

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

Page 1, insert before line 1 the following:

1 DIVISION A—FY 2022 APPROPRIATIONS

At the end of the bill (before the short title), insert the following:

2 SEC. _____. None of the funds made available by
3 this Act may be used to carry out section 4 of House Reso-
4 lution 38, One Hundred Seventeenth Congress.

5 DIVISION B—FY 2021 SUPPLEMENTAL
6 APPROPRIATIONS

7

8 TITLE I

9 DEPARTMENT OF DEFENSE

10 MILITARY PERSONNEL

11 NATIONAL GUARD PERSONNEL, ARMY

12 For an additional amount for “National Guard Per-
13 sonnel, Army”, \$231,000,000, to respond to the events at
14 the United States Capitol Complex on January 6, 2021,
15 and for related purposes: *Provided*, That such amount is
16 designated by the Congress as being for an emergency re-

1 quirement pursuant to section 251(b)(2)(A)(i) of the Bal-
2 anced Budget and Emergency Deficit Control Act of 1985.

3 NATIONAL GUARD PERSONNEL, AIR FORCE

4 For an additional amount for “National Guard Per-
5 sonnel, Air Force”, \$28,900,000, to respond to the events
6 at the United States Capitol Complex on January 6, 2021,
7 and for related purposes: *Provided*, That such amount is
8 designated by the Congress as being for an emergency re-
9 quirement pursuant to section 251(b)(2)(A)(i) of the Bal-
10 anced Budget and Emergency Deficit Control Act of 1985.

11 OPERATION AND MAINTENANCE

12 OPERATION AND MAINTENANCE, ARMY NATIONAL GUARD

13 For an additional amount for “Operation and Main-
14 tenance, Army National Guard”, \$218,500,000 to respond
15 to the events at the United States Capitol Complex on
16 January 6, 2021, and for related purposes: *Provided*, That
17 such amount is designated by the Congress as being for
18 an emergency requirement pursuant to section
19 251(b)(2)(A)(i) of the Balanced Budget and Emergency
20 Deficit Control Act of 1985.

21 OPERATION AND MAINTENANCE, AIR NATIONAL GUARD

22 For an additional amount for “Operation and Main-
23 tenance, Air National Guard”, \$42,500,000 to respond to
24 the events at the United States Capitol Complex on Janu-
25 ary 6, 2021, and for related purposes: *Provided*, That such

1 amount is designated by the Congress as being for an
2 emergency requirement pursuant to section
3 251(b)(2)(A)(i) of the Balanced Budget and Emergency
4 Deficit Control Act of 1985.

5 TITLE II
6 LEGISLATIVE BRANCH
7 CAPITOL POLICE
8 SALARIES

9 For an additional amount for “Salaries”,
10 \$37,495,000, to remain available until September 30,
11 2022, to respond to the events at the United States Cap-
12 itol on January 6, 2021, and for related purposes: *Pro-*
13 *vided*, That of such amount, \$3,600,000 may remain
14 available until expended for retention bonuses: *Provided*
15 *further*, That of such amount, up to \$6,900,000 shall be
16 made available for hazard pay for employees of the Capitol
17 Police: *Provided further*, That of such amount, \$1,361,300
18 shall be made available for the wellness program for the
19 United States Capitol Police: *Provided further*, That such
20 amount is designated by the Congress as being for an
21 emergency requirement pursuant to section
22 251(b)(2)(A)(i) of the Balanced Budget and Emergency
23 Deficit Control Act of 1985.

1 GENERAL EXPENSES

2 (INCLUDING TRANSFER OF FUNDS)

3 For an additional amount for “General Expenses”,
4 \$33,169,000, to remain available until September 30,
5 2022, to respond to the events at the United States Cap-
6 itol on January 6, 2021, and for related purposes: *Pro-*
7 *vided*, That of such amount, \$2,628,000 shall remain
8 available until expended for physical protection barriers
9 and various civil disturbance unit equipment: *Provided*
10 *further*, That amounts provided under this heading in this
11 chapter for physical protection barriers may be transferred
12 to and merged with the Capitol Police Building and
13 Grounds Account of the Architect of the Capitol: *Provided*
14 *further*, That of such amount, not less than \$5,000,000
15 shall be made available for reimbursable agreements with
16 State and local law enforcement agencies and not less than
17 \$4,800,000 shall be available for protective details for
18 Members of Congress, including Delegates and the Resi-
19 dent Commissioner to the Congress: *Provided further*,
20 That of such amount, up to \$2,500,000 may be trans-
21 ferred to “Department of Justice—United States Mar-
22 shals Service—Salaries and Expenses” for the purpose of
23 reimbursements for providing peer-to-peer and group
24 counseling services to the Capitol Police and training and
25 technical and related assistance necessary to establish a

1 peer-to-peer and group counseling program within the
2 Capitol Police: *Provided further*, That such amount is des-
3 ignated by the Congress as being for an emergency re-
4 quirement pursuant to section 251(b)(2)(A)(i) of the Bal-
5 anced Budget and Emergency Deficit Control Act of 1985.

6 UNITED STATES CAPITOL POLICE MUTUAL AID

7 REIMBURSEMENTS

8 For an additional amount for United States Capitol
9 Police “General Expenses”, \$26,300,000, to remain avail-
10 able until September 30, 2026, for reimbursements for
11 mutual aid and related training, including mutual aid and
12 training provided under the agreements described in sec-
13 tion 7302 of Public Law 108–458: *Provided*, That obliga-
14 tion of the funds made available in the preceding proviso
15 be subject to notification to the Chairmen and Ranking
16 Members of Committees on Appropriations of both Houses
17 of Congress, the Senate Committee on Rules and Adminis-
18 tration, and the Committee on House Administration of
19 the amount and purpose of the expense within 15 days
20 of obligation: *Provided further*, That such amount is des-
21 ignated by the Congress as being for an emergency re-
22 quirement pursuant to section 251(b)(2)(A)(i) of the Bal-
23 anced Budget and Emergency Deficit Control Act of 1985.

1 ADMINISTRATIVE PROVISIONS

2 CAPITOL POLICE SALARY CAP ADJUSTMENT

3 SEC. 201. For the purposes of administering pay dur-
4 ing calendar year 2021, the limitation on the maximum
5 rate of gross compensation for any member or civilian em-
6 ployee of the Capitol Police whose compensation includes
7 overtime pay under the Fair Labor Standards Act of 1938
8 (29 U.S.C. 201 et seq.) shall be limited to Executive
9 Schedule II at \$199,300. Excluded from this limitation
10 for calendar year 2021 shall be retention bonuses and haz-
11 ard bonuses related to the events of January 6th.

12 EMERGENCY ASSISTANCE FOR THE CAPITOL POLICE

13 SEC. 202. (a) ASSISTANCE BY EXECUTIVE DEPART-
14 MENTS AND AGENCIES.—Section 911(a) of division B of
15 the Department of Defense and Emergency Supplemental
16 Appropriations for Recovery from and Response to Ter-
17 rorist Attacks on the United States Act, 2002 (2 U.S.C.
18 1970(a)) is amended—

19 (1) in paragraph (1), by inserting “or in ac-
20 cordance with paragraph (4)” before “and on a per-
21 manent”;

22 (2) in paragraph (4)(B)—

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

25 (B) in clause (ii)—

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

3 (ii) in subclause (II), by striking
4 “and” after the semicolon and inserting
5 “or”; and

6 (iii) by adding at the end the fol-
7 lowing:

8 “(III) the Chief of the Capitol
9 Police, if the Chief of the Capitol Po-
10 lice has determined that the provision
11 of assistance is necessary to prevent
12 the significant disruption of govern-
13 mental function and public order
14 within the United States Capitol
15 Buildings and Grounds, as described
16 in section 9 of the Act entitled ‘An
17 Act to define the area of the United
18 States Capitol Grounds, to regulate
19 the use thereof, and for other pur-
20 poses’, approved July 31, 1946 (2
21 U.S.C. 1961); and”;

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

23 “(5) REVOCATION.—The Capitol Police Board
24 may revoke a request for assistance provided under
25 paragraph (4)(B)(ii)(III) upon consultation with ap-

1 appropriate Members of the Senate and House of Rep-
2 resentatives in leadership positions.”.

3 (b) CAPITOL POLICE SPECIAL OFFICERS.—Section
4 1017 of division H of the Consolidated Appropriations
5 Resolution, 2003 (2 U.S.C. 1974) is amended—

6 (1) in subsection (a)—

7 (A) in the matter preceding paragraph (1),
8 by inserting “or as determined by the Chief of
9 the Capitol Police in accordance with section
10 911(a)(4)(B)(ii)(III) of division B of the De-
11 partment of Defense and Emergency Supple-
12 mental Appropriations for Recovery from and
13 Response to Terrorist Attacks on the United
14 States Act, 2002 (2 U.S.C.
15 1970(a)(4)(B)(ii)(III)),” after “Congress,”; and

16 (B) by adding at the end the following:
17 “An appointment under this section due to an emergency
18 determined by the Chief of the Capitol Police under para-
19 graph (4)(B)(ii)(III) of section 911(a) of division B of the
20 Department of Defense and Emergency Supplemental Ap-
21 propriations for Recovery from and Response to Terrorist
22 Attacks on the United States Act, 2002 (2 U.S.C.
23 1970(a)) shall be in effect for the period of the emergency,
24 unless and until the Capitol Police Board revokes the re-
25 quest for assistance under paragraph (5) of such section.”;

1 (2) by striking subsections (c) and (e);

2 (3) by redesignating subsections (d), (f), and
3 (g) as subsections (c), (d), and (e), respectively; and
4 (4) in subsection (d), as redesignated by para-
5 graph (3) of this subsection, by striking “President
6 pro tempore” and inserting “Majority Leader”.

7 (c)(1) JOINT OVERSIGHT HEARINGS.—The Com-
8 mittee on Rules and Administration of the Senate and the
9 Committee on House Administration of the House of Rep-
10 resentatives (referred to in this section as the “Commit-
11 tees”) are authorized to jointly conduct oversight hearings
12 regarding the Capitol Police Board and may request the
13 attendance of all members of the Capitol Police Board at
14 any such hearing. Members of the Capitol Police Board
15 shall attend a joint hearing under this section, as re-
16 quested and under such rules or procedures as may be
17 adopted by the Committees.

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

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

1 ARCHITECT OF THE CAPITOL
2 CAPITAL CONSTRUCTION AND OPERATIONS

3 For an additional amount for “Capital Construction
4 and Operations”, \$15,000,000, to remain available until
5 September 30, 2022, to respond to the events at the
6 United States Capitol on January 6, 2021, by securing
7 vulnerabilities of windows and doors in the United States
8 Capitol Building: *Provided*, 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 TITLE III

13 GENERAL PROVISIONS—THIS DIVISION

14 SEC. 301. Each amount appropriated or made avail-
15 able by this division is in addition to amounts otherwise
16 appropriated for the fiscal year involved.

17 SEC. 302. No part of any appropriation contained in
18 this division shall remain available for obligation beyond
19 the current fiscal year unless expressly so provided herein.

20 SEC. 303. Unless otherwise provided for by this divi-
21 sion, the additional amounts appropriated by this division
22 to appropriations accounts shall be available under the au-
23 thorities and conditions applicable to such appropriations
24 accounts for fiscal year 2021.

1 SEC. 304. Each amount appropriated in this division
2 may be made available to restore amounts, either directly
3 or through reimbursement, for obligations incurred for the
4 purposes provided herein for such appropriation prior to
5 the date of the enactment of this division.

6 SEC. 305. Each amount designated in this division
7 by the Congress as being for an emergency requirement
8 pursuant to section 251(b)(2)(A)(i) of the Balanced Budg-
9 et and Emergency Deficit Control Act of 1985 shall be
10 available (or rescinded or transferred, if applicable) only
11 if the President subsequently so designates all such
12 amounts and transmits such designations to the Congress.

13 SEC. 306. Any amount appropriated by this division,
14 designated by the Congress as an emergency requirement
15 pursuant to section 251(b)(2)(A)(i) of the Balanced Budg-
16 et and Emergency Deficit Control Act of 1985 and subse-
17 quently so designated by the President, and transferred
18 pursuant to transfer authorities provided by this division
19 shall retain such designation.

