

115TH CONGRESS  
2D SESSION

# S. 2952

To amend the Congressional Accountability Act of 1995 to establish protections against congressional sexual harassment and discrimination, and for other purposes.

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## IN THE SENATE OF THE UNITED STATES

MAY 24, 2018

Ms. KLOBUCHAR (for herself, Mr. BLUNT, Mr. McCONNELL, Mr. SCHUMER, Mr. GRASSLEY, Mrs. GILLIBRAND, Mrs. CAPITO, Mrs. MCCASKILL, Mr. ROBERTS, Mrs. FEINSTEIN, Mrs. FISCHER, Ms. HEITKAMP, Mr. ENZI, Ms. BALDWIN, Mrs. ERNST, Ms. HIRONO, Mr. CRUZ, Mrs. SHAHEEN, Mr. ISAKSON, Mr. BROWN, Mr. BARRASSO, Mr. MARKEY, Mr. SULLIVAN, Mr. CARPER, Mr. HELLER, Ms. SMITH, Mr. TILLIS, Mr. CASEY, Mr. KENNEDY, Mr. NELSON, Ms. MURKOWSKI, Mr. DONNELLY, Mr. CORNYN, Ms. DUCKWORTH, Mr. TESTER, Mr. BLUMENTHAL, Mr. MERKLEY, Mr. COONS, Mr. BOOKER, Mr. WARNER, Mr. WYDEN, Mr. MURPHY, Mr. REED, and Mr. MANCHIN) introduced the following bill; which was read twice, considered, read the third time, and passed

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## A BILL

To amend the Congressional Accountability Act of 1995 to establish protections against congressional sexual harassment and discrimination, and for other purposes.

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

1 **SECTION 1. SHORT TITLE; REFERENCES IN ACT; TABLE OF**  
 2 **CONTENTS.**

3 (a) **SHORT TITLE.**—This Act may be cited as the  
 4 “Congressional Accountability Act of 1995 Reform Act”.

5 (b) **REFERENCES IN ACT.**—Except as otherwise ex-  
 6 pressly provided in this Act, wherever an amendment or  
 7 repeal is expressed in terms of an amendment to or repeal  
 8 of a section or other provision, the reference shall be con-  
 9 sidered to be made to that section or other provision of  
 10 the Congressional Accountability Act of 1995 (2 U.S.C.  
 11 1301 et seq.).

12 (c) **TABLE OF CONTENTS.**—The table of contents of  
 13 this Act is as follows:

Sec. 1. Short title; references in Act; table of contents.

**TITLE I—REFORM OF DISPUTE RESOLUTION PROCEDURES**

**Subtitle A—Reform of Procedures for Initiation and Resolution of Claims**

- Sec. 101. Description of procedures available for consideration of alleged viola-  
 tions.  
 Sec. 102. Reform of process for initiation of procedures.  
 Sec. 103. Availability of mediation during process.  
 Sec. 104. Hearings.

**Subtitle B—Other Reforms**

- Sec. 111. Requiring Members of Congress to reimburse treasury for damages  
 paid as settlements and awards for certain violations.  
 Sec. 112. Automatic referral to congressional ethics committees of disposition  
 of certain claims alleging violations of Congressional Account-  
 ability Act of 1995 involving Members of Congress and senior  
 staff.  
 Sec. 113. Availability of option to request remote work assignment or paid leave  
 of absence during pendency of procedures.  
 Sec. 114. Modification of rules on confidentiality of proceedings.  
 Sec. 115. Reimbursement by other employing offices of legislative branch of  
 payments of certain awards and settlements.

**TITLE II—IMPROVING OPERATIONS OF OFFICE OF  
 CONGRESSIONAL WORKPLACE RIGHTS**

- Sec. 201. Reports on awards and settlements.  
 Sec. 202. Workplace climate surveys of employing offices.  
 Sec. 203. Record retention.  
 Sec. 204. Confidential Advisor.  
 Sec. 205. GAO study of management practices.  
 Sec. 206. GAO audit of cybersecurity.

#### TITLE III—MISCELLANEOUS REFORMS

- Sec. 301. Application of Genetic Information Nondiscrimination Act of 2008.  
 Sec. 302. Extension to unpaid staff of rights and protections against employment discrimination.  
 Sec. 303. Provisions relating to instrumentalities.  
 Sec. 304. Notices.  
 Sec. 305. Clarification of coverage of employees of Stennis Center and Helsinki and China Commissions.  
 Sec. 306. Training and education programs of other employing offices.  
 Sec. 307. Support for out-of-area covered employees.  
 Sec. 308. Renaming Office of Compliance as Office of Congressional Workplace Rights.

#### TITLE IV—EFFECTIVE DATE

- Sec. 401. Effective date.

1    **TITLE I—REFORM OF DISPUTE**  
 2        **RESOLUTION PROCEDURES**  
 3    **Subtitle A—Reform of Procedures**  
 4        **for Initiation and Resolution of**  
 5        **Claims**

6    **SEC. 101. DESCRIPTION OF PROCEDURES AVAILABLE FOR**  
 7            **CONSIDERATION OF ALLEGED VIOLATIONS.**

8        (a) PROCEDURES DESCRIBED.—Section 401 (2  
 9 U.S.C. 1401) is amended to read as follows:

10   **“SEC. 401. PROCEDURE FOR CONSIDERATION OF ALLEGED**  
 11            **VIOLATIONS.**

12        “(a) FILING OF CLAIMS.—Except as otherwise pro-  
 13 vided in this Act, the procedure for consideration of an  
 14 alleged violation of part A of title II consists of—

1           “(1) notification of intent to file, and filing of,  
 2           a claim by the covered employee alleging the viola-  
 3           tion, as provided in section 402, which may be fol-  
 4           lowed, as described in section 403(a), with mediation  
 5           under section 403; and

6           “(2) an election of proceeding, as provided in  
 7           this section, of—

8                   “(A) a formal hearing as provided in sec-  
 9                   tion 405, subject to Board review as provided  
 10                  in section 406, and judicial review in the United  
 11                  States Court of Appeals for the Federal Circuit  
 12                  as provided in section 407;

13                  “(B) a civil action in a district court of the  
 14                  United States as provided in section 408; or

15                  “(C) in the case of a Library claimant (as  
 16                  defined in subsection (d)(1)), a proceeding de-  
 17                  scribed in subsection (d)(2) that relates to the  
 18                  violation at issue.

19           “(b) ELECTION OF FORMAL HEARING OR CIVIL AC-  
 20           TION.—

21                  “(1) IN GENERAL.—A covered employee who  
 22                  seeks to make—

23                   “(A) the election described in subsection  
 24                   (a)(2)(A) shall file the request for the formal

1 hearing as provided in section 405(a)(1), by the  
2 deadline described in paragraph (2); or

3 “(B) the election described in subsection  
4 (a)(2)(B) shall file the civil action as provided  
5 in section 408, by the deadline described in  
6 paragraph (2).

7 “(2) DEADLINE FOR ELECTION.—The deadline  
8 described in this paragraph shall be 90 days after  
9 the later of—

10 “(A) the date on which either party opts  
11 out of mediation under section 402(c); or

12 “(B) the end of the period of mediation  
13 under section 403(c).

14 “(3) EFFECT OF ELECTION.—If the covered  
15 employee—

16 “(A) elects to file a request for a formal  
17 hearing as provided in section 405(a), the pro-  
18 cedure for consideration of the claim shall not  
19 include a civil action or other proceeding de-  
20 scribed in subparagraph (B) or (C) of sub-  
21 section (a)(2); or

22 “(B) elects to file a civil action as provided  
23 in section 408(a), the procedure for consider-  
24 ation of the claim shall not include any formal  
25 hearing, review, or other proceeding described

1           in subparagraph (A) or (C) of subsection  
2           (a)(2).

3           “(c) SPECIAL RULE FOR ARCHITECT OF THE CAP-  
4 ITOL AND CAPITOL POLICE.—In the case of an employee  
5 of the Office of the Architect of the Capitol or of the Cap-  
6 itol Police, the Office, after receiving a claim filed under  
7 section 402, may recommend that the employee use, for  
8 a specific period of time, the grievance procedures of the  
9 Architect of the Capitol or the Capitol Police for resolution  
10 of the employee’s grievance. If the grievance procedures  
11 do not resolve the grievance, the employee may resume  
12 the procedure described in subsection (a), starting with  
13 section 403, except that the deadline for opting out of me-  
14 diation under that section shall be 10 business days after  
15 the last day of the grievance procedures.

16           “(d) ELECTION OF REMEDIES FOR LIBRARY OF CON-  
17 GRESS.—

18           “(1) DEFINITIONS.—In this subsection:

19           “(A) DIRECT ACT.—The term ‘direct Act’  
20           means an Act (other than this Act), or provi-  
21           sion of the Revised Statutes, that is specified in  
22           section 201, 202, or 203.

23           “(B) DIRECT PROVISION.—The term ‘di-  
24           rect provision’ means a provision (including a  
25           definitional provision) of a direct Act that ap-

1           plies the rights or protections of a direct Act  
2           (including rights and protections relating to  
3           nonretaliation or noncoercion) to a Library  
4           claimant.

5           “(C) LIBRARY CLAIMANT.—The term ‘Li-  
6           brary claimant’ means, with respect to a direct  
7           provision, an employee of the Library of Con-  
8           gress who is covered by that direct provision.

9           “(2) ELECTION AFTER PROCEEDINGS INITIALLY  
10          BROUGHT UNDER THIS ACT.—A Library claimant  
11          who initially files a claim for an alleged violation as  
12          provided in section 402 may, instead of proceeding  
13          with the claim in accordance with sections 403 (if  
14          applicable) and 405 or filing a civil action in accord-  
15          ance with section 408, during the period described  
16          in subsection (b)(2) but before the Office commences  
17          a formal hearing under section 405, elect to bring  
18          the claim for a proceeding before the corresponding  
19          Federal agency, under the corresponding direct pro-  
20          vision.

21          “(3) ELECTION AFTER PROCEEDINGS INITIALLY  
22          BROUGHT UNDER OTHER CIVIL RIGHTS OR LABOR  
23          LAW.—A Library claimant who initially brings a  
24          claim, complaint, or charge under a direct provision  
25          for a proceeding before a Federal agency may, prior

1 to requesting a hearing under the agency’s proce-  
2 dures, elect to—

3 “(A) continue with the agency’s procedures  
4 and preserve the option (if any) to bring any  
5 civil action relating to the claim, complaint, or  
6 charge, that is available to the Library claim-  
7 ant; or

8 “(B) file a claim with the Office under sec-  
9 tion 402, make an election under subparagraph  
10 (A) or (B) of section 401(a)(2), and continue  
11 with the corresponding procedures of this sub-  
12 title.

13 “(4) APPLICATION.—This subsection shall take  
14 effect and shall apply as described in section 153(c)  
15 of the Legislative Branch Appropriations Act, 2018  
16 (Public Law 115–141) (except to the extent such  
17 section applies to any violation of section 210 or a  
18 provision of an Act specified in section 210).

19 “(e) RIGHTS OF INDIVIDUALS TO RETAIN PRIVATE  
20 COUNSEL.—Nothing in this Act may be construed to limit  
21 the authority of any particular individual, including a cov-  
22 ered employee, the head of an employing office, or an indi-  
23 vidual who has a right to intervene under section  
24 415(d)(6), to retain private counsel to protect the interests  
25 of the particular individual at any point during any of the



1 procedures provided under this Act for the consideration  
2 of an alleged violation of part A of title II, including proce-  
3 dures described in section 415(d)(6).

4 “(f) STANDARDS FOR DESIGNATED REPRESENTA-  
5 TIVES OR UNREPRESENTED PARTIES.—

6 “(1) STANDARDS.—Each designated represent-  
7 ative of a party, and unrepresented party, partici-  
8 pating in any of the procedures (including pro-  
9 ceedings) provided under this Act shall have an obli-  
10 gation to ensure that, to the best of that designated  
11 representative or unrepresented party’s knowledge,  
12 information, and belief, as formed after an inquiry  
13 which is reasonable under the circumstances, each of  
14 the following is correct:

15 “(A) No pleading, written motion, or other  
16 paper is presented for any improper purpose,  
17 such as to harass, cause unnecessary delay, or  
18 needlessly increase the cost of resolution of the  
19 matter.

20 “(B) The claims, defenses, and other legal  
21 contentions the designated representative or un-  
22 represented party advocates are warranted by  
23 existing law or by a nonfrivolous argument for  
24 extending, modifying, or reversing existing law  
25 or for establishing new law.

1           “(C) The factual contentions have evi-  
2           dentiary support or, if specifically so identified,  
3           will likely have evidentiary support after a rea-  
4           sonable opportunity for discovery.

5           “(D) The denials of factual contentions are  
6           warranted on the evidence or, if specifically so  
7           identified, are reasonably based on belief or a  
8           lack of information.

9           “(2) SANCTIONS.—

10           “(A) IN GENERAL.—If a decisionmaker de-  
11           scribed in subparagraph (B) determines that a  
12           designated representative of a party, or unrep-  
13           resented party, has failed to comply with the  
14           standards specified in paragraph (1), then that  
15           decisionmaker may impose appropriate sanc-  
16           tions.

17           “(B) DECISIONMAKER.—A decisionmaker  
18           described in subparagraph (A) is—

19           “(i) a hearing officer or mediator cho-  
20           sen from the list specified in section  
21           405(c)(2), who is not serving as a hearing  
22           officer or mediator to resolve any claim  
23           filed under section 402 that is associated  
24           with—

1 “(I) the designated representative  
2 or unrepresented party; or

3 “(II) an individual identified in  
4 claim.”.

5 (b) CONFORMING AMENDMENT RELATING TO CIVIL  
6 ACTION.—Section 408(a) (2 U.S.C. 1408(a)) is amend-  
7 ed—

8 (1) by striking “section 404” and inserting  
9 “section 401”;

10 (2) by striking “who has completed counseling  
11 under section 402 and mediation under section 403”  
12 and inserting “who filed a timely claim under sec-  
13 tion 402, elected to file a civil action under section  
14 401(a)(2)(B), and made a timely filing under this  
15 section as described in section 401(b)”;

16 (3) by striking the second sentence.

17 (c) OTHER CONFORMING AMENDMENTS.—Title IV is  
18 amended by striking section 404 (2 U.S.C. 1404).

19 (d) CLERICAL AMENDMENTS.—The table of contents  
20 is amended by striking the item relating to section 404.

21 **SEC. 102. REFORM OF PROCESS FOR INITIATION OF PROCE-**  
22 **DURES.**

23 (a) INITIATION OF PROCEDURES.—Section 402 (2  
24 U.S.C. 1402) is amended to read as follows:

1 **“SEC. 402. INITIATION OF PROCEDURES.**

2 “(a) INTAKE OF CLAIM BY OFFICE.—

3 “(1) NOTIFICATION OF INTENT TO FILE.—To  
4 commence a proceeding under this title, a covered  
5 employee alleging a violation of law made applicable  
6 under part A of title II shall notify the Office of in-  
7 tent to file a claim with the Office.

8 “(2) INFORMATION.—On receiving a notifica-  
9 tion under paragraph (1), the Office shall provide to  
10 the covered employee all relevant information with  
11 respect to the employee’s and the employing office’s  
12 rights under this Act, the process for filing the  
13 claim, and the option for the employee to elect, if  
14 the employee so chooses, to file a civil action regard-  
15 ing the alleged violation. The Office shall discuss the  
16 information and covered employee’s claim with the  
17 covered employee. The Office shall initiate the proce-  
18 dures described in this paragraph on the date of the  
19 notification.

20 “(3) FILING.—Upon providing the notification  
21 described in paragraph (1), and not later than the  
22 expiration of the 180-day period in subsection (e),  
23 the covered employee may file the claim. The claim  
24 shall be made in writing under oath or affirmation,  
25 shall describe the facts that form the basis of the  
26 claim and the violation that is being alleged, shall

1 identify the employing office alleged to have com-  
2 mitted the violation or in which the violation is al-  
3 leged to have occurred, and shall be in such form as  
4 the Office requires.

5 “(b) INITIAL PROCESSING OF CLAIM.—Upon the fil-  
6 ing of a claim by a covered employee under subsection (a),  
7 the Office shall take such steps as may be necessary for  
8 the initial intake and recording of the claim and shall  
9 transmit a copy of the claim to the head of the employing  
10 office not later than 3 business days after the date on  
11 which the claim is filed.

12 “(c) MEDIATION.—

13 “(1) NOTIFICATION OF RIGHT TO OPT OUT OF  
14 MEDIATION.—

15 “(A) COVERED EMPLOYEE.—Upon receipt  
16 of a claim, the Office shall notify the covered  
17 employee about the process for mediation under  
18 section 403, the right to opt out of the medi-  
19 ation, and the deadline for opting out of the  
20 mediation.

21 “(B) EMPLOYING OFFICE.—Upon trans-  
22 mission to the employing office of the claim  
23 pursuant to subsection (b), the Office shall no-  
24 tify the employing office about the process for  
25 mediation under section 403, the right to opt

1 out of the mediation, and the deadline for opt-  
2 ing out of the mediation.

3 “(2) DEADLINE TO OPT OUT OF MEDIATION.—

4 Either party may opt out of the mediation. The  
5 deadline for opting out shall be 10 business days  
6 after the date on which the claim that would be the  
7 subject of the mediation is filed.

8 “(d) USE OF ELECTRONIC REPORTING AND TRACK-  
9 ING SYSTEM.—

10 “(1) ESTABLISHMENT AND OPERATION OF SYS-  
11 TEM.—The Office shall establish and operate an  
12 electronic reporting and tracking system through  
13 which a covered employee may initiate a proceeding  
14 under this title, and which will keep an electronic  
15 record of the date and time at which the proceeding  
16 is initiated and will track all subsequent actions or  
17 proceedings occurring with respect to the proceeding  
18 under this title.

19 “(2) ACCESSIBILITY TO ALL PARTIES.—The  
20 system shall be accessible to all parties to such ac-  
21 tions or proceedings, but only until the completion of  
22 such actions or proceedings.

23 “(3) ASSESSMENT OF EFFECTIVENESS OF PRO-  
24 CEDURES.—The Office shall use the information  
25 contained in the system to make regular assessments

1 of the effectiveness of the procedures under this title  
2 in providing for the timely resolution of claims, and  
3 shall submit semiannual reports on such assessments  
4 each year to the Committee on House Administra-  
5 tion and the Committee on Appropriations of the  
6 House of Representatives and the Committee on  
7 Rules and Administration and the Committee on Ap-  
8 propriations of the Senate.

9 “(e) DEADLINE.—A covered employee may not file a  
10 claim under this section with respect to an allegation of  
11 a violation of law after the expiration of the 180-day pe-  
12 riod which begins on the date of the alleged violation. The  
13 Office shall not accept a claim that does not meet the re-  
14 quirements of this subsection.

15 “(f) NO EFFECT ON ABILITY OF COVERED EM-  
16 PLOYEE TO SEEK INFORMATION FROM OFFICE OR PUR-  
17 SUE RELIEF.—Nothing in this section may be construed  
18 to limit the ability of a covered employee—

19 “(1) to contact the Office or any other appro-  
20 priate office prior to filing a claim under this title  
21 to seek information regarding the employee’s rights  
22 under this Act and the procedures available under  
23 this Act; or

24 “(2) in the case of a covered employee of an  
25 employing office described in subparagraph (A), (B),

1 or (C) of section 101(9), to refer information re-  
 2 garding an alleged violation of part A of title II to  
 3 the Committee on Ethics of the House of Represent-  
 4 atives or the Select Committee on Ethics of the Sen-  
 5 ate (as the case may be).”.

6 (b) CLERICAL AMENDMENT.—The table of contents  
 7 is amended by amending the item relating to section 402  
 8 to read as follows:

“Sec. 402. Initiation of procedures.”.

9 **SEC. 103. AVAILABILITY OF MEDIATION DURING PROCESS.**

10 (a) AVAILABILITY OF MEDIATION.—Section 403(a)  
 11 (2 U.S.C. 1403(a)) is amended to read as follows:

12 “(a) AVAILABILITY OF MEDIATION.—

13 “(1) IN GENERAL.—Unless the covered em-  
 14 ployee who filed a claim under section 402 or the  
 15 employing office named in the claim opts out of me-  
 16 diation by the deadline described in section  
 17 402(c)(2), the Office shall promptly assign a medi-  
 18 ator to the claim, and conduct such mediation under  
 19 this section.

20 “(2) IMPACT OF DECISION.—A decision by a  
 21 party to engage in or opt out of mediation as pro-  
 22 vided in this Act shall not be used for or against the  
 23 party in any proceeding under this Act.”.

24 (b) REQUIRING PARTIES TO BE SEPARATED DURING  
 25 MEDIATION AT REQUEST OF EMPLOYEE.—Section



1 403(b)(2) (2 U.S.C. 1403(b)(2)) is amended by striking  
 2 “meetings with the parties separately or jointly” and in-  
 3 serting “meetings with the parties during which, at the  
 4 request of the covered employee, the parties shall be sepa-  
 5 rated,”.

6 (c) PERIOD OF MEDIATION.—Section 403(c) (2  
 7 U.S.C. 1403(c)) is amended—

8 (1) in the first sentence, by striking “beginning  
 9 on the date the request for mediation is received”  
 10 and inserting “beginning on the first day after the  
 11 deadline described in section 402(e)(2)”; and

12 (2) by striking the second sentence and insert-  
 13 ing “The mediation period may be extended for one  
 14 additional period of 30 days at the joint request of  
 15 the covered employee and employing office.”.

16 **SEC. 104. HEARINGS.**

17 (a) HEARINGS COMMENCED BY OFFICE OF CON-  
 18 GRESSIONAL WORKPLACE RIGHTS.—Section 405 (2  
 19 U.S.C. 1405) is amended as follows:

20 (1) In the heading, by striking “**COMPLAINT**  
 21 **AND**”.

22 (2) By amending subsection (a) to read as fol-  
 23 lows:

24 “(a) REQUIREMENT FOR HEARINGS TO COMMENCE  
 25 IN OFFICE.—

1           “(1) HEARING REQUIRED UPON REQUEST.—If  
2 a covered employee elects to file a request for a  
3 hearing under this section by the deadline described  
4 in paragraph (2), the Executive Director shall ap-  
5 point an independent hearing officer pursuant to  
6 subsection (c) to consider the claim and render a de-  
7 cision, and a hearing shall be commenced in the Of-  
8 fice.

9           “(2) DEADLINE FOR REQUESTING HEARING.—  
10 The deadline described in this paragraph shall be 90  
11 days after the later of—

12                   “(A) the date on which either party opts  
13 out of mediation under section 402(c); or

14                   “(B) the end of the period of mediation  
15 under section 403(c).

16           “(3) EFFECT OF FILING CIVIL ACTION.—Not-  
17 withstanding paragraph (1), if the covered employee  
18 files a civil action as provided in section 408 with re-  
19 spect to a complaint, the provisions of section  
20 401(b)(3)(B) shall apply with regard to a hearing  
21 under this section.”.

22           (3) In subsection (b), by striking “dismiss any  
23 claim” and inserting “dismiss any cause of action  
24 within a claim”.

1           (4) In subsection (c)(1), by striking “Upon the  
2           filing of a complaint” and inserting “Upon receipt of  
3           a request for a hearing in accordance with sub-  
4           section (a)”.

5           (5) In subsection (d), in the matter preceding  
6           paragraph (1), by striking “complaint” and inserting  
7           “claim”.

8           (6) In subsection (g), by striking “complaint”  
9           and inserting “claim”.

10          (b) **ADDITIONAL TIME TO COMMENCE A HEARING**  
11 **BEFORE A HEARING OFFICER.**—Section 405(d) (2 U.S.C.  
12 1405(d)), as amended by subsection (a), is further amend-  
13 ed by striking paragraph (2) and inserting the following:

14           “(2) commenced no later than 90 days after the  
15          Executive Director receives a request filed under  
16          subsection (a), except that, upon mutual agreement  
17          of the parties or for good cause, the Office shall ex-  
18          tend the time for commencing a hearing for not  
19          more than an additional 30 days; and”.

20          (c) **OTHER CONFORMING AMENDMENT.**—The head-  
21 ing of section 414 (2 U.S.C. 1414) is amended by striking  
22 **“OF COMPLAINTS”**.

23          (d) **CLERICAL AMENDMENTS.**—The table of contents,  
24 as amended by section 101(d), is further amended as fol-  
25 lows:

1           (1) By amending the item relating to section  
2           405 to read as follows:

“Sec. 405. Hearing.”.

3           (2) By amending the item relating to section  
4           414 to read as follows:

“Sec. 414. Settlement.”.

## 5           **Subtitle B—Other Reforms**

### 6   **SEC. 111. REQUIRING MEMBERS OF CONGRESS TO REIM-** 7           **BURSE TREASURY FOR DAMAGES PAID AS** 8           **SETTLEMENTS AND AWARDS FOR CERTAIN** 9           **VIOLATIONS.**

10          (a) MANDATING REIMBURSEMENT OF AMOUNTS  
11 PAID.—Section 415 (2 U.S.C. 1415) is amended by add-  
12 ing at the end the following new subsection:

13          “(d) REIMBURSEMENT BY MEMBERS OF CONGRESS  
14 FOR DAMAGES PAID AS SETTLEMENTS AND AWARDS.—

15                 “(1) REIMBURSEMENT REQUIRED FOR CERTAIN  
16 VIOLATIONS.—

17                         “(A) IN GENERAL.—If a payment is made  
18 from the account described in subsection (a) for  
19 an award or settlement in connection with a  
20 claim alleging a violation described in subpara-  
21 graph (D) perpetrated directly against a cov-  
22 ered employee by an individual who, at the time  
23 of committing the violation, was a Member of  
24 the House of Representatives (including a Dele-

1           gate or Resident Commissioner to the Con-  
2           gress) or a Senator, that individual who com-  
3           mitted the violation shall reimburse the account  
4           for the amount of compensatory damages in-  
5           cluded in the award or settlement attributable  
6           to that violation.

7           “(B) SEPARATE FINDING REQUIRED IN  
8           CASE OF AWARD OR SETTLEMENT.—Personal li-  
9           ability or a reimbursement requirement may not  
10          be imposed on an individual under this sub-  
11          section unless the hearing officer, the court, or  
12          the corresponding committee described in sec-  
13          tion 416(e)(1) (as the case may be) makes a  
14          finding, separate from the finding on the under-  
15          lying claim, that the individual perpetrated a  
16          violation requiring reimbursement under this  
17          subsection.

18          “(C) MULTIPLE CLAIMS.—If an award or  
19          settlement is made for multiple claims, some of  
20          which do not require reimbursement under this  
21          subsection, the Member or Senator shall only be  
22          required to reimburse for the amount of com-  
23          pensatory damages included in the portion of  
24          the award or settlement attributable to a claim  
25          requiring reimbursement.

1           “(D) VIOLATION DESCRIBED.—A violation  
2 described in this subparagraph is—

3           “(i) unwelcome harassment by an in-  
4 dividual described in subparagraph (A) on  
5 any basis protected by section 201(a) or  
6 206(a) that has the purpose or effect of  
7 unreasonably interfering, and is suffi-  
8 ciently severe or pervasive to unreasonably  
9 interfere, with a covered employee’s work  
10 performance or create an intimidating,  
11 hostile, or offensive working environment;  
12 or

13           “(ii) in the case of a violation of sec-  
14 tion 201(a) on the basis of sex, conduct by  
15 an individual described in subparagraph  
16 (A) that is an unwelcome sexual advance  
17 or request for sexual favors, when—

18           “(I) submission to such conduct  
19 is made either explicitly or implicitly a  
20 term or condition of the covered em-  
21 ployee’s employment; or

22           “(II) submission to or rejection  
23 of such conduct by the employee is  
24 used as the basis for an employment  
25 decision affecting such employee.

1           “(2) WITHHOLDING AMOUNTS FROM COM-  
2 PENSATION.—

3           “(A) ESTABLISHMENT OF TIMETABLE AND  
4 PROCEDURES BY COMMITTEES.—For purposes  
5 of carrying out subparagraph (B), the applica-  
6 ble Committee shall establish a timetable and  
7 procedures for the withholding of amounts from  
8 the compensation of an individual who is a  
9 Member of the House of Representatives or a  
10 Senator.

11           “(B) DEADLINE.—The payroll adminis-  
12 trator shall withhold from an individual’s com-  
13 pensation and transfer to the account described  
14 in subsection (a) (after transferring to the ac-  
15 count of the individual in the Thrift Savings  
16 Fund any amount that the individual had re-  
17 quested to be so transferred) such amounts as  
18 may be necessary to reimburse the account de-  
19 scribed in subsection (a) for the reimbursable  
20 portion of the award or settlement described in  
21 paragraph (1) if the individual has not reim-  
22 bursed the account as required under para-  
23 graph (1) prior to the expiration of the 90-day  
24 period which begins on the date a payment is

1 made from the account for such an award or  
2 settlement.

3 “(C) APPLICABLE COMMITTEE DEFINED.—

4 In this paragraph, the ‘applicable Committee’  
5 means—

6 “(i) the Committee on House Admin-  
7 istration of the House of Representatives,  
8 in the case of an individual who, at the  
9 time of the withholding, is a Member of  
10 the House; or

11 “(ii) the Committee on Rules and Ad-  
12 ministration of the Senate, in the case of  
13 an individual who, at the time of the with-  
14 holding, is a Senator.

15 “(3) ADMINISTRATIVE WAGE GARNISHMENT OR  
16 OTHER COLLECTION OF WAGES FROM A SUBSE-  
17 QUENT POSITION.—

18 “(A) INDIVIDUAL SUBJECT TO GARNISH-  
19 MENT OR OTHER COLLECTION.—Subparagraph  
20 (B) shall apply to an individual who is subject  
21 to the reimbursement requirement of this sub-  
22 section if, by the expiration of the 180-day pe-  
23 riod that begins on the date a payment is made  
24 from the account described in subsection (a) re-



1           lating to an award or settlement described in  
2           paragraph (1), the individual—

3                   “(i) has not reimbursed the account  
4                   for the entire reimbursable portion as re-  
5                   quired under paragraph (1); and

6                   “(ii) is not employed as a Member of  
7                   the House of Representatives or a Senator  
8                   but is employed in a subsequent non-Fed-  
9                   eral position.

10                   “(B) GARNISHMENT OR OTHER COLLEC-  
11                   TION OF WAGES.—On the expiration of that  
12                   180-day period, the amount of the reimbursable  
13                   portion of an award or settlement described in  
14                   paragraph (1) (reduced by any amount the indi-  
15                   vidual has reimbursed, taking into account any  
16                   amounts withheld under paragraph (2)) shall be  
17                   treated as a delinquent nontax debt and trans-  
18                   ferred to the Secretary of the Treasury for col-  
19                   lection. Upon that transfer, the Secretary of the  
20                   Treasury shall collect the debt, in accordance  
21                   with section 3711 of title 31, United States  
22                   Code, including by administrative wage garnish-  
23                   ment of the wages of the individual described in  
24                   subparagraph (A) from the position described  
25                   in subparagraph (A)(ii). The Secretary of the

1 Treasury shall transfer the collected amount to  
2 the account described in subsection (a).

3 “(4) NOTIFICATION TO OFFICE OF PERSONNEL  
4 MANAGEMENT AND SECRETARY OF THE TREAS-  
5 URY.—If the individual does not obtain employment  
6 in a subsequent position referred to in paragraph  
7 (3)(A)(ii), not later than 90 days after the individual  
8 is first no longer receiving compensation as a Mem-  
9 ber or a Senator, the amounts withheld or collected  
10 under this subsection have not been sufficient to re-  
11 imburse the account described in subsection (a) for  
12 the reimbursable portion of the award or settlement  
13 described in paragraph (1), the payroll adminis-  
14 trator—

15 “(A) shall notify the Director of the Office  
16 of Personnel Management, who shall take such  
17 actions as the Director considers appropriate to  
18 withhold from any annuity payable to the indi-  
19 vidual under chapter 83 or chapter 84 of title  
20 5, United States Code, and transfer to the ac-  
21 count described in subsection (a), such amounts  
22 as may be necessary to reimburse the account  
23 for the reimbursable portion of an award or set-  
24 tlement described in paragraph (1); and

1           “(B) shall notify the Secretary of the  
2           Treasury, who (if necessary), notwithstanding  
3           section 207 of the Social Security Act (42  
4           U.S.C. 407), shall take such actions as the Sec-  
5           retary of the Treasury considers appropriate to  
6           withhold from any payment to the individual  
7           under title II of the Social Security Act (42  
8           U.S.C. 401 et seq.) and transfer to the account  
9           described in subsection (a), such amounts as  
10          may be necessary to reimburse the account for  
11          the reimbursable portion of an award or settle-  
12          ment described in paragraph (1).

13          “(5) COORDINATION BETWEEN OPM AND  
14          TREASURY.—The Director of the Office of Personnel  
15          Management and the Secretary of the Treasury shall  
16          carry out paragraph (4) in a manner that ensures  
17          the coordination of the withholding and transferring  
18          of amounts under such paragraph, in accordance  
19          with regulations promulgated by the Director and  
20          the Secretary.

21          “(6) RIGHT TO INTERVENE.—An individual  
22          who is subject to the reimbursement requirement of  
23          this subsection shall have the unconditional right to  
24          intervene in any mediation, hearing, or civil action  
25          under this title to protect the interests of the indi-

1       vidual in the determination of whether an award or  
2       settlement described in paragraph (1) should be  
3       made, and the amount of any such award or settle-  
4       ment, except that nothing in this paragraph may be  
5       construed to require the covered employee who filed  
6       the claim to be deposed by counsel for the individual  
7       in a deposition that is separate from any other depo-  
8       sition taken from the employee in connection with  
9       the hearing or civil action.

10       “(7) DEFINITIONS.—In this subsection, the  
11       term ‘payroll administrator’ means—

12               “(A) in the case of an individual who is a  
13       Member of the House of Representatives, the  
14       Chief Administrative Officer of the House of  
15       Representatives, or an employee of the Office of  
16       the Chief Administrative Officer who is des-  
17       ignated by the Chief Administrative Officer to  
18       carry out this subsection; or

19               “(B) in the case of an individual who is a  
20       Senator, the Secretary of the Senate, or an em-  
21       ployee of the Office of the Secretary of the Sen-  
22       ate who is designated by the Secretary to carry  
23       out this subsection.”.

1 (b) EFFECTIVE DATE.—The amendment made by  
 2 subsection (a) shall apply with respect to claims made on  
 3 or after the date of the enactment of this Act.

4 **SEC. 112. AUTOMATIC REFERRAL TO CONGRESSIONAL ETH-**  
 5 **ICS COMMITTEES OF DISPOSITION OF CER-**  
 6 **TAIN CLAIMS ALLEGING VIOLATIONS OF**  
 7 **CONGRESSIONAL ACCOUNTABILITY ACT OF**  
 8 **1995 INVOLVING MEMBERS OF CONGRESS**  
 9 **AND SENIOR STAFF.**

10 Section 416(e) (2 U.S.C. 1416(e)) is amended to read  
 11 as follows:

12 “(e) AUTOMATIC REFERRALS TO CONGRESSIONAL  
 13 ETHICS COMMITTEES OF DISPOSITIONS OF CLAIMS IN-  
 14 VOLVING MEMBERS OF CONGRESS AND SENIOR STAFF.—

15 “(1) REFERRAL.—Upon the final disposition  
 16 under this title (as described in paragraph (6)) of a  
 17 claim alleging a violation of section 201(a) or 206(a)  
 18 that is perpetrated directly against a covered em-  
 19 ployee by a Member of the House of Representatives  
 20 (including a Delegate or Resident Commissioner to  
 21 the Congress) or a Senator, or by a senior staffer of  
 22 an employing office described in subparagraph (A)  
 23 or (B) of section 101(9), the Executive Director  
 24 shall refer the claim to—

1           “(A) the Committee on Ethics of the  
2           House of Representatives, in the case of a  
3           Member or senior staffer of the House (includ-  
4           ing a Delegate or Resident Commissioner to the  
5           Congress); or

6           “(B) the Select Committee on Ethics of  
7           the Senate, in the case of a Senator or senior  
8           staffer of the Senate.

9           “(2) ACCESS TO RECORDS AND INFORMA-  
10          TION.—If the Executive Director refers a claim to a  
11          Committee under paragraph (1), the Executive Di-  
12          rector shall provide the Committee with access to the  
13          settlement documents in the case of a settlement  
14          and findings by the hearing officer involved in the  
15          case of an award under this title.

16          “(3) REVIEW BY CONGRESSIONAL ETHICS COM-  
17          MITTEES OF SETTLEMENTS OF CERTAIN CLAIMS.—  
18          After the receipt of a settlement agreement for a  
19          claim that includes an allegation of a violation of  
20          section 201(a) or 206(a) that is perpetrated directly  
21          against a covered employee as described in section  
22          415(d)(1)(D) by a Member of the House of Rep-  
23          resentatives (including a Delegate or a Resident  
24          Commissioner to the Congress) or a Senator, the

1 corresponding committee described in paragraph (1)  
2 shall—

3 “(A) not later than 90 days after that re-  
4 ceipt, review the settlement agreement;

5 “(B) determine whether an investigation of  
6 the claim is warranted; and

7 “(C) if the committee determines, after the  
8 investigation, that the claim that resulted in the  
9 settlement involved an actual violation of sec-  
10 tion 201(a) or 206(a) perpetrated directly  
11 against a covered employee as described in sec-  
12 tion 415(d)(1)(D) by the Member or Senator,  
13 then the committee shall notify the Executive  
14 Director to request the reimbursement de-  
15 scribed in section 415(d) and include the settle-  
16 ment in the report required by section 301(l).

17 “(4) PROTECTION OF PERSONALLY IDENTIFI-  
18 ABLE INFORMATION.—If a Committee to which a  
19 claim is referred under paragraph (1) issues a report  
20 with respect to the claim, the Committee shall en-  
21 sure that the report does not directly disclose the  
22 identity or position of the individual who filed the  
23 claim.

24 “(5) AUTHORITY TO PROTECT IDENTITY OF A  
25 CLAIMANT.—

1           “(A) REDACTIONS.—If a Committee issues  
2 a report as described in paragraph (4), the  
3 Committee may, in accordance with subpara-  
4 graph (B), make an appropriate redaction to  
5 the information or data included in the report  
6 if the Committee and the appropriate decision-  
7 makers described in subparagraph (B) deter-  
8 mine that including the information or data  
9 considered for redaction may lead to the unin-  
10 tentional disclosure of the identity or position of  
11 a claimant. The report including any such re-  
12 daction shall note each redaction and include a  
13 statement that the redaction was made solely  
14 for the purpose of avoiding such an uninten-  
15 tional disclosure of the identity or position of a  
16 claimant.

17           “(B) AGREEMENT ON REDACTIONS.—The  
18 Committee shall make a redaction under sub-  
19 paragraph (A) only if agreement is reached on  
20 the precise information or data to be redacted  
21 by—

22                   “(i) the Chairman and Ranking Mem-  
23 ber of the Committee on Ethics of the  
24 House of Representatives, in the case of a  
25 report concerning a Member of the House



1 of Representatives (including a Delegate or  
2 Resident Commissioner to the Congress) or  
3 a senior staffer who is an employee of the  
4 House of Representatives; or

5 “(ii) the Chairman and Vice Chair-  
6 man of the Select Committee on Ethics of  
7 the Senate, in the case of a report con-  
8 cerning a Senator or senior staffer who is  
9 an employee of the Senate.

10 “(C) RETENTION OF UNREDACTED RE-  
11 PORTS.—Each committee described in subpara-  
12 graph (B) shall retain a copy of the report,  
13 without redactions.

14 “(6) DEFINITIONS.—In this subsection:

15 “(A) FINAL DISPOSITION.—The ‘final dis-  
16 position’ of a claim means the following:

17 “(i) An agreement to pay a settle-  
18 ment, including an agreement reached pur-  
19 suant to mediation under section 403.

20 “(ii) An order to pay an award that is  
21 final and not subject to appeal.

22 “(B) SENIOR STAFFER.—The term ‘senior  
23 staffer’ means any individual who, at the time  
24 a violation occurred, was required to file a re-

1 port under title I of the Ethics in Government  
2 Act of 1978 (5 U.S.C. App.).”.

3 **SEC. 113. AVAILABILITY OF OPTION TO REQUEST REMOTE**  
4 **WORK ASSIGNMENT OR PAID LEAVE OF AB-**  
5 **SENCE DURING PENDENCY OF PROCEDURES.**

6 (a) IN GENERAL.—Title IV (2 U.S.C. 1401 et seq.)  
7 is amended by adding at the end the following new section:

8 **“SEC. 417. OPTION TO REQUEST REMOTE WORK ASSIGN-**  
9 **MENT OR PAID LEAVE OF ABSENCE DURING**  
10 **PENDENCY OF PROCEDURES.**

11 **“(a) OPTIONS FOR EMPLOYEES.—**

12 **“(1) REMOTE WORK ASSIGNMENT.—**At the re-  
13 quest of a covered employee who files a claim alleg-  
14 ing a violation of part A of title II by the covered  
15 employee’s employing office, during the pendency of  
16 any of the procedures available under this title for  
17 consideration of the claim, the employing office may  
18 permit the covered employee to carry out the em-  
19 ployee’s responsibilities from a remote location (re-  
20 ferred to in this section as ‘permitting a remote  
21 work assignment’) where such relocation would have  
22 the effect of materially reducing interactions be-  
23 tween the covered employee and any person alleged  
24 to have committed the violation, instead of from a  
25 location of the employing office.

1           “(2) EXCEPTION FOR WORK ASSIGNMENTS RE-  
2           QUIRED TO BE CARRIED OUT ONSITE.—If, in the de-  
3           termination of the covered employee’s employing of-  
4           fice, a covered employee who makes a request under  
5           this subsection cannot carry out the employee’s re-  
6           sponsibilities from a remote location or such reloca-  
7           tion would not have the effect described in para-  
8           graph (1), the employing office may during the  
9           pendency of the procedures described in paragraph  
10          (1)—

11                   “(A) grant a paid leave of absence to the  
12                   covered employee;

13                   “(B) permit a remote work assignment  
14                   and grant a paid leave of absence to the covered  
15                   employee; or

16                   “(C) make another workplace adjustment,  
17                   or permit a remote work assignment, that  
18                   would have the effect of reducing interactions  
19                   between the covered employee and any person  
20                   alleged to have committed the violation de-  
21                   scribed in paragraph (1).

22           “(3) ENSURING NO RETALIATION.—An employ-  
23           ing office may not grant a covered employee’s re-  
24           quest under this subsection in a manner which  
25           would constitute a violation of section 207.

1           “(4) NO IMPACT ON VACATION OR PERSONAL  
 2 LEAVE.—In granting leave for a paid leave of ab-  
 3 sence under this section, an employing office shall  
 4 not require the covered employee to substitute, for  
 5 that leave, any of the accrued paid vacation or per-  
 6 sonal leave of the covered employee.

7           “(b) EXCEPTION FOR ARRANGEMENTS SUBJECT TO  
 8 COLLECTIVE BARGAINING AGREEMENTS.—Subsection (a)  
 9 does not apply to the extent that it is inconsistent with  
 10 the terms and conditions of any collective bargaining  
 11 agreement which is in effect with respect to an employing  
 12 office.”.

13           (b) CLERICAL AMENDMENT.—The table of contents  
 14 is amended by adding at the end of the items relating to  
 15 tile IV the following new item:

“Sec. 417. Option to request remote work assignment or paid leave of absence  
 during pendency of procedures.”.

16 **SEC. 114. MODIFICATION OF RULES ON CONFIDENTIALITY**  
 17 **OF PROCEEDINGS.**

18           (a) MEDIATION.—Section 416(b) (2 U.S.C. 1416(b))  
 19 is amended by striking “All mediation” and inserting “All  
 20 information discussed or disclosed in the course of any me-  
 21 diation”.

22           (b) CLAIMS.—Section 416 (2 U.S.C. 1416), as  
 23 amended by section 112, is further amended—

24           (1) by striking subsection (a);

1           (2) by redesignating subsections (b) through (f)  
2 as subsections (a) through (e), respectively;

3           (3) in subsection (b), as redesignated by para-  
4 graph (2) of this subsection, by striking “subsections  
5 (d), (e), and (f)” and inserting “subsections (c), (d),  
6 and (e)”; and

7           (4) by adding at the end the following:

8           “(f) CLAIMS.—Nothing in this section may be con-  
9 strued to prohibit a covered employee from disclosing the  
10 factual allegations supporting the covered employee’s  
11 claim, or to prohibit an employing office from disclosing  
12 the factual allegations supporting the employing office’s  
13 defense to the claim, in the course of any proceeding under  
14 this title.”.

15 **SEC. 115. REIMBURSEMENT BY OTHER EMPLOYING OF-**  
16 **FICES OF LEGISLATIVE BRANCH OF PAY-**  
17 **MENTS OF CERTAIN AWARDS AND SETTLE-**  
18 **MENTS.**

19           (a) REQUIRING REIMBURSEMENT.—Section 415 (2  
20 U.S.C. 1415), as amended by section 111, is further  
21 amended by adding at the end the following new sub-  
22 section:

23           “(e) REIMBURSEMENT BY EMPLOYING OFFICES.—

24           “(1) NOTIFICATION OF PAYMENTS MADE FROM  
25 ACCOUNT.—As soon as practicable after the Execu-

1       tive Director is made aware that a payment of an  
2       award or settlement under this Act has been made  
3       from the account described in subsection (a) in con-  
4       nection with a claim alleging a violation described in  
5       section 201(a) or 206(a) by an employing office  
6       (other than an employing office described in sub-  
7       paragraph (A), (B), or (C) of section 101(9)), the  
8       Executive Director shall notify the head of the em-  
9       ploying office associated with the claim that the pay-  
10      ment has been made, and shall include in the notifi-  
11      cation a statement of the amount of the payment.

12           “(2) REIMBURSEMENT BY OFFICE.—Not later  
13      than 180 days after receiving a notification from the  
14      Executive Director under paragraph (1), the head of  
15      the employing office involved shall transfer to the ac-  
16      count described in subsection (a), out of any funds  
17      available for operating expenses of the office, a pay-  
18      ment equal to the amount specified in the notifica-  
19      tion.

20           “(3) TIMETABLE AND PROCEDURES FOR REIM-  
21      BURSEMENT.—The head of an employing office shall  
22      transfer a payment under paragraph (2) in accord-  
23      ance with such timetable and procedures as may be  
24      established under regulations promulgated by the  
25      Office.”.

1 (b) EFFECTIVE DATE.—The amendment made by  
 2 subsection (a) shall apply with respect to payments made  
 3 under section 415 of the Congressional Accountability Act  
 4 of 1995 (2 U.S.C. 1415) for an award or settlement for  
 5 a claim that is filed on or after the date of the enactment  
 6 of this Act.

7 **TITLE II—IMPROVING OPER-**  
 8 **ATIONS OF OFFICE OF CON-**  
 9 **GRESSIONAL WORKPLACE**  
 10 **RIGHTS**

11 **SEC. 201. REPORTS ON AWARDS AND SETTLEMENTS.**

12 (a) ANNUAL REPORTS ON AWARDS AND SETTLE-  
 13 MENTS.—

14 (1) REQUIRING SUBMISSION AND PUBLICATION  
 15 OF REPORTS.—Section 301 (2 U.S.C. 1381) is  
 16 amended—

17 (A) in subsection (h)(3), by striking “com-  
 18 plaint” each place it appears and inserting  
 19 “claim”; and

20 (B) by adding at the end the following new  
 21 subsection:

22 “(1) ANNUAL REPORTS ON AWARDS AND SETTLE-  
 23 MENTS.—

24 “(1) IN GENERAL.—Not later than 45 days  
 25 after the beginning of each calendar year, the Office

1 shall submit to Congress and publish on the Office’s  
2 public website a report listing each award that is the  
3 result of a violation of part A of title II or settle-  
4 ment that is attributable to a finding described in  
5 section 415(d)(1)(B) and that was paid during the  
6 previous calendar year from the account described in  
7 section 415(a). The report shall include information  
8 on the employing office involved, the amount of the  
9 award or settlement, the provision that was the sub-  
10 ject of the claim, and (in the case of an award or  
11 settlement resulting from a finding described in sec-  
12 tion 415(d)(1)(B)), whether the Member or former  
13 Member is in compliance with the requirement of  
14 section 415(d) to reimburse the account for the re-  
15 imburseable portion of the award or settlement.

16 “(2) PROTECTION OF IDENTITY OF INDIVID-  
17 UALS RECEIVING AWARDS AND SETTLEMENTS.—In  
18 preparing and submitting the reports required under  
19 paragraph (1), the Office shall ensure that the iden-  
20 tity or position of any claimant is not disclosed.

21 “(3) AUTHORITY TO PROTECT THE IDENTITY  
22 OF A CLAIMANT.—

23 “(A) IN GENERAL.—In carrying out para-  
24 graph (2), the Executive Director may make an  
25 appropriate redaction to the data included in



1 the report described in paragraph (1) if the Ex-  
2 ecutive Director determines that including the  
3 data considered for redaction may lead to the  
4 identity or position of a claimant unintention-  
5 ally being disclosed. The report shall note each  
6 redaction and include a statement that the re-  
7 daction was made solely for the purpose of  
8 avoiding such an unintentional disclosure of the  
9 identity or position of a claimant.

10 “(B) RECORDKEEPING.—The Executive  
11 Director shall retain a copy of the report de-  
12 scribed in subparagraph (A), without  
13 redactions.

14 “(4) DEFINITION.—In this subsection, the term  
15 ‘claimant’ means an individual who received an  
16 award or settlement, or who made an allegation of  
17 a violation against an employing office.”

18 (2) EFFECTIVE DATE.—The amendments made  
19 by paragraph (1) shall apply with respect to 2018  
20 and each succeeding year.

21 (b) REPORT ON AMOUNTS PREVIOUSLY PAID.—

22 (1) IN GENERAL.—Not later than 30 days after  
23 the date of the enactment of this Act, the Office of  
24 Congressional Workplace Rights shall submit to  
25 Congress and make available to the public on the

1 Office's public website a report on all payments  
2 made with public funds prior to the date of the en-  
3 actment of this Act for awards and settlements in  
4 connection with violations of section 201(a) of the  
5 Congressional Accountability Act of 1995 (2 U.S.C.  
6 1311(a)), or section 207 of such Act (2 U.S.C.  
7 1317) and shall include in the report the following  
8 information:

9 (A) The amount paid for each such award  
10 or settlement.

11 (B) The source of the public funds used  
12 for the award or settlement, without regard to  
13 whether the funds were paid from the account  
14 described in section 415(a) of such Act (2  
15 U.S.C. 1415(a)), an account of the House of  
16 Representatives or Senate, or any other account  
17 of the Federal Government.

18 (2) RULE OF CONSTRUCTION REGARDING IDEN-  
19 TIFICATION OF HOUSE AND SENATE ACCOUNTS.—  
20 Nothing in paragraph (1)(B) may be construed to  
21 require or permit the Office of Congressional Work-  
22 place Rights to report the account of any specific of-  
23 fice of the House of Representatives or Senate as  
24 the source of funds used for an award or settlement.

1 **SEC. 202. WORKPLACE CLIMATE SURVEYS OF EMPLOYING**  
2 **OFFICES.**

3 (a) REQUIRING SURVEYS.—Title III (2 U.S.C. 1381  
4 et seq.) is amended by adding at the end the following  
5 new section:

6 **“SEC. 307. WORKPLACE CLIMATE SURVEYS OF EMPLOYING**  
7 **OFFICES.**

8 “(a) REQUIREMENT TO CONDUCT SURVEYS.—Not  
9 later than 1 year after the date of the enactment of this  
10 section, and every 2 years thereafter, the Office shall con-  
11 duct a survey of employees of employing offices described  
12 in subparagraphs (A), (B), (C), and (E) of section 101(9),  
13 regarding the workplace environment of such office. The  
14 Office shall make the survey available (which may include  
15 making the survey available electronically) to all such em-  
16 ployees. Employee responses to the survey shall be vol-  
17 untary.

18 “(b) SPECIAL INCLUSION OF INFORMATION ON SEX-  
19 UAL HARASSMENT AND DISCRIMINATION.—In each sur-  
20 vey conducted under this section, the Office shall survey  
21 respondents on attitudes regarding sexual harassment and  
22 discrimination.

23 “(c) METHODOLOGY.—

24 “(1) IN GENERAL.—The Office shall conduct  
25 each survey under this section in accordance with  
26 methodologies established by the Office.

1           “(2) CONFIDENTIALITY.—Under the meth-  
2           odologies established under paragraph (1), all re-  
3           sponses to all portions of the survey shall be anony-  
4           mous and confidential, and each respondent shall be  
5           told throughout the survey that all responses shall  
6           be anonymous and confidential.

7           “(3) SURVEY FORM.—The Office shall not in-  
8           clude any code or information on the survey form  
9           that makes a respondent to the survey, or the re-  
10          spondent’s employing office, individually identifiable.

11          “(d) USE OF RESULTS OF SURVEYS.—The Office  
12          shall furnish the information obtained from the surveys  
13          conducted under this section to the Committee on House  
14          Administration of the House of Representatives and the  
15          Committee on Homeland Security and Governmental Af-  
16          fairs, and the Committee on Rules and Administration,  
17          of the Senate.

18          “(e) CONSULTATION WITH COMMITTEES.—The Of-  
19          fice shall carry out this section, including establishment  
20          of methodologies and procedures under subsection (c), in  
21          consultation with the Committee on House Administration  
22          of the House of Representatives and the Committee on  
23          Homeland Security and Governmental Affairs, and the  
24          Committee on Rules and Administration, of the Senate.”.

1 (b) CLERICAL AMENDMENT.—The table of contents  
 2 is amended by adding at the end of the items relating to  
 3 title III the following new item:

“Sec. 307. Workplace climate surveys of employing offices.”.

4 **SEC. 203. RECORD RETENTION.**

5 Section 301 (2 U.S.C. 1381), as amended by section  
 6 201(a), is further amended by adding at the end the fol-  
 7 lowing new subsection:

8 “(m) RECORD RETENTION.—Not later than 180 days  
 9 following the date of enactment of the Congressional Ac-  
 10 countability Act of 1995 Reform Act, the Office, in con-  
 11 sultation with the Committee on House Administration of  
 12 the House of Representatives and the Committee on Rules  
 13 and Administration of the Senate, shall create a program  
 14 to be enforced by the Office for the proper and timely dis-  
 15 position of confidential documents and data created or ob-  
 16 tained by mediators or hearing officers in connection with  
 17 their service in confidential proceedings under this Act.”.

18 **SEC. 204. CONFIDENTIAL ADVISOR.**

19 Section 302 (2 U.S.C. 1382) is amended—

20 (1) by redesignating subsections (d) through (f)  
 21 as subsections (e) through (g), respectively; and

22 (2) by inserting after subsection (c) the fol-  
 23 lowing:

24 “(d) CONFIDENTIAL ADVISOR.—

1           “(1) IN GENERAL.—The Executive Director  
2 shall—

3           “(A) appoint, and fix the compensation of,  
4 and may remove, a Confidential Advisor; or

5           “(B) designate an employee of the Office  
6 to serve as a Confidential Advisor.

7           “(2) DUTIES.—

8           “(A) VOLUNTARY SERVICES.—The Con-  
9 fidential Advisor shall offer to provide to cov-  
10 ered employees described in paragraph (4) the  
11 services described in subparagraph (B), which a  
12 covered employee may accept or decline.

13           “(B) SERVICES.—The services referred to  
14 in subparagraph (A) are—

15           “(i) informing, on a privileged and  
16 confidential basis, a covered employee who  
17 has experienced a practice that may be a  
18 violation of part A of title II about the em-  
19 ployee’s rights under this Act;

20           “(ii) consulting, on a privileged and  
21 confidential basis, with a covered employee  
22 who has experienced a practice that may  
23 be a violation of part A of title II regard-  
24 ing—

1                   “(I) the roles, responsibilities,  
2                   and authority of the Office; and

3                   “(II) the relative merits of secur-  
4                   ing private counsel, designating a non-  
5                   attorney representative, or proceeding  
6                   without representation during pro-  
7                   ceedings before the Office;

8                   “(iii) assisting, on a privileged and  
9                   confidential basis, a covered employee who  
10                  seeks consideration under title IV of an al-  
11                  legation of a violation of part A of title II  
12                  in understanding the procedures, and the  
13                  significance of the procedures, described in  
14                  that title IV; and

15                  “(iv) informing, on a privileged and  
16                  confidential basis, a covered employee who  
17                  has experienced a practice that may be a  
18                  violation of part A of title II about the op-  
19                  tion of pursuing, in appropriate cir-  
20                  cumstances, a complaint with the Com-  
21                  mittee on Ethics of the House of Rep-  
22                  resentatives or the Select Committee on  
23                  Ethics of the Senate.

24                  “(3) QUALIFICATIONS.—The Confidential Advi-  
25                  sor shall be a lawyer who—

1           “(A) is admitted to practice before, and is  
2           in good standing with, the bar of a State of the  
3           United States, the District of Columbia, or a  
4           territory of the United States; and

5           “(B) has experience representing clients in  
6           cases involving the workplace laws incorporated  
7           by part A of title II.

8           “(4) INDIVIDUALS COVERED.—The services de-  
9           scribed in paragraph (2) are available to any covered  
10          employee (which, for purposes of this subsection,  
11          shall include any staff member described in section  
12          201(d) and any former covered employee (including  
13          any former staff member described in that section)),  
14          except that—

15                 “(A) a former covered employee may only  
16                 request such services if the practice that may  
17                 be a violation of part A of title II occurred dur-  
18                 ing the employment or service of the employee;  
19                 and

20                 “(B) a covered employee described in this  
21                 paragraph may only request such services be-  
22                 fore the expiration of the 180-day period de-  
23                 scribed in section 402(e).

24           “(5) RESTRICTIONS.—The Confidential Advi-  
25          sor—



1           “(A) shall not provide legal advice to, or  
2           act as the designated representative for, any  
3           covered employee in connection with the covered  
4           employee’s participation in any proceeding, in-  
5           cluding any proceeding under this Act, any ju-  
6           dicial proceeding, or any proceeding before any  
7           committee of Congress; and

8           “(B) shall not serve as a mediator in any  
9           mediation conducted pursuant to section 403.”.

10 **SEC. 205. GAO STUDY OF MANAGEMENT PRACTICES.**

11           (a) **STUDY.**—The Comptroller General of the United  
12 States shall conduct a study of the management practices  
13 of the Office of Congressional Workplace Rights.

14           (b) **REPORT TO CONGRESS.**—Not later than 180 days  
15 after the date of the enactment of this Act, the Comp-  
16 troller General of the United States shall submit to Con-  
17 gress a report on the study conducted under subsection  
18 (a), and shall include in the report such recommendations  
19 as the Comptroller General considers appropriate for im-  
20 provements to the management practices of the Office of  
21 Congressional Workplace Rights.

22 **SEC. 206. GAO AUDIT OF CYBERSECURITY.**

23           (a) **AUDIT.**—The Comptroller General of the United  
24 States shall conduct an audit of the cybersecurity systems

1 and practices of the Office of Congressional Workplace  
2 Rights.

3 (b) REPORT TO CONGRESS.—Not later than 180 days  
4 after the date of the enactment of this Act, the Comp-  
5 troller General of the United States shall submit to Con-  
6 gress a report on the audit conducted under subsection  
7 (a), and shall include in the report such recommendations  
8 as the Comptroller General considers appropriate for im-  
9 provements to the cybersecurity systems and practices of  
10 the Office of Congressional Workplace Rights.

## 11 **TITLE III—MISCELLANEOUS** 12 **REFORMS**

### 13 **SEC. 301. APPLICATION OF GENETIC INFORMATION NON-** 14 **DISCRIMINATION ACT OF 2008.**

15 Section 102 (2 U.S.C. 1302) is amended by adding  
16 at the end the following:

17 “(c) GENETIC INFORMATION NONDISCRIMINATION  
18 ACT OF 2008.—The provisions of this Act that apply to  
19 a violation of section 201(a)(1) shall be considered to  
20 apply to a violation of title II of the Genetic Information  
21 Nondiscrimination Act of 2008 (42 U.S.C. 2000ff et seq.),  
22 consistent with section 207(c) of that Act (42 U.S.C.  
23 2000ff–6(c)).”.

1 **SEC. 302. EXTENSION TO UNPAID STAFF OF RIGHTS AND**  
2 **PROTECTIONS AGAINST EMPLOYMENT DIS-**  
3 **CRIMINATION.**

4 (a) EXTENSION.—Section 201(d) (2 U.S.C. 1311(d))  
5 is amended to read as follows:

6 “(d) APPLICATION TO UNPAID STAFF.—

7 “(1) IN GENERAL.—Subsections (a) and (b)  
8 and section 207 shall apply with respect to any staff  
9 member of an employing office who carries out offi-  
10 cial duties of the employing office but who is not  
11 paid by the employing office for carrying out such  
12 duties, including an intern, an individual detailed to  
13 an employing office, and an individual participating  
14 in a fellowship program, in the same manner and to  
15 the same extent as such subsections and section  
16 apply with respect to a covered employee.

17 “(2) RULE OF CONSTRUCTION.—Nothing in  
18 paragraph (1) may be construed to extend liability  
19 for a violation of subsection (a) or section 207 to an  
20 employing office on the basis of an action taken by  
21 any person who is not under the supervision or con-  
22 trol of the employing office.

23 “(3) INTERN DEFINED.—For purposes of this  
24 section, the term ‘intern’ means an individual who  
25 performs service for an employing office which is un-  
26 compensated by the United States, who obtains an

1 educational benefit, such as by earning credit award-  
2 ed by an educational institution or learning a trade  
3 or occupation, and who is appointed on a temporary  
4 basis.”.

5 (b) TECHNICAL CORRECTION RELATING TO OFFICE  
6 RESPONSIBLE FOR DISBURSEMENT OF PAY TO HOUSE  
7 EMPLOYEES.—Section 101(7) (2 U.S.C. 1301(7)) is  
8 amended by striking “disbursed by the Clerk of the House  
9 of Representatives” and inserting “disbursed by the Chief  
10 Administrative Officer of the House of Representatives”.

11 **SEC. 303. PROVISIONS RELATING TO INSTRUMENTALITIES.**

12 (a) REFERENCES TO FORMER OFFICE OF TECH-  
13 NOLOGY ASSESSMENT.—

14 (1) PUBLIC SERVICES AND ACCOMMODATIONS  
15 PROVISIONS.—Section 210(a) (2 U.S.C. 1331(a)) is  
16 amended—

17 (A) in paragraph (9), by adding “and” at  
18 the end;

19 (B) by striking paragraph (10); and

20 (C) by redesignating paragraph (11) as  
21 paragraph (10).

22 (2) OCCUPATIONAL SAFETY AND HEALTH PRO-  
23 VISIONS.—Section 215(e)(1) (2 U.S.C. 1341(e)(1))  
24 is amended by striking “the Office of Technology  
25 Assessment,”.

1           (3) LABOR-MANAGEMENT PROVISIONS.—Section  
2           220(e)(2)(G) (2 U.S.C. 1351(e)(2)(G)) is amended  
3           by striking “, the Office of Technology Assess-  
4           ment,”.

5           (b) AMENDMENTS RELATING TO LOC COVERAGE OF  
6 LIBRARY VISITORS.—

7           (1) IN GENERAL.—Section 210 (2 U.S.C. 1331)  
8           is amended—

9                   (A) by redesignating subsection (h) as sub-  
10                  section (i); and

11                   (B) by inserting after subsection (g) the  
12                  following:

13           “(h) ELECTION OF REMEDIES RELATING TO RIGHTS  
14 TO PUBLIC SERVICES AND ACCOMMODATIONS FOR LI-  
15 BRARY VISITORS.—

16                   “(1) DEFINITION OF LIBRARY VISITOR.—In  
17                  this subsection, the term ‘Library visitor’ means an  
18                  individual who is eligible to bring a claim for a viola-  
19                  tion under title II or III of the Americans with Dis-  
20                  abilities Act of 1990 (other than a violation for  
21                  which the exclusive remedy is under section 201)  
22                  against the Library of Congress.

23                   “(2) ELECTION OF REMEDIES.—

24                           “(A) IN GENERAL.—A Library visitor who  
25                           alleges a violation of subsection (b) by the Li-

1           brary of Congress may, subject to subparagraph

2           (B)—

3                   “(i) file a charge against the Library  
4                   of Congress under subsection (d); or

5                   “(ii) use the remedies and procedures  
6                   set forth in section 717 of the Civil Rights  
7                   Act of 1964 (42 U.S.C. 2000e–16), as pro-  
8                   vided under section 510 (other than para-  
9                   graph (5)) of the Americans with Disabil-  
10                  ities Act of 1990 (42 U.S.C. 12209).

11           “(B) TIMING.—A Library visitor that has  
12           initiated proceedings under clause (i) or (ii) of  
13           subparagraph (A) may elect to change and ini-  
14           tiate a proceeding under the other clause—

15                   “(i) in the case of a Library visitor  
16                   who first filed a charge pursuant to sub-  
17                   paragraph (A)(i), before the General Coun-  
18                   sel files a complaint under subsection  
19                   (d)(3); or

20                   “(ii) in the case of a Library visitor  
21                   who first initiated a proceeding under sub-  
22                   paragraph (A)(ii), before the Library vis-  
23                   itor requests a hearing under the proce-  
24                   dures of the Library of Congress described  
25                   in such subparagraph.”.

1           (2) EFFECTIVE DATE AND APPLICABILITY.—  
2           The amendments made by this subsection shall take  
3           effect as if such amendments were included in sec-  
4           tion 153 of the Legislative Branch Appropriations  
5           Act, 2018 (Public Law 115-141), and shall apply as  
6           specified in section 153(c) of such Act.

7 **SEC. 304. NOTICES.**

8           Part E of title II (2 U.S.C. 1361) is amended—

9           (1) in section 225 (2 U.S.C. 1361)—

10                   (A) by striking subsection (e); and

11                   (B) by redesignating subsection (f) as sub-  
12           section (e).

13           (2) by adding at the end the following:

14 **“SEC. 226. NOTICES.**

15           “(a) IN GENERAL.—Every employing office shall post  
16           and keep posted (in conspicuous places upon its premises  
17           where notices to covered employees are customarily post-  
18           ed) a notice provided by the Office that—

19                   “(1) describes the rights, protections, and pro-  
20           cedures applicable to covered employees of the em-  
21           ploying office under this Act, concerning violations  
22           described in subsection (b); and

23                   “(2) includes contact information for the Office.

24           “(b) VIOLATIONS.—A violation described in this sub-  
25           section is—

1           “(1) discrimination prohibited by section 201(a)  
 2           (including, in accordance with section 102(c), dis-  
 3           crimination prohibited by title II of the Genetic In-  
 4           formation Nondiscrimination Act of 2008 (42 U.S.C.  
 5           2000ff et seq.)) or 206(a); and

6           “(2) a violation of section 207, or a violation of  
 7           section 4311(b) of title 38, United States Code, that  
 8           is related to discrimination described in paragraph  
 9           (1).”.

10 **SEC. 305. CLARIFICATION OF COVERAGE OF EMPLOYEES**  
 11                               **OF STENNIS CENTER AND HELSINKI AND**  
 12                               **CHINA COMMISSIONS.**

13           (a) COVERAGE OF STENNIS CENTER, CHINA REVIEW  
 14           COMMISSION, CONGRESSIONAL-EXECUTIVE CHINA COM-  
 15           MISSION, AND HELSINKI COMMISSION.—

16           (1) TREATMENT OF EMPLOYEES AS COVERED  
 17           EMPLOYEES.—Section 101(3) (2 U.S.C. 1301(3)) is  
 18           amended—

19                               (A) by striking subparagraph (I);

20                               (B) by striking the period at the end of  
 21           subparagraph (J) and inserting a semicolon;

22                               (C) by redesignating subparagraph (J) as  
 23           subparagraph (I); and

24                               (D) by adding at the end the following:



1           “(J) the John C. Stennis Center for Public  
2           Service Training and Development;

3           “(K) the China Review Commission;

4           “(L) the Congressional-Executive China  
5           Commission; or

6           “(M) the Helsinki Commission.”.

7           (2) TREATMENT OF CENTER AND COMMISSIONS  
8           AS EMPLOYING OFFICE.—Section 101(9)(D) (2  
9           U.S.C. 1301(9)(D)) is amended by striking “and the  
10          Office of Technology Assessment” and inserting the  
11          following: “the John C. Stennis Center for Public  
12          Service Training and Development, the China Re-  
13          view Commission, the Congressional-Executive China  
14          Commission, and the Helsinki Commission”.

15          (3) DEFINITIONS OF COMMISSIONS.—Section  
16          101 (2 U.S.C. 1301) is amended by adding at the  
17          end the following:

18               “(13) CHINA REVIEW COMMISSION.—The term  
19               ‘China Review Commission’ means the United  
20               States-China Economic and Security Review Com-  
21               mission established under section 1238 of the Floyd  
22               D. Spence National Defense Authorization Act for  
23               Fiscal Year 2001 (22 U.S.C. 7002), as enacted into  
24               law by section 1 of Public Law 106–398.

1           “(14) CONGRESSIONAL-EXECUTIVE CHINA COM-  
 2           MISSION.—The term ‘Congressional-Executive China  
 3           Commission’ means the Congressional-Executive  
 4           Commission on the People’s Republic of China es-  
 5           tablished under title III of the U.S.–China Relations  
 6           Act of 2000 (Public Law 106–286; 22 U.S.C. 6911  
 7           et seq.).

8           “(15) HELSINKI COMMISSION.—The term ‘Hel-  
 9           sinki Commission’ means the Commission on Secu-  
 10          rity and Cooperation in Europe established under  
 11          the Act entitled ‘An Act to establish a Commission  
 12          on Security and Cooperation in Europe’, approved  
 13          June 3, 1976 (Public Law 94–304; 22 U.S.C. 3001  
 14          et seq.).”.

15          (b) LEGAL ASSISTANCE AND REPRESENTATION.—

16                 (1) IN GENERAL.—Title V (2 U.S.C. 1431 et  
 17                 seq.) is amended—

18                         (A) by redesignating section 509 as section  
 19                         512; and

20                         (B) by inserting after section 508 the fol-  
 21                         lowing:

22          **“SEC. 509. LEGAL ASSISTANCE AND REPRESENTATION.**

23                 “Legal assistance and representation under this Act,  
 24                 including assistance and representation with respect to the  
 25                 proposal or acceptance of the disposition of a claim under

1 this Act, shall be provided to the China Review Commis-  
2 sion, the Congressional-Executive China Commission, and  
3 the Helsinki Commission—

4           “(1) by the Office of the House Employment  
5           Counsel of the House of Representatives, in the case  
6           of assistance and representation in connection with  
7           a claim filed under title IV (including all subsequent  
8           proceedings under such title in connection with the  
9           claim) at a time when the chair of the Commission  
10          is a Member of the House, and in the case of assist-  
11          ance and representation in connection with any sub-  
12          sequent claim related to the initial claim where the  
13          subsequent claim involves the same parties; or

14          “(2) by the Office of the Senate Chief Counsel  
15          for Employment of the Senate, in the case of assist-  
16          ance and representation in connection with a claim  
17          filed under title IV (including all subsequent pro-  
18          ceedings under such title in connection with the  
19          claim) at a time when the chair of the Commission  
20          is a Senator, and in the case of assistance and rep-  
21          resentation in connection with any subsequent claim  
22          related to the initial claim where the subsequent  
23          claim involves the same parties.”.

24           (2) CLERICAL AMENDMENTS.—The table of  
25          contents is amended—

1 (A) by redesignating the item relating to  
2 section 509 as relating to section 512; and

3 (B) by inserting after the item relating to  
4 section 508 the following new item:

“Sec. 509. Legal assistance and representation.”.

5 (c) CONFORMING AMENDMENTS.—Section 101 (2  
6 U.S.C. 1301) is amended, in paragraphs (7) and (8), by  
7 striking “through (I)” and inserting “through (M)”.

8 (d) EFFECTIVE DATE.—The amendments made by  
9 subsections (a) through (c) shall apply with respect to  
10 claims alleging violations of the Congressional Account-  
11 ability Act of 1995 (2 U.S.C. 1301 et seq.) which are first  
12 made on or after the date of the enactment of this Act.

13 **SEC. 306. TRAINING AND EDUCATION PROGRAMS OF**  
14 **OTHER EMPLOYING OFFICES.**

15 (a) REQUIRING OFFICES TO DEVELOP AND IMPLE-  
16 MENT PROGRAMS.—Title V (2 U.S.C. 1431 et seq.), as  
17 amended by section 305(b), is further amended by insert-  
18 ing after section 509 the following:

19 **“SEC. 510. TRAINING AND EDUCATION PROGRAMS OF EM-**  
20 **PLOYING OFFICES.**

21 “(a) REQUIRING OFFICES TO DEVELOP AND IMPLE-  
22 MENT PROGRAMS.—Each employing office shall develop  
23 and implement a program to train and educate covered  
24 employees of the office in the rights and protections pro-

1 vided under this Act, including the procedures available  
2 under this Act to consider alleged violations of this Act.

3 “(b) REPORT TO COMMITTEES.—

4 “(1) IN GENERAL.—Not later than 45 days  
5 after the beginning of each Congress (beginning with  
6 the One Hundred Sixteenth Congress), each employ-  
7 ing office shall submit a report to the Committee on  
8 House Administration of the House of Representa-  
9 tives and the Committee on Rules and Administra-  
10 tion of the Senate on the implementation of the pro-  
11 gram required under subsection (a).

12 “(2) SPECIAL RULE FOR FIRST REPORT.—Not  
13 later than 180 days after the date of the enactment  
14 of the Congressional Accountability Act of 1995 Re-  
15 form Act, each employing office shall submit the re-  
16 port described in paragraph (1) to the Committees  
17 described in such paragraph.

18 “(c) EXCEPTION FOR OFFICES OF CONGRESS.—This  
19 section does not apply to an employing office described  
20 in subparagraph (A), (B), or (C) of section 101(9).”.

21 (b) CLERICAL AMENDMENT.—The table of contents  
22 is amended by inserting after the item relating to section  
23 509, as inserted by section 305(b), the following new item:

“Sec. 510. Training and education programs of employing offices.”.

1 **SEC. 307. SUPPORT FOR OUT-OF-AREA COVERED EMPLOY-**  
2 **EES.**

3 (a) IN GENERAL.—Title V (2 U.S.C. 1431 et seq.),  
4 as amended by section 306(a), is further amended by in-  
5 serting after section 510 the following:

6 **“SEC. 511. SUPPORT FOR OUT-OF-AREA COVERED EMPLOY-**  
7 **EES.**

8 “(a) IN GENERAL.—All covered employees whose lo-  
9 cation of employment is outside of the Washington, DC  
10 area (referred to in this section as ‘out-of-area covered em-  
11 ployees’, shall have equitable access to the resources and  
12 services provided by the Office and under this Act as is  
13 provided to covered employees who work in the Wash-  
14 ington, DC area.

15 “(b) OFFICE OF CONGRESSIONAL WORKPLACE  
16 RIGHTS.—The Office shall—

17 “(1) establish a method by which out-of-area  
18 covered employees may communicate securely with  
19 the Office, which shall include an option for real-  
20 time audiovisual communication; and

21 “(2) provide guidance to employing offices re-  
22 garding how each office can facilitate equitable ac-  
23 cess to the resources and services provided under  
24 this Act for its out-of-area covered employees, in-  
25 cluding information regarding the communication  
26 methods described in paragraph (1).



1           (2) In section 101(2) (2 U.S.C. 1301(2)), by  
2 striking “Office of Compliance” and inserting “Of-  
3 fice of Congressional Workplace Rights”.

4           (3) In section 101(3)(H) (2 U.S.C.  
5 1301(3)(H)), by striking “Office of Compliance”  
6 and inserting “Office of Congressional Workplace  
7 Rights”.

8           (4) In section 101(9)(D) (2 U.S.C.  
9 1301(9)(D)), by striking “Office of Compliance” and  
10 inserting “Office of Congressional Workplace  
11 Rights”.

12           (5) In section 101(10) (2 U.S.C. 1301(10)), by  
13 striking “Office of Compliance” and inserting “Of-  
14 fice of Congressional Workplace Rights”.

15           (6) In section 101(11) (2 U.S.C. 1301(11)), by  
16 striking “Office of Compliance” and inserting “Of-  
17 fice of Congressional Workplace Rights”.

18           (7) In section 101(12) (2 U.S.C. 1301(12)), by  
19 striking “Office of Compliance” and inserting “Of-  
20 fice of Congressional Workplace Rights”.

21           (8) In section 210(a)(9) (2 U.S.C. 1331(a)(9)),  
22 by striking “Office of Compliance” and inserting  
23 “Office of Congressional Workplace Rights”.



1           (9) In section 215(e)(1) (2 U.S.C. 1341(e)(1)),  
2           by striking “Office of Compliance” and inserting  
3           “Office of Congressional Workplace Rights”.

4           (10) In section 220(e)(2)(G) (2 U.S.C.  
5           1351(e)(2)(G)), by striking “Office of Compliance”  
6           and inserting “Office of Congressional Workplace  
7           Rights”.

8           (11) In the heading of title III, by striking  
9           “**OFFICE OF COMPLIANCE**” and inserting  
10           “**OFFICE OF CONGRESSIONAL WORK-**  
11           **PLACE RIGHTS**”.

12           (12) In section 304(e)(4) (2 U.S.C.  
13           1384(e)(4)), by striking “Office of Compliance” and  
14           inserting “Office of Congressional Workplace  
15           Rights”.

16           (13) In section 304(e)(5) (2 U.S.C.  
17           1384(e)(5)), by striking “Office of Compliance” and  
18           inserting “Office of Congressional Workplace  
19           Rights”.

20           (c) CLERICAL AMENDMENTS.—The table of contents  
21 is amended—

22           (1) by amending the item relating to the title  
23           heading of title III to read as follows:

“TITLE III—OFFICE OF CONGRESSIONAL WORKPLACE RIGHTS”;

24           and

1           (2) by amending the item relating to section  
2           301 to read as follows:

“Sec. 301. Establishment of the Office of Congressional Workplace Rights.”.

3           (d) REFERENCES IN OTHER LAWS, RULES, AND  
4 REGULATIONS.—Any reference to the Office of Compli-  
5 ance in any law, rule, regulation, or other official paper  
6 in effect as of the effective date specified in section 401(a)  
7 shall be considered to refer and apply to the Office of Con-  
8 gressional Workplace Rights.

## 9           **TITLE IV—EFFECTIVE DATE**

### 10       **SEC. 401. EFFECTIVE DATE.**

11       (a) IN GENERAL.—Except as otherwise provided in  
12 this Act, this Act and the amendments made by this Act  
13 shall take effect upon the expiration of the 180-day period  
14 which begins on the date of the enactment of this Act.

15       (b) NO EFFECT ON PENDING PROCEEDINGS.—Noth-  
16 ing in this Act or the amendments made by this Act may  
17 be construed to affect any proceeding or payment of an  
18 award or settlement relating to a claim under title IV of  
19 the Congressional Accountability Act of 1995 (2 U.S.C.  
20 1401 et seq.) which is pending as of the date of the enact-  
21 ment of this Act. If, as of that date, an employee has  
22 begun any of the proceedings under that title that were  
23 available to the employee prior to that date, the employee  
24 may complete, or initiate and complete, all such pro-  
25 ceedings, and such proceedings shall remain in effect with

- 1 respect to, and provide the exclusive proceedings for, the
- 2 claim involved until the completion of all such proceedings.

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