

117TH CONGRESS
1ST SESSION

S. 3377

To empower the Chief of the United States Capitol Police to unilaterally request the assistance of the DC National Guard or Federal law enforcement agencies in emergencies without prior approval of the Capitol Police Board.

IN THE SENATE OF THE UNITED STATES

DECEMBER 13, 2021

Ms. KLOBUCHAR (for herself, Mr. BLUNT, Mr. KING, Mr. WICKER, Mrs. FEINSTEIN, Mrs. CAPITO, Mr. MERKLEY, Mr. PADILLA, and Mr. WARNER) introduced the following bill; which was read twice, considered, read the third time, and passed

A BILL

To empower the Chief of the United States Capitol Police to unilaterally request the assistance of the DC National Guard or Federal law enforcement agencies in emergencies without prior approval of the Capitol Police Board.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. SHORT TITLE.**

4 This Act may be cited as the “Capitol Police Emer-
5 gency Assistance Act of 2021”.

1 **SEC. 2. EMERGENCY ASSISTANCE FOR THE CAPITOL PO-**
 2 **LICE.**

3 (a) ASSISTANCE BY EXECUTIVE DEPARTMENTS AND
 4 AGENCIES.—Section 911(a) of division B of the Depart-
 5 ment of Defense and Emergency Supplemental Appropria-
 6 tions for Recovery from and Response to Terrorist Attacks
 7 on the United States Act, 2002 (2 U.S.C. 1970(a)) is
 8 amended—

9 (1) in paragraph (1), by inserting “or in ac-
 10 cordance with paragraph (4)” before “and on a per-
 11 manent”;

12 (2) in paragraph (4)(B)—

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

15 (B) in clause (ii)—

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

18 (ii) in subclause (II), by striking
 19 “and” after the semicolon and inserting
 20 “or”; and

21 (iii) by adding at the end the fol-
 22 lowing:

23 “(III) the Chief of the Capitol
 24 Police, if the Chief of the Capitol Po-
 25 lice has determined that the provision
 26 of assistance is necessary to prevent

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

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

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

17 (b) CAPITOL POLICE SPECIAL OFFICERS.—Section
 18 1017 of division H of the Consolidated Appropriations
 19 Resolution, 2003 (2 U.S.C. 1974) is amended—

20 (1) in subsection (a)—

21 (A) in the matter preceding paragraph (1),
 22 by inserting “or as determined by the Chief of
 23 the Capitol Police in accordance with section
 24 911(a)(4)(B)(ii)(III) of division B of the De-
 25 partment of Defense and Emergency Supple-

1 mental Appropriations for Recovery from and
 2 Response to Terrorist Attacks on the United
 3 States Act, 2002 (2 U.S.C.
 4 1970(a)(4)(B)(ii)(III)),” after “Congress,”; and
 5 (B) by adding at the end the following:

6 “An appointment under this section due to an emergency
 7 determined by the Chief of the Capitol Police under para-
 8 graph (4)(B)(ii)(III) of section 911(a) of division B of the
 9 Department of Defense and Emergency Supplemental Ap-
 10 propriations for Recovery from and Response to Terrorist
 11 Attacks on the United States Act, 2002 (2 U.S.C.
 12 1970(a)) shall be in effect for the period of the emergency,
 13 unless and until the Capitol Police Board revokes the re-
 14 quest for assistance under paragraph (5) of such section.”;

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

16 (3) by redesignating subsections (d), (f), and
 17 (g) as subsections (c), (d), and (e), respectively; and

18 (4) in subsection (d), as redesignated by para-
 19 graph (3) of this subsection, by striking “President
 20 pro tempore” and inserting “Majority Leader”.

21 **SEC. 3. JOINT OVERSIGHT HEARINGS.**

22 (a) IN GENERAL.—The Committee on Rules and Ad-
 23 ministration of the Senate and the Committee on House
 24 Administration of the House of Representatives (referred
 25 to in this section as the “Committees”) are authorized to

1 jointly conduct oversight hearings regarding the Capitol
2 Police Board and may request the attendance of all mem-
3 bers of the Capitol Police Board at any such hearing.
4 Members of the Capitol Police Board shall attend a joint
5 hearing under this section, as requested and under such
6 rules or procedures as may be adopted by the Committees.

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

11 **SEC. 4. EFFECTIVE DATE.**

12 The amendments made by this Act shall take effect
13 on October 1, 2021.

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