carper, Carnahan, Thompson, Voinovich, Cochran, Bunning and Lieberman.

IV. SECTION-BY-SECTION ANALYSIS

Section 1 entitles the Act as the “District of Columbia Police Coordination Amendment Act of 2001.”

Section 2 creates a new subsection to section 11712(d) of the National Capital Revitalization and self-Government Act of 1997 (D.C. Code, sec. 4-192(d) to permit additional Federal law enforcement agencies, as determined to be appropriate by the Chief of the Metropolitan Police Department and the United States Attorney for the District of Columbia, to enter into cooperative agreements with the Metropolitan Police Department of the District of Columbia to assist in carrying out crime prevention and law enforcement activities.

V. ESTIMATED COST OF LEGISLATION

U.S. CONGRESS,
CONGRESSIONAL BUDGET OFFICE,
Washington, DC, November 16, 2001.

Hon. JOSEPH I. LIEBERMAN,
Chairman, Committee on Governmental Affairs,
U.S. Senate, Washington, DC.

DEAR MR. CHAIRMAN: The Congressional Budget Office has prepared the enclosed cost estimate for H.R. 2199, the District of Columbia Police Coordination Amendment Act of 2001.

If you wish further details on this estimate, we will be pleased to provide them. The CBO staff contact is Matthew Pickford.

Sincerely,

STEVEN LIEBERMAN
(For DAN L. CRIPPEN, Director).

Enclosure.

CONGRESSIONAL BUDGET OFFICE COST ESTIMATE

H.R. 2199—District of Columbia Police Coordination Amendment Act of 2001

H.R. 2199 would authorize all federal law enforcement agencies to enter into cooperative agreements with the Metropolitan Police Department of the District of Columbia to assist in carrying out crime prevention and law enforcement activities. Current law allows most federal law enforcement agencies to provide assistance, specifically designating 32 such agencies, so CBO estimates that enacting H.R. 2199 would have no significant impact on the federal budget. The act would not affect direct spending or receipts, so pay-as-you-go procedures would not apply.

H.R. 2199 contains no intergovernmental or private-sector mandates as defined in the Unfunded Mandates Reform Act. The act would amend the statutes of the District of Columbia to authorize additional federal law enforcement agencies to enter into cooperative agreements with the Metropolitan Police Department to assist the Department in carrying out crime prevention and law enforcement activities. While the District of Columbia may incur costs as a result of such shared responsibilities, the overall effect of the act would be a benefit to the District of Columbia.

On August 2, 2001, CBO prepared a cost estimate for H.R. 2199 as ordered reported by the House Committee on Government Reform on July 25, 2001. The two versions of the bill are identical, as are the cost estimates.

The CBO staff contacts for this estimate are Matthew Pickford (for federal costs) and Susan Sieg Tompkins (for the state and local impact). This estimate was approved by Peter H. Fontaine, Deputy Assistant Director for Budget Analysis.

VI. EVALUATION OF REGULATORY IMPACT

Paragraph 11(b)(1) of rule XXVI of the Standing Rules of the Senate requires that each report accompanying a bill evaluate the “regulatory impact which would be incurred in carrying out this bill.” Carrying out H.R. 2199 would have no regulatory impact.

VII. CHANGES IN EXISTING LAW

In compliance with paragraph 12 of rule XXVI of the Standing Rules of the Senate, changes in existing law made by the bill, as reported, are shown as follows (existing law proposed to be omitted is enclosed in black brackets, new matter is printed in *italic* and existing law, in which no change is proposed, is shown in roman):

DISTRICT OF COLUMBIA CODE

TITLE 4. POLICE AND FIRE DEPARTMENTS

CHAPTER 1. METROPOLITAN POLICE

§ 4-192. Cooperative agreements between federal agencies and Metropolitan Police Department

* * * * *

(d) COVERED FEDERAL LAW ENFORCEMENT AGENCIES DESCRIBED.—In this section, the term “covered federal law enforcement agency” means any of the following:

- (1) United States Capitol Police.
- (2) United States Marshals Service.
- (3) Library of Congress Police.
- (4) Bureau of Engraving and Printing Police Force.
- (5) Supreme Court Police.
- (6) Amtrak Police Department.
- (7) Department of Protective Services, United States Holocaust Museum.
- (8) Government Printing Office Police.
- (9) United States Park Police.
- (10) Bureau of Alcohol, Tobacco, and Firearms.
- (11) Drug Enforcement Administration.
- (12) Federal Bureau of Investigation.
- (13) Criminal Investigation Division, Internal Revenue Service.
- (14) Department of the Navy Police Division, Naval District Washington.
- (15) Naval Criminal Investigative Service.
- (16) 11th Security Police Squadron, Bolling Air Force Base.
- (17) United States Army Military District of Washington.
- (18) United States Customs Service.
- (19) Immigration and Naturalization Service.

- (20) Postal Inspection Service, United States Postal Service.
- (21) Uniformed Division, United States Secret Service.
- (22) United States Secret Service.
- (23) National Zoological Park Police.
- (24) Federal Protective Service, General Services Administration, National Capital Region.
- (25) Defense Protective Service, Department of Defense Washington Headquarters Services.
- (26) Office of Protective Services, Smithsonian Institution.
- (27) Office of Protective Services, National Gallery of Art.
- (28) United States Army Criminal Investigation Command, Department of the Army Washington District, Third Military Police Group.
- (29) Marine Corps Law Enforcement.
- (30) Department of State Diplomatic Security.
- (31) United States Coast Guard.
- (32) United States Postal Police
- (33) *Any other law enforcement agency of the Federal government that the Chief of the Metropolitan Police Department and the United States Attorney for the District of Columbia deem appropriate to enter into an agreement pursuant to this section.*