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38 USC CHAPTER 9 - SECURITY AND LAW ENFORCEMENT ON
PROPERTY UNDER THE JURISDICTION OF THE
DEPARTMENT

01/08/2008

-EXPCITE-

TITLE 38 - VETERANS' BENEFITS
PART I - GENERAL PROVISIONS
CHAPTER 9 - SECURITY AND LAW ENFORCEMENT ON PROPERTY UNDER THE
JURISDICTION OF THE DEPARTMENT

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CHAPTER 9 - SECURITY AND LAW ENFORCEMENT ON PROPERTY UNDER THE
JURISDICTION OF THE DEPARTMENT

-MISC1-

- Sec.
- 901. Authority to prescribe rules for conduct and penalties for violations.
- 902. Enforcement and arrest authority of Department police officers.
- 903. Uniform allowance.
- 904. Equipment and weapons.
- 905. Use of facilities and services of other law enforcement agencies.

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38 USC Sec. 901

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Sec. 901. Authority to prescribe rules for conduct and penalties for violations

-STATUTE-

- (a)(1) The secretary shall prescribe regulations to provide for the maintenance of law and order and the protection of persons and property on Department property.
- (2) In this chapter, the term "Department property" means land and buildings that are under the jurisdiction of the Department and are not under control of the Administrator of General Services.
- (b) Regulations under subsection (a) shall include -
 - (1) rules for conduct on Department property; and
 - (2) the penalties, within the limits specified in subsection (c), for violations of such rules.
- (c) whoever violates any rule prescribed by regulation under subsection (b)(1) shall be fined in accordance with title 18 or imprisoned not more than six months, or both. The Secretary may prescribe by regulation a maximum fine less than that which would otherwise apply under the preceding sentence or a maximum term of imprisonment of a shorter period than that which would otherwise apply under the preceding sentence, or both. Any such regulation shall apply notwithstanding any provision of title 18 or any other law to the contrary.
- (d) The rules prescribed under subsection (a), together with the penalties for violations of such rules, shall be posted conspicuously on property to which they apply.
- (e) The Secretary shall consult with the Attorney General before

prescribing regulations under this section.

-SOURCE-

(Added Pub. L. 102-83, Sec. 2(a), Aug. 6, 1991, 105 Stat. 397.)

-MISC1-

PRIOR PROVISIONS

Prior section 901 was renumbered section 2301 of this title. Provisions similar to those in this section were contained in section 218(a) of this title prior to repeal by Pub. L. 102-83, Sec. 2(a).

-End-

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38 USC Sec. 902

01/08/2008

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Sec. 902. Enforcement and arrest authority of Department police officers

-STATUTE-

(a)(1) Employees of the Department who are Department police officers shall, with respect to acts occurring on Department property, enforce -
(A) Federal laws;
(B) the rules prescribed under section 901 of this title; and
(C) subject to paragraph (2), traffic and motor vehicle laws of a State or local government within the jurisdiction of which such Department property is located.

(2) A law described in subparagraph (C) of paragraph (1) may be enforced under such subparagraph only as authorized by an express grant of authority under applicable State or local law. Any such enforcement shall be by the issuance of a citation for violation of such law.

(3) Subject to regulations prescribed under subsection (b), a Department police officer may make arrests on Department property for a violation of a Federal law or any rule prescribed under section 901(a) of this title.

(b) The Secretary shall prescribe regulations with respect to Department police officers. Such regulations shall include -

(1) policies with respect to the exercise by Department police officers of the enforcement and arrest authorities provided by this section;

(2) the scope and duration of training that is required for Department police officers, with particular emphasis on dealing with situations involving patients; and

(3) rules limiting the carrying and use of weapons by Department police officers.

(c) The Secretary shall consult with the Attorney General before prescribing regulations under paragraph (1) of subsection (b).

(d) Rates of basic pay for Department police officers may be increased by the Secretary under section 7455 of this title.

-SOURCE-

(Added Pub. L. 102-83, Sec. 2(a), Aug. 6, 1991, 105 Stat. 397.)

-MISC1-

PRIOR PROVISIONS

Prior section 902 was renumbered section 2302 of this title. Provisions similar to those in this section were contained in section 218(b) of this title prior to repeal by Pub. L. 102-83, Sec. 2(a).

-End-

-CITE-

38 USC Sec. 903

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-HEAD-

Sec. 903. Uniform allowance

-STATUTE-

(a) The Secretary may pay an allowance under this section for the purchase of uniforms to any Department police officer who is required to wear a prescribed uniform in the performance of official duties.

(b) The amount of the allowance that the Secretary may pay under this section -

- (1) may be based on estimated average costs or actual costs;
- (2) may vary by geographic regions; and
- (3) except as provided in subsection (c), may not exceed \$200 in a fiscal year for any police officer.

(c) The amount of an allowance under this section may be increased to an amount up to \$400 for not more than one fiscal year in the case of any Department police officer. In the case of a person who is appointed as a Department police officer on or after January 1, 1990, an allowance in an amount established under this subsection shall be paid at the beginning of such person's employment as such an officer. In the case of any other Department police officer, an allowance in an amount established under this subsection shall be paid upon the request of the officer.

(d) A police officer who resigns as a police officer less than one year after receiving an allowance in an amount established under this section shall repay to the Department a pro rata share of the amount paid, based on the number of months the officer was actually employed as such an officer during the twelve-month period following the date on which such officer began such employment or the date on which the officer submitted a request for such an allowance, as the case may be.

(e) An allowance may not be paid to a Department police officer under this section and under section 5901 of title 5 for the same fiscal year.

-SOURCE-

(Added Pub. L. 102-83, Sec. 2(a), Aug. 6, 1991, 105 Stat. 398.)

-MISC1-

PRIOR PROVISIONS

Prior section 903 was renumbered section 2303 of this title. Provisions similar to those in this section were contained in section 218(c) of this title prior to repeal by Pub. L. 102-83, Sec. 2(a).

-End-

-CITE-

38 USC Sec. 904

01/08/2008

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Sec. 904. Equipment and weapons

-STATUTE-

The secretary shall furnish Department police officers with such weapons and related equipment as the Secretary determines to be necessary and appropriate.

-SOURCE-

(Added Pub. L. 102-83, Sec. 2(a), Aug. 6, 1991, 105 Stat. 399.)

-MISC1-

PRIOR PROVISIONS

Prior section 904 was renumbered section 2304 of this title. Provisions similar to those in this section were contained in section 218(d) of this title prior to repeal by Pub. L. 102-83, Sec. 2(a).

-End-

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38 USC Sec. 905

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-HEAD-

Sec. 905. Use of facilities and services of other law enforcement agencies

-STATUTE-

with the permission of the head of the agency concerned, the Secretary may use the facilities and services of Federal, State, and local law enforcement agencies when it is economical and in the public interest to do so.

-SOURCE-

(Added Pub. L. 102-83, Sec. 2(a), Aug. 6, 1991, 105 Stat. 399.)

-MISC1-

PRIOR PROVISIONS

Prior section 905 was renumbered section 2305 of this title. Provisions similar to those in this section were contained in section 218(e) of this title prior to repeal by Pub. L. 102-83, Sec. 2(a).
Prior sections 906 to 908 and 1000 to 1010 were renumbered sections 2306 to 2308 and 2400 to 2410 of this title, respectively.

-End-

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38 USC PART II - GENERAL BENEFITS

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PART II - GENERAL BENEFITS

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13.	Dependency and Indemnity Compensation for Service-Connected Deaths	1301
15.	Pension for Non-Service-Connected Disability or Death or for Service	1501
17.	Hospital, Nursing Home, Domiciliary, and Medical Care	1701
18.	Benefits for Children of Vietnam Veterans and Certain Other Veterans	1802
19.	Insurance	1901
20.	Benefits for Homeless Veterans	2001
21.	Specially Adapted Housing for Disabled Veterans	2101
23.	Burial Benefits	2301
24.	National Cemeteries and Memorials	2400

AMENDMENTS

2003 - Pub. L. 108-183, title I, Sec. 102(e)(2), Dec. 16, 2003, 117 Stat. 2655, substituted "Benefits for Children of Vietnam Veterans and Certain Other Veterans" for "Benefits for Children of Vietnam Veterans" in item for chapter 18.

2001 - Pub. L. 107-95, Sec. 5(a)(2), Dec. 21, 2001, 115 Stat. 918, added item for chapter 20.

2000 - Pub. L. 106-419, title IV, Sec. 401(f)(2), Nov. 1, 2000, 114 Stat. 1861, substituted "Benefits for Children of Vietnam Veterans" and "1802" for "Benefits for Children of Vietnam Veterans who Are Born with Spina Bifida" and "1801", respectively, in item for chapter 18.

1996 - Pub. L. 104-204, title IV, Sec. 421(b)(2), Sept. 26, 1996, 110 Stat. 2926, added item for chapter 18.

1991 - Pub. L. 102-83, Sec. 5(b)(2), Aug. 6, 1991, 105 Stat. 406, renumbered references to section numbers by substituting "1101" for "301" in item for chapter 11, "1301" for "401" in item for chapter 13, "1501" for "501" in item for chapter 15, "1701" for "601" in item for chapter 17, "1901" for "701" in item for chapter 19, "2101" for "801" in item for chapter 21, "2301" for "901" in item for chapter 23, and "2400" for "1000" in item for chapter 24.

1976 - Pub. L. 94-581, title II, Sec. 203(a), Oct. 21, 1976, 90 Stat. 2856, inserted "Nursing Home," in item for chapter 17.

1973 - Pub. L. 93-43, Sec. 2(b), June 18, 1973, 87 Stat. 78, added item for chapter 24.

-End-