

**MOTION TO RECOMMIT H.R. 4346**  
**OFFERED BY MR. WOMACK OF ARKANSAS**

Strike all after the enacting clause and insert the  
following:

1                                   TITLE I  
2                                   DEPARTMENT OF DEFENSE  
3                                   MILITARY PERSONNEL  
4                                   NATIONAL GUARD PERSONNEL, ARMY

5           For an additional amount for “National Guard Per-  
6 sonnel, Army”, \$231,000,000, to respond to the events at  
7 the United States Capitol Complex on January 6, 2021,  
8 and for related purposes: *Provided*, That such amount is  
9 designated by the Congress as being for an emergency re-  
10 quirement pursuant to section 251(b)(2)(A)(i) of the Bal-  
11 anced Budget and Emergency Deficit Control Act of 1985.

12                                   NATIONAL GUARD PERSONNEL, AIR FORCE  
13           For an additional amount for “National Guard Per-  
14 sonnel, Air Force”, \$28,900,000, to respond to the events  
15 at the United States Capitol Complex on January 6, 2021,  
16 and for related purposes: *Provided*, That such amount is  
17 designated by the Congress as being for an emergency re-  
18 quirement pursuant to section 251(b)(2)(A)(i) of the Bal-  
19 anced Budget and Emergency Deficit Control Act of 1985.

## 1                   OPERATION AND MAINTENANCE

2   OPERATION AND MAINTENANCE, ARMY NATIONAL GUARD

3           For an additional amount for “Operation and Main-  
4   tenance, Army National Guard”, \$218,500,000 to respond  
5   to the events at the United States Capitol Complex on  
6   January 6, 2021, and for related purposes: *Provided*, That  
7   such amount is designated by the Congress as being for  
8   an emergency requirement pursuant to section  
9   251(b)(2)(A)(i) of the Balanced Budget and Emergency  
10   Deficit Control Act of 1985.

11   OPERATION AND MAINTENANCE, AIR NATIONAL GUARD

12           For an additional amount for “Operation and Main-  
13   tenance, Air National Guard”, \$42,500,000 to respond to  
14   the events at the United States Capitol Complex on Janu-  
15   ary 6, 2021, and for related purposes: *Provided*, That such  
16   amount is designated by the Congress as being for an  
17   emergency requirement pursuant to section  
18   251(b)(2)(A)(i) of the Balanced Budget and Emergency  
19   Deficit Control Act of 1985.

## 20                   TITLE II

21                   LEGISLATIVE BRANCH

22                   CAPITOL POLICE

23                   SALARIES

24           For an additional amount for “Salaries”,  
25   \$37,495,000, to remain available until September 30,

1 2022, to respond to the events at the United States Cap-  
2 itol on January 6, 2021, and for related purposes: *Pro-*  
3 *vided*, That of such amount, \$3,600,000 may remain  
4 available until expended for retention bonuses: *Provided*  
5 *further*, That of such amount, up to \$6,900,000 shall be  
6 made available for hazard pay for employees of the Capitol  
7 Police: *Provided further*, That of such amount, \$1,361,300  
8 shall be made available for the wellness program for the  
9 United States Capitol Police: *Provided further*, That such  
10 amount is designated by the Congress as being for an  
11 emergency requirement pursuant to section  
12 251(b)(2)(A)(i) of the Balanced Budget and Emergency  
13 Deficit Control Act of 1985.

14 GENERAL EXPENSES

15 (INCLUDING TRANSFER OF FUNDS)

16 For an additional amount for “General Expenses”,  
17 \$33,169,000, to remain available until September 30,  
18 2022, to respond to the events at the United States Cap-  
19 itol on January 6, 2021, and for related purposes: *Pro-*  
20 *vided*, That of such amount, \$2,628,000 shall remain  
21 available until expended for physical protection barriers  
22 and various civil disturbance unit equipment: *Provided*  
23 *further*, That amounts provided under this heading in this  
24 chapter for physical protection barriers may be transferred  
25 to and merged with the Capitol Police Building and

1 Grounds Account of the Architect of the Capitol: *Provided*  
2 *further*, That of such amount, not less than \$5,000,000  
3 shall be made available for reimbursable agreements with  
4 State and local law enforcement agencies and not less than  
5 \$4,800,000 shall be available for protective details for  
6 Members of Congress, including Delegates and the Resi-  
7 dent Commissioner to the Congress: *Provided further*,  
8 That of such amount, up to \$2,500,000 may be trans-  
9 ferred to “Department of Justice—United States Mar-  
10 shals Service—Salaries and Expenses” for the purpose of  
11 reimbursements for providing peer-to-peer and group  
12 counseling services to the Capitol Police and training and  
13 technical and related assistance necessary to establish a  
14 peer-to-peer and group counseling program within the  
15 Capitol Police: *Provided further*, That such amount is des-  
16 igned by the Congress as being for an emergency re-  
17 quirement pursuant to section 251(b)(2)(A)(i) of the Bal-  
18 anced Budget and Emergency Deficit Control Act of 1985.

19 UNITED STATES CAPITOL POLICE MUTUAL AID

20 REIMBURSEMENTS

21 For an additional amount for United States Capitol  
22 Police “General Expenses”, \$26,300,000, to remain avail-  
23 able until September 30, 2026, for reimbursements for  
24 mutual aid and related training, including mutual aid and  
25 training provided under the agreements described in sec-

1 tion 7302 of Public Law 108–458: *Provided*, That obliga-  
2 tion of the funds made available in the preceding proviso  
3 be subject to notification to the Chairmen and Ranking  
4 Members of Committees on Appropriations of both Houses  
5 of Congress, the Senate Committee on Rules and Adminis-  
6 tration, and the Committee on House Administration of  
7 the amount and purpose of the expense within 15 days  
8 of obligation: *Provided further*, That such amount is des-  
9 ignated by the Congress as being for an emergency re-  
10 quirement pursuant to section 251(b)(2)(A)(i) of the Bal-  
11 anced Budget and Emergency Deficit Control Act of 1985.

#### 12 ADMINISTRATIVE PROVISIONS

##### 13 CAPITOL POLICE SALARY CAP ADJUSTMENT

14 SEC. 201. For the purposes of administering pay dur-  
15 ing calendar year 2021, the limitation on the maximum  
16 rate of gross compensation for any member or civilian em-  
17 ployee of the Capitol Police whose compensation includes  
18 overtime pay under the Fair Labor Standards Act of 1938  
19 (29 U.S.C. 201 et seq.) shall be limited to Executive  
20 Schedule II at \$199,300. Excluded from this limitation  
21 for calendar year 2021 shall be retention bonuses and haz-  
22 ard bonuses related to the events of January 6th.

##### 23 EMERGENCY ASSISTANCE FOR THE CAPITOL POLICE

24 SEC. 202. (a) ASSISTANCE BY EXECUTIVE DEPART-  
25 MENTS AND AGENCIES.—Section 911(a) of division B of

1 the Department of Defense and Emergency Supplemental  
2 Appropriations for Recovery from and Response to Ter-  
3 rorist Attacks on the United States Act, 2002 (2 U.S.C.  
4 1970(a)) is amended—

5 (1) in paragraph (1), by inserting “or in ac-  
6 cordance with paragraph (4)” before “and on a per-  
7 manent”;

8 (2) in paragraph (4)(B)—

9 (A) in the matter preceding clause (i), by  
10 striking “advance”; and

11 (B) in clause (ii)—

12 (i) in subclause (I), by striking “or”  
13 after the semicolon;

14 (ii) in subclause (II), by striking  
15 “and” after the semicolon and inserting  
16 “or”; and

17 (iii) by adding at the end the fol-  
18 lowing:

19 “(III) the Chief of the Capitol  
20 Police, if the Chief of the Capitol Po-  
21 lice has determined that the provision  
22 of assistance is necessary to prevent  
23 the significant disruption of govern-  
24 mental function and public order  
25 within the United States Capitol

1 Buildings and Grounds, as described  
2 in section 9 of the Act entitled ‘An  
3 Act to define the area of the United  
4 States Capitol Grounds, to regulate  
5 the use thereof, and for other pur-  
6 poses’, approved July 31, 1946 (2  
7 U.S.C. 1961); and”;

8 (3) by adding at the end the following:

9 “(5) REVOCATION.—The Capitol Police Board  
10 may revoke a request for assistance provided under  
11 paragraph (4)(B)(ii)(III) upon consultation with ap-  
12 propriate Members of the Senate and House of Rep-  
13 resentatives in leadership positions.”.

14 (b) CAPITOL POLICE SPECIAL OFFICERS.—Section  
15 1017 of division H of the Consolidated Appropriations  
16 Resolution, 2003 (2 U.S.C. 1974) is amended—

17 (1) in subsection (a)—

18 (A) in the matter preceding paragraph (1),  
19 by inserting “or as determined by the Chief of  
20 the Capitol Police in accordance with section  
21 911(a)(4)(B)(ii)(III) of division B of the De-  
22 partment of Defense and Emergency Supple-  
23 mental Appropriations for Recovery from and  
24 Response to Terrorist Attacks on the United

1 States Act, 2002 (2 U.S.C.  
2 1970(a)(4)(B)(ii)(III)),” after “Congress,”; and  
3 (B) by adding at the end the following:  
4 “An appointment under this section due to an emergency  
5 determined by the Chief of the Capitol Police under para-  
6 graph (4)(B)(ii)(III) of section 911(a) of division B of the  
7 Department of Defense and Emergency Supplemental Ap-  
8 propriations for Recovery from and Response to Terrorist  
9 Attacks on the United States Act, 2002 (2 U.S.C.  
10 1970(a)) shall be in effect for the period of the emergency,  
11 unless and until the Capitol Police Board revokes the re-  
12 quest for assistance under paragraph (5) of such section.”;  
13 (2) by striking subsections (c) and (e);  
14 (3) by redesignating subsections (d), (f), and  
15 (g) as subsections (c), (d), and (e), respectively; and  
16 (4) in subsection (d), as redesignated by para-  
17 graph (3) of this subsection, by striking “President  
18 pro tempore” and inserting “Majority Leader”.

19 (c)(1) JOINT OVERSIGHT HEARINGS.—The Com-  
20 mittee on Rules and Administration of the Senate and the  
21 Committee on House Administration of the House of Rep-  
22 resentatives (referred to in this section as the “Commit-  
23 tees”) are authorized to jointly conduct oversight hearings  
24 regarding the Capitol Police Board and may request the  
25 attendance of all members of the Capitol Police Board at



1 any such hearing. Members of the Capitol Police Board  
2 shall attend a joint hearing under this section, as re-  
3 quested and under such rules or procedures as may be  
4 adopted by the Committees.

5 (2) TIMING.—The Committees may conduct oversight  
6 hearings under this section as determined appropriate by  
7 the Committees, but shall conduct not less than one over-  
8 sight hearing under this section during each Congress.

9 (d) EFFECTIVE DATE.—The amendments made by  
10 this section shall take effect on October 1, 2021.

## 11 ARCHITECT OF THE CAPITOL

### 12 CAPITAL CONSTRUCTION AND OPERATIONS

13 For an additional amount for “Capital Construction  
14 and Operations”, \$15,000,000, to remain available until  
15 September 30, 2022, to respond to the events at the  
16 United States Capitol on January 6, 2021, by securing  
17 vulnerabilities of windows and doors in the United States  
18 Capitol Building: *Provided*, That such amount is des-  
19 igned by the Congress as being for an emergency re-  
20 quirement pursuant to section 251(b)(2)(A)(i) of the Bal-  
21 anced Budget and Emergency Deficit Control Act of 1985.

1 TITLE III  
2 GENERAL PROVISIONS—THIS ACT

3 SEC. 301. Each amount appropriated or made avail-  
4 able by this Act is in addition to amounts otherwise appro-  
5 priated for the fiscal year involved.

6 SEC. 302. No part of any appropriation contained in  
7 this Act shall remain available for obligation beyond the  
8 current fiscal year unless expressly so provided herein.

9 SEC. 303. Unless otherwise provided for by this Act,  
10 the additional amounts appropriated by this Act to appro-  
11 priations accounts shall be available under the authorities  
12 and conditions applicable to such appropriations accounts  
13 for fiscal year 2021.

14 SEC. 304. Each amount appropriated in this Act may  
15 be made available to restore amounts, either directly or  
16 through reimbursement, for obligations incurred for the  
17 purposes provided herein for such appropriation prior to  
18 the date of the enactment of this Act.

19 SEC. 305. Each amount designated in this Act by the  
20 Congress as being for an emergency requirement pursuant  
21 to section 251(b)(2)(A)(i) of the Balanced Budget and  
22 Emergency Deficit Control Act of 1985 shall be available  
23 (or rescinded or transferred, if applicable) only if the  
24 President subsequently so designates all such amounts  
25 and transmits such designations to the Congress.

1        SEC. 306. Any amount appropriated by this Act, des-  
2 igned by the Congress as an emergency requirement  
3 pursuant to section 251(b)(2)(A)(i) of the Balanced Budg-  
4 et and Emergency Deficit Control Act of 1985 and subse-  
5 quently so designated by the President, and transferred  
6 pursuant to transfer authorities provided by this Act shall  
7 retain such designation.

Amend the title so as to read: “A bill making emer-  
gency supplemental appropriations for the fiscal year  
ending September 30, 2021, and for other purposes.”.

