

115TH CONGRESS  
2D SESSION

# H. R. 4924

To amend the Congressional Accountability Act of 1995 to reform the procedures provided under such Act for the initiation, investigation, and resolution of claims alleging that employing offices of the legislative branch have violated the rights and protections provided to their employees under such Act, including protections against sexual harassment, and for other purposes.

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## IN THE HOUSE OF REPRESENTATIVES

FEBRUARY 5, 2018

Mr. HARPER (for himself, Mr. BRADY of Pennsylvania, Mr. RODNEY DAVIS of Illinois, Ms. LOFGREN, Mrs. COMSTOCK, Mr. RASKIN, Mr. WALKER, Mr. SMITH of Nebraska, Mr. LOUDERMILK, Mr. BYRNE, Ms. SPEIER, Mr. DEUTCH, and Mrs. BROOKS of Indiana) introduced the following bill; which was referred to the Committee on House Administration, and in addition to the Committees on Oversight and Government Reform, and Ways and Means, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned

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## A BILL

To amend the Congressional Accountability Act of 1995 to reform the procedures provided under such Act for the initiation, investigation, and resolution of claims alleging that employing offices of the legislative branch have violated the rights and protections provided to their employees under such Act, including protections against sexual harassment, 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,*

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

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

7 (b) REFERENCES IN ACT.—Except as otherwise ex-  
 8 pressly provided, whenever in this Act an amendment is  
 9 expressed in terms of an amendment to or repeal of a sec-  
 10 tion or other provision, the reference shall be considered  
 11 to be made to that section or other provision of the Con-  
 12 gressional Accountability Act of 1995 (2 U.S.C. 1301 et  
 13 seq.).

14 (c) TABLE OF CONTENTS.—The table of contents of  
 15 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, Investigation, 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. Investigation of claims by General Counsel.

Sec. 104. Availability of mediation during investigations.

Subtitle B—Other Reforms

Sec. 111. Requiring Members of Congress to reimburse Treasury for amounts  
 paid as settlements and awards in cases of acts committed per-  
 sonally by Members.

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 remote work assignment or paid leave of absence dur-  
 ing 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 COMPLIANCE

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

TITLE III—MISCELLANEOUS REFORMS

- Sec. 301. Extension to unpaid staff of rights and protections against employment discrimination.  
 Sec. 302. Coverage of employees of Library of Congress.  
 Sec. 303. Clarification of coverage of employees of Helsinki and China Commissions.  
 Sec. 304. Training and education programs of other employing offices.  
 Sec. 305. 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, Investigation, and**  
 5         **Resolution of 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 AND INVESTIGATION OF CLAIMS.—Ex-  
 13 cept as otherwise provided, the procedure for consideration  
 14 of an alleged violation of part A of title II consists of—

1           “(1) the filing of a claim by the covered em-  
2           ployee alleging the violation, as provided in section  
3           402;

4           “(2) an investigation of the claim, to be con-  
5           ducted by the General Counsel as provided in section  
6           403; and

7           “(3) a formal hearing as provided in section  
8           405, subject to Board review as provided in section  
9           406, and judicial review in the United States Court  
10          of Appeals for the Federal Circuit as provided in  
11          section 407, but only if, pursuant to an investigation  
12          conducted by the General Counsel as provided in  
13          section 403, the General Counsel finds either—

14                 “(A) that there is reasonable cause to be-  
15                 lieve that the employing office involved com-  
16                 mitted a violation of part A of title II as alleged  
17                 in the covered employee’s claim; or

18                 “(B) that the General Counsel cannot de-  
19                 termine whether or not there is reasonable  
20                 cause to believe that the employing office com-  
21                 mitted a violation of part A of title II as alleged  
22                 in the covered employee’s claim.

23          “(b) RIGHT OF EMPLOYEE TO FILE CIVIL AC-  
24          TION.—

1           “(1) CIVIL ACTION.—A covered employee who  
2 files a claim as provided in section 402 may, during  
3 the period described in paragraph (3), file a civil ac-  
4 tion in a District Court of the United States with  
5 respect to the alleged violation involved, as provided  
6 in section 408.

7           “(2) EFFECT OF FILING CIVIL ACTION.—Not-  
8 withstanding paragraph (2) or paragraph (3) of sub-  
9 section (a), if the covered employee files such a civil  
10 action—

11                   “(A) the investigation of the claim by the  
12 General Counsel as provided in section 403, or  
13 any subsequent formal hearing as provided in  
14 section 405, shall terminate upon the filing of  
15 the action by the covered employee; and

16                   “(B) the procedure for consideration of the  
17 alleged violation shall not include any further  
18 investigation of the claim by the General Coun-  
19 sel as provided in section 403 or any subse-  
20 quent formal hearing as provided in section  
21 405.

22           “(3) PERIOD FOR FILING CIVIL ACTION.—The  
23 period described in this paragraph with respect to a  
24 claim is the 45-day period which begins on the date

1 the covered employee files the claim under section  
2 402.

3 “(4) SPECIAL RULE FOR EMPLOYEES RECEIV-  
4 ING FINDING OF NO REASONABLE CAUSE UNDER IN-  
5 VESTIGATION BY GENERAL COUNSEL.—Notwith-  
6 standing paragraph (3), if a covered employee re-  
7 ceives a written notice from the General Counsel  
8 under section 403(c)(3) that the employee has the  
9 right to file a civil action with respect to the claim  
10 in accordance with section 408, the covered employee  
11 may file the civil action not later than 90 days after  
12 receiving such written notice.

13 “(c) SPECIAL RULE FOR ARCHITECT OF THE CAP-  
14 ITOL AND CAPITOL POLICE.—In the case of an employee  
15 of the Office of the Architect of the Capitol or of the Cap-  
16 itol Police, the Office, after receiving a claim filed under  
17 section 402, may recommend that the employee use the  
18 grievance procedures of the Architect of the Capitol or the  
19 Capitol Police for resolution of the employee’s grievance  
20 for a specific period of time.

21 “(d) RIGHTS OF PARTIES TO RETAIN PRIVATE  
22 COUNSEL.—Nothing in this title may be construed to limit  
23 the authority of any individual, including a covered em-  
24 ployee, the head of an employing office, or an individual  
25 who is alleged to have personally committed an act which

1 consists of a violation of part A of title II to retain counsel  
2 to protect the interests of the individual at any point dur-  
3 ing any of the procedures provided under this title for the  
4 consideration of an alleged violation of part A of title II,  
5 including as provided under section 415(d)(7) with respect  
6 to Members of the House of Representatives and Senators.

7 “(e) STANDARDS FOR COUNSEL PROVIDING REP-  
8 RESENTATION.—Any counsel who represents a party in  
9 any of the procedures provided under this title shall have  
10 an obligation to ensure that, to the best of the counsel’s  
11 knowledge, information, and belief, as formed after an in-  
12 quiry which is reasonable under the circumstances, each  
13 of the following is correct:

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

18 “(2) The claims, defenses, and other legal con-  
19 tentions the counsel advocates are warranted by ex-  
20 isting law or by a nonfrivolous argument for extend-  
21 ing, modifying, or reversing existing law or for es-  
22 tablishing new law.

23 “(3) The factual contentions have evidentiary  
24 support or, if specifically so identified, will likely

1 have evidentiary support after a reasonable oppor-  
2 tunity for further investigation or discovery.

3 “(4) The denials of factual contentions are war-  
4 ranted on the evidence or, if specifically so identi-  
5 fied, are reasonably based on belief or a lack of in-  
6 formation.”.

7 (b) CONFORMING AMENDMENT RELATING TO CIVIL  
8 ACTION.—Section 408 (2 U.S.C. 1408) is amended—

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

11 (2) by striking “who has completed counseling  
12 under section 402 and mediation under section  
13 403”; and

14 (3) by striking the second sentence.

15 (c) OTHER CONFORMING AMENDMENTS.—Title IV is  
16 amended—

17 (1) by striking section 404 (2 U.S.C. 1404);  
18 and

19 (2) by redesignating section 403 (2 U.S.C.  
20 1403) as section 404.

21 (d) CLERICAL AMENDMENTS.—The table of contents  
22 is amended—

23 (1) by striking the item relating to section 404;  
24 and



1           (2) by redesignating the item relating to section  
2           403 as relating to section 404.

3 **SEC. 102. REFORM OF PROCESS FOR INITIATION OF PROCE-**  
4 **DURES.**

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

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

8           “(a) INTAKE OF CLAIM BY OFFICE.—To commence  
9 a proceeding under this title, a covered employee alleging  
10 a violation of law made applicable under part A of title  
11 II shall file a claim with the Office. The claim shall be  
12 made in writing under oath or affirmation, and shall be  
13 in such form as the Office requires.

14           “(b) INITIAL PROCESSING OF CLAIM.—

15           “(1) INTAKE AND RECORDING; NOTIFICATION  
16 TO EMPLOYING OFFICE.—Upon the filing of a claim  
17 by a covered employee under subsection (a), the Of-  
18 fice shall take such steps as may be necessary for  
19 the initial intake and recording of the claim, includ-  
20 ing providing the employee with all relevant informa-  
21 tion with respect to the rights of the employee under  
22 this title, and shall notify the head of the employing  
23 office of the claim.

1           “(2) SPECIAL NOTIFICATION REQUIREMENTS  
2 FOR CLAIMS BASED ON ACTS COMMITTED PERSON-  
3 ALLY BY MEMBERS OF CONGRESS.—

4           “(A) IN GENERAL.—In the case of a claim  
5 alleging a violation described in subparagraph  
6 (B) which consists of an act committed person-  
7 ally by an individual who, at the time of com-  
8 mitting the act, was a Member of the House of  
9 Representatives (including a Delegate or Resi-  
10 dent Commissioner to the Congress) or a Sen-  
11 ator, upon the filing of the claim under sub-  
12 section (a), the Office shall notify such indi-  
13 vidual of the claim, the possibility that the indi-  
14 vidual may be required to reimburse the ac-  
15 count described in section 415(a) for the  
16 amount of any award or settlement in connec-  
17 tion with the claim, and the right of the indi-  
18 vidual under section 415(d)(7) to intervene in  
19 any mediation, hearing, or civil action under  
20 this title with respect to the claim.

21           “(B) VIOLATIONS DESCRIBED.—A viola-  
22 tion described in this subparagraph is—

23                   “(i) a violation of section 201(a); or

24                   “(ii) a violation of section 207 which  
25 consists of intimidating, taking reprisal

1                   against, or otherwise discriminating  
2                   against any covered employee because the  
3                   covered employee has opposed any practice  
4                   made unlawful by section 201(a).

5           “(c) USE OF ELECTRONIC REPORTING AND TRACK-  
6   ING SYSTEM.—

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

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

20                   “(3) ASSESSMENT OF EFFECTIVENESS OF PRO-  
21   CEDURES.—The Office shall use the information  
22   contained in the system to make regular assessments  
23   of the effectiveness of the procedures under this title  
24   in providing for the timely resolution of claims, and  
25   shall submit semi-annual reports on such assess-

1       ments each year to the Committee on House Admin-  
2       istration of the House of Representatives and the  
3       Committee on Rules and Administration of the Sen-  
4       ate.

5       “(d) DEADLINE.—A covered employee may not file  
6 a claim under this section with respect to an allegation  
7 of a violation of law after the expiration of the 180-day  
8 period which begins on the date of the alleged violation.

9       “(e) NO EFFECT ON ABILITY OF COVERED EM-  
10 PLOYEE TO SEEK INFORMATION FROM OFFICE OR PUR-  
11 SUE RELIEF.—Nothing in this section may be construed  
12 to limit the ability of a covered employee—

13               “(1) to contact the Office or any other appro-  
14       priate office prior to filing a claim under this section  
15       to seek information regarding the employee’s rights  
16       under this Act and the procedures available under  
17       this title;

18               “(2) in the case of a covered employee of an  
19       employing office of the House of Representatives or  
20       Senate, to refer information regarding an alleged  
21       violation of part A of title II to the Committee on  
22       Ethics of the House of Representatives or the Select  
23       Committee on Ethics of the Senate (as the case may  
24       be); or

1           “(3) to file a civil action in accordance with sec-  
2           tion 401(b).”.

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

“Sec. 402. Initiation of procedures.”.

6 **SEC. 103. INVESTIGATION OF CLAIMS BY GENERAL COUN-**  
7 **SEL.**

8           (a) INVESTIGATIONS DESCRIBED.—Title IV (2  
9 U.S.C. 1401 et seq.), as amended by section 101(b), is  
10 further amended by inserting after section 402 the fol-  
11 lowing new section:

12 **“SEC. 403. INVESTIGATION OF CLAIMS.**

13           “(a) INVESTIGATION.—Upon the completion of the  
14 initial processing of a claim under section 402(b), the Gen-  
15 eral Counsel shall conduct an investigation of the claim  
16 involved.

17           “(b) SUBPOENAS.—To carry out an investigation  
18 under this section, the General Counsel may issue sub-  
19 poenas in the same manner, and subject to the same terms  
20 and conditions, as a hearing officer may issue subpoenas  
21 to carry out discovery with respect to a hearing under sec-  
22 tion 405, except that the General Counsel may issue such  
23 a subpoena on the General Counsel’s own initiative, with-  
24 out regard to whether or not a party requests that the  
25 General Counsel issue the subpoena. It is the sense of

1 Congress that the General Counsel should issue subpoenas  
2 under this subsection only to the extent that other meth-  
3 ods of obtaining information with respect to an investiga-  
4 tion are insufficient to enable the General Counsel to con-  
5 clude the investigation within the deadline described in  
6 subsection (e).

7 “(c) REPORT; FINDINGS.—

8 “(1) REPORT.—Upon concluding an investiga-  
9 tion of a claim under this section, the General Coun-  
10 sel shall transmit a written report on the results of  
11 the investigation to the covered employee and the  
12 employing office involved.

13 “(2) INCLUSION OF FINDINGS.—The General  
14 Counsel shall include in the report transmitted  
15 under paragraph (1) one of the following findings:

16 “(A) A finding that there is reasonable  
17 cause to believe that the employing office com-  
18 mitted a violation of part A of title II, as al-  
19 leged in the covered employee’s claim.

20 “(B) A finding that there is no reasonable  
21 cause to believe that the employing office com-  
22 mitted a violation of part A of title II, as al-  
23 leged in the covered employee’s claim.

24 “(C) A finding that the General Counsel  
25 cannot determine whether or not there is rea-

1           sonable cause to believe that the employing of-  
2           fice committed a violation of part A of title II,  
3           as alleged in the covered employee's claim.

4           “(3) NOTICE OF RIGHT TO FILE CIVIL AC-  
5           TION.—If the General Counsel transmits a finding  
6           under subparagraph (B) of paragraph (2), the Gen-  
7           eral Counsel shall also transmit to the covered em-  
8           ployee a written notice that the employee has the  
9           right to file a civil action with respect to the claim  
10          under section 408.

11          “(4) TRANSMISSION TO EXECUTIVE DIREC-  
12          TOR.—If the General Counsel transmits a finding  
13          under subparagraph (A) or subparagraph (C) of  
14          paragraph (2), the General Counsel shall also trans-  
15          mit the report to the Executive Director.

16          “(5) TRANSMISSION OF REPORT ON INVESTIGA-  
17          TION OF CERTAIN CLAIMS TO CONGRESSIONAL ETH-  
18          ICS COMMITTEES.—

19                 “(A) IN GENERAL.—In the case of a report  
20                 furnished by the General Counsel under para-  
21                 graph (1) on the results of an investigation of  
22                 a claim alleging a violation described in sub-  
23                 paragraph (B) which consists of an act com-  
24                 mitted personally by a Member of the House of  
25                 Representatives (including a Delegate or Resi-

1           dent Commissioner to the Congress) or a Sen-  
2           ator, the General Counsel shall transmit the re-  
3           port to—

4                   “(i) the Committee on Ethics of the  
5                   House of Representatives, in the case of a  
6                   Member of the House (including a Dele-  
7                   gate or Resident Commissioner to the Con-  
8                   gress); or

9                   “(ii) the Select Committee on Ethics  
10                  of the Senate, in the case of a Senator.

11                 “(B) VIOLATIONS DESCRIBED.—A viola-  
12                 tion described in this subparagraph is—

13                         “(i) a violation of section 201(a); or

14                         “(ii) a violation of section 207 which  
15                         consists of intimidating, taking reprisal  
16                         against, or otherwise discriminating  
17                         against any covered employee because the  
18                         covered employee has opposed any practice  
19                         made unlawful by section 201(a).

20                 “(d) RECOMMENDATION OF MEDIATION.—At any  
21                 time during the investigation of a claim under this section,  
22                 the General Counsel may make a recommendation that the  
23                 covered employee and the employing office pursue medi-  
24                 ation under section 404 with respect to the claim.



1       “(e) DEADLINE FOR CONCLUDING INVESTIGATION.—  
2 The General Counsel shall conclude the investigation of  
3 a claim under this subsection, and transmit the report on  
4 the results of the investigation, not later than 90 days  
5 after the claim is filed under section 402, except that the  
6 General Counsel may (upon notice to the parties to the  
7 investigation) use an additional period of not to exceed  
8 30 days to conclude the investigation.”.

9       (b) CONFORMING AMENDMENTS RELATING TO  
10 HEARINGS CONDUCTED BY OFFICE OF COMPLIANCE.—  
11 Section 405 (2 U.S.C. 1405) is amended as follows:

12           (1) In the heading, by striking “**COMPLAINT**  
13 **AND**”.

14           (2) By amending subsection (a) to read as fol-  
15 lows:

16       “(a) REQUIREMENT FOR OFFICE TO CONDUCT  
17 HEARINGS.—

18           “(1) HEARING REQUIRED UPON CERTAIN FIND-  
19 INGS BY GENERAL COUNSEL.—

20           “(A) IN GENERAL.—If the General Coun-  
21 sel transmits to the Executive Director a report  
22 on the investigation of a claim under section  
23 403 which includes a finding described in sub-  
24 paragraph (B), the Office shall conduct a hear-  
25 ing to consider the claim and render a decision.

1           “(B) FINDINGS DESCRIBED.—A finding  
2 described in this subparagraph is—

3           “(i) a finding under section  
4 403(c)(2)(A) that there is reasonable cause  
5 to believe that an employing office com-  
6 mitted a violation of part A of title II, as  
7 alleged in a claim filed by a covered em-  
8 ployee; or

9           “(ii) a finding under section  
10 403(c)(2)(C) that the General Counsel  
11 cannot determine whether or not there is  
12 reasonable cause to believe that the em-  
13 ploying office committed a violation of part  
14 A of title II, as alleged in the covered em-  
15 ployee’s claim.”.

16           (3) In subsection (c)(1), by striking “com-  
17 plaint” and inserting “claim”.

18           (4) In subsection (d) in the matter preceding  
19 paragraph (1), by striking “complaint” and inserting  
20 “claim”.

21           (5) In subsection (d)(2), by striking “no later  
22 than 60 days after filing of the complaint” and in-  
23 serting “no later than 60 days after the Executive  
24 Director receives the General Counsel’s report on the  
25 investigation of the claim”.

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

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

6           (d) CLERICAL AMENDMENTS.—The table of contents,  
7           as amended by section 101(c), is further amended as fol-  
8           lows:

9           (1) By inserting after the item relating to sec-  
10          tion 402 the following new item:

“Sec. 403. Investigation of claims.”.

11          (2) By amending the item relating to section  
12          405 to read as follows:

“Sec. 405. Hearing.”.

13          (3) By amending the item relating to section  
14          414 to read as follows:

“Sec. 414. Settlement.”.

15   **SEC. 104. AVAILABILITY OF MEDIATION DURING INVES-**  
16                                   **TIGATIONS.**

17          (a) OPTION TO REQUEST MEDIATION.—Section  
18          404(a) (2 U.S.C. 1404(a)), as redesignated by section  
19          101(c), is amended to read as follows:

20          “(a) AVAILABILITY OF MEDIATION DURING INVES-  
21          TIGATION.—At any time during the investigation of a cov-  
22          ered employee’s claim under section 403, the covered em-

1 ployee and the employing office may jointly file a request  
2 for mediation with the Office.”.

3 (b) PERIOD OF MEDIATION.—The second sentence of  
4 section 404(c) (2 U.S.C. 1404(c)), as redesignated by sec-  
5 tion 101(c), is amended to read as follows: “The mediation  
6 period may be extended for one additional period of 30  
7 days at the joint request of the covered employee and em-  
8 ploying office.”.

9 (c) REQUIRING PARTIES TO BE SEPARATED DURING  
10 MEDIATION AT REQUEST OF EMPLOYEE.—Section  
11 404(b)(2) (2 U.S.C. 1404(b)(2)), as redesignated by sec-  
12 tion 101(c), is amended by striking “meetings with the  
13 parties separately or jointly” and inserting “meetings with  
14 the parties during which, at the request of the covered  
15 employee, the parties shall be separated,”.

## 16 **Subtitle B—Other Reforms**

17 **SEC. 111. REQUIRING MEMBERS OF CONGRESS TO REIM-**  
18 **BURSE TREASURY FOR AMOUNTS PAID AS**  
19 **SETTLEMENTS AND AWARDS IN CASES OF**  
20 **ACTS COMMITTED PERSONALLY BY MEM-**  
21 **BERS.**

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

1       “(d) REIMBURSEMENT BY MEMBERS OF CONGRESS  
2 OF AMOUNTS PAID AS SETTLEMENTS AND AWARDS.—

3               “(1) REIMBURSEMENT REQUIRED FOR CERTAIN  
4 VIOLATIONS.—

5               “(A) IN GENERAL.—If a payment is made  
6 from the account described in subsection (a) for  
7 an award or settlement in connection with a  
8 claim alleging a violation described in subpara-  
9 graph (B) which consists of an act committed  
10 personally by an individual who, at the time of  
11 committing the act, was a Member of the  
12 House of Representatives (including a Delegate  
13 or Resident Commissioner to the Congress) or  
14 a Senator, the individual shall reimburse the ac-  
15 count for the amount of the award or settle-  
16 ment.

17               “(B) VIOLATIONS DESCRIBED.—A viola-  
18 tion described in this subparagraph is—

19                       “(i) a violation of section 201(a); or

20                       “(ii) a violation of section 207 which  
21 consists of intimidating, taking reprisal  
22 against, or otherwise discriminating  
23 against any covered employee because the  
24 covered employee has opposed any practice  
25 made unlawful by section 201(a).

1           “(2) WITHHOLDING AMOUNTS FROM SALARY.—

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

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

1           “(C) APPLICABLE COMMITTEE DEFINED.—

2           In this paragraph, the ‘applicable Committee’  
3           means—

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

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

13           “(3) USE OF AMOUNTS IN THRIFT SAVINGS  
14           FUND AS SOURCE OF REIMBURSEMENT.—

15                   “(A) IN GENERAL.—If, by the expiration  
16                   of the 180-day period which begins on the date  
17                   a payment is made from the account described  
18                   in subsection (a) for an award or settlement de-  
19                   scribed in paragraph (1), an individual who is  
20                   a Member of the House of Representatives or a  
21                   Senator has not reimbursed the account as re-  
22                   quired under paragraph (1), the Executive Di-  
23                   rector of the Federal Retirement Thrift Invest-  
24                   ment Board shall make a transfer, from the ac-  
25                   count of the individual in the Thrift Savings

1 Fund to the account described in subsection  
2 (a), of an amount equal to the award or settle-  
3 ment (reduced by any amount the individual  
4 has reimbursed, taking into account any  
5 amounts withheld under paragraph (2)).

6 “(B) INITIATION OF TRANSFER.—Notwith-  
7 standing section 8435 of title 5, United States  
8 Code, the Executive Director shall make the  
9 transfer under subparagraph (A) upon receipt  
10 of a written request to the Executive Director  
11 from the Secretary of the Treasury, in the form  
12 and manner required by the Executive Director,  
13 without the consent of the individual or the in-  
14 dividual’s spouse or former spouse (as the case  
15 may be).

16 “(4) NOTIFICATION TO OFFICE OF PERSONNEL  
17 MANAGEMENT AND SECRETARY OF THE TREAS-  
18 URY.—If, at the time an individual is first no longer  
19 receiving compensation as a Member or a Senator,  
20 the amounts withheld under this subsection have not  
21 been sufficient to reimburse the account described in  
22 subsection (a) for an award or settlement described  
23 in paragraph (1), the payroll administrator—

24 “(A) shall notify the Director of the Office  
25 of Personnel Management, who shall take such



1 actions as the Director considers appropriate to  
2 withhold from any annuity payable to the indi-  
3 vidual under chapter 83 or chapter 84 of title  
4 5, United States Code, and transfer to the ac-  
5 count described in subsection (a), such amounts  
6 as may be necessary to reimburse the account  
7 for the payment; and

8 “(B) shall notify the Secretary of the  
9 Treasury, who (if necessary), notwithstanding  
10 section 207 of the Social Security Act (42  
11 U.S.C. 407), shall take such actions as the Sec-  
12 retary of the Treasury considers appropriate to  
13 withhold from any payment to the individual  
14 under title II of the Social Security Act and  
15 transfer to the account described in subsection  
16 (a), such amounts as may be necessary to reim-  
17 burse the account for the payment.

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

1           “(6) PAYROLL ADMINISTRATOR DEFINED.—In  
2 this section, the term ‘payroll administrator’  
3 means—

4           “(A) in the case of an individual who is a  
5 Member of the House of Representatives, the  
6 Chief Administrative Officer of the House of  
7 Representatives, or an employee of the Office of  
8 the Chief Administrative Officer who is des-  
9 ignated by the Chief Administrative Officer to  
10 carry out this subsection; or

11           “(B) in the case of an individual who is a  
12 Senator, the Secretary of the Senate, or an em-  
13 ployee of the Office of the Secretary of the Sen-  
14 ate who is designated by the Secretary to carry  
15 out this subsection.

16           “(7) RIGHT TO INTERVENE.—An individual  
17 who is subject to the reimbursement requirement of  
18 this subsection shall have the right to intervene in  
19 any mediation, hearing, or civil action under this  
20 title to the extent necessary to protect the interests  
21 of the individual in the determination of whether an  
22 award or settlement described in paragraph (1)  
23 should be made, and the amount of any such award  
24 or settlement, except that nothing in this paragraph  
25 may be construed to require the covered employee

1 who filed the claim to be deposed by counsel for the  
2 individual in a deposition which is separate from any  
3 other deposition taken from the employee in connec-  
4 tion with the hearing or civil action.”.

5 (b) CONFORMING AMENDMENT RELATING TO  
6 THRIFT SAVINGS FUND.—Section 8437(e) of title 5,  
7 United States Code, is amended by striking “or an obliga-  
8 tion” and inserting the following: “an obligation of the Ex-  
9 ecutive Director to make a transfer under section  
10 415(d)(3) of the Congressional Accountability Act of  
11 1995, or an obligation”.

12 (c) EFFECTIVE DATE.—The amendments made by  
13 subsection (a) shall apply with respect to payments made  
14 on or after the date of the enactment of this Act.

15 **SEC. 112. AUTOMATIC REFERRAL TO CONGRESSIONAL ETH-**  
16 **ICS COMMITTEES OF DISPOSITION OF CER-**  
17 **TAIN CLAIMS ALLEGING VIOLATIONS OF**  
18 **CONGRESSIONAL ACCOUNTABILITY ACT OF**  
19 **1995 INVOLVING MEMBERS OF CONGRESS**  
20 **AND SENIOR STAFF.**

21 Section 416(e) (2 U.S.C. 1416(d)) is amended to  
22 read as follows:

23 “(e) AUTOMATIC REFERRALS TO CONGRESSIONAL  
24 ETHICS COMMITTEES OF DISPOSITIONS OF CLAIMS IN-  
25 VOLVING MEMBERS OF CONGRESS AND SENIOR STAFF.—

1           “(1) REFERRAL.—Upon the final disposition  
2 under this title (as described in paragraph (4)) of a  
3 claim alleging a violation described in section  
4 415(d)(1)(B) which consists of an act committed  
5 personally by a Member of the House of Representa-  
6 tives (including a Delegate or Resident Commis-  
7 sioner to the Congress) or a Senator, or by a senior  
8 staff of an employing office of the House of Rep-  
9 resentatives or Senate, the Executive Director shall  
10 refer the claim to—

11                   “(A) the Committee on Ethics of the  
12 House of Representatives, in the case of a  
13 Member or senior staff of the House (including  
14 a Delegate or Resident Commissioner to the  
15 Congress); or

16                   “(B) the Select Committee on Ethics of  
17 the Senate, in the case of a Senator or senior  
18 staff of the Senate.

19           “(2) ACCESS TO RECORDS AND INFORMA-  
20 TION.—If the Executive Director refers a claim to a  
21 Committee under paragraph (1), the Executive Di-  
22 rector shall provide the Committee with access to the  
23 records of any investigations, hearings, or decisions  
24 of the hearing officers and the Board under this

1 title, and any information relating to an award or  
2 settlement paid, in response to such claim.

3 “(3) PROTECTION OF PERSONALLY IDENTIFI-  
4 ABLE INFORMATION.—If a Committee to which a  
5 claim is referred under paragraph (1) issues a report  
6 with respect to the claim, the Committee shall en-  
7 sure that the report does not directly disclose the  
8 identity or position of the individual who filed the  
9 claim.

10 “(4) FINAL DISPOSITION DESCRIBED.—In this  
11 subsection, the ‘final disposition’ of a claim means  
12 any of the following:

13 “(A) An order or agreement to pay an  
14 award or settlement, including an agreement  
15 reached pursuant to mediation under section  
16 404.

17 “(B) A final decision of a hearing officer  
18 under section 405(g).

19 “(C) A final decision of the Board under  
20 section 406(e).

21 “(D) A final decision in a civil action  
22 under section 408.

23 “(5) SENIOR STAFF DEFINED.—In this sub-  
24 section, the term ‘senior staff’ means any individual  
25 who, at the time a violation occurred, was required

1 to file a report under title I of the Ethics in Govern-  
2 ment Act of 1978 (5 U.S.C. App. 101 et seq.).”.

3 **SEC. 113. AVAILABILITY OF REMOTE WORK ASSIGNMENT**  
4 **OR PAID LEAVE OF ABSENCE DURING PEND-**  
5 **ENCY 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. AVAILABILITY OF REMOTE WORK ASSIGNMENT**  
9 **OR PAID LEAVE OF ABSENCE DURING PEND-**  
10 **ENCY 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 in-  
20 stead of from the location of the employing office.

21 “(2) EXCEPTION FOR WORK ASSIGNMENTS RE-  
22 QUIRED TO BE CARRIED OUT ONSITE.—If, in the de-  
23 termination of the covered employee’s employing of-  
24 fice, a covered employee who makes a request under  
25 this subsection cannot carry out the employee’s re-

1       sponsibilities from a remote location, the employing  
 2       office may grant paid leave of absence to a covered  
 3       employee during the pendency of the procedures  
 4       available under this title for the covered employee.

5               “(3) ENSURING NO RETALIATION.—An employ-  
 6       ing office may not grant a covered employee’s re-  
 7       quest under this subsection in a manner which  
 8       would constitute reprisal or retaliation under section  
 9       207.

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

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

“Sec. 417. Availability of remote work assignment or paid leave of absence dur-  
 ing pendency of procedures.”.

19       **SEC. 114. MODIFICATION OF RULES ON CONFIDENTIALITY**  
 20                                       **OF PROCEEDINGS.**

21              (a) CLAIMS AND INVESTIGATIONS.—Section 416(a)  
 22       (2 U.S.C. 1416(a)) is amended to read as follows:

23              “(a) CLAIMS AND INVESTIGATIONS.—The filing of a  
 24       claim under section 402 and any investigation of a claim

1 under section 403 shall be confidential. Nothing in this  
2 subsection may be construed to prohibit a covered em-  
3 ployee or an employing office from disclosing any informa-  
4 tion related to the claim (including information related to  
5 the defense of the claim) in the course of any proceeding  
6 under this title.”.

7 (b) MEDIATION.—Section 416(b) (2 U.S.C. 1416(b))  
8 is amended by striking “All mediation” and inserting “All  
9 information discussed or disclosed in the course of any me-  
10 diation”.

11 **SEC. 115. REIMBURSEMENT BY OTHER EMPLOYING OF-**  
12 **FICES OF LEGISLATIVE BRANCH OF PAY-**  
13 **MENTS OF CERTAIN AWARDS AND SETTLE-**  
14 **MENTS.**

15 (a) REQUIRING REIMBURSEMENT.—Section 415 (2  
16 U.S.C. 1415), as amended by section 111, is further  
17 amended by adding at the end the following new sub-  
18 section:

19 “(e) REIMBURSEMENT BY EMPLOYING OFFICES.—  
20 “(1) NOTIFICATION OF PAYMENTS MADE FROM  
21 ACCOUNT.—As soon as practicable after the Execu-  
22 tive Director is made aware that a payment of an  
23 award or settlement under this chapter has been  
24 made from the account described in subsection (a)  
25 in connection with a claim alleging a violation of sec-



1       tion 201(a) by an employing office (other than an  
2       employing office of the House of Representatives or  
3       an employing office of the Senate), the Executive  
4       Director shall notify the head of the employing office  
5       that the payment has been made, and shall include  
6       in the notification a statement of the amount of the  
7       payment.

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

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

22       (b) EFFECTIVE DATE.—The amendment made by  
23       subsection (a) shall apply with respect to payments made  
24       under section 415 of the Congressional Accountability Act  
25       of 1995 on or after the date of the enactment of this Act.

1 **TITLE II—IMPROVING OPER-**  
2 **ATIONS OF OFFICE OF COM-**  
3 **PLIANCE**

4 **SEC. 201. REPORTS ON CLAIMS, AWARDS, AND SETTLE-**  
5 **MENTS.**

6 (a) SEMIANNUAL REPORTS ON CLAIMS, AWARDS,  
7 AND SETTLEMENTS.—

8 (1) REQUIRING SUBMISSION AND PUBLICATION  
9 OF REPORTS.—Section 301 (2 U.S.C. 1381) is  
10 amended by adding at the end the following new  
11 subsection:

12 “(1) SEMIANNUAL REPORTS ON CLAIMS, AWARDS,  
13 AND SETTLEMENTS.—

14 “(1) IN GENERAL.—Not later than 45 days  
15 after the first 6-month period of each calendar year,  
16 and not later than 45 days after the next 6-month  
17 period of each calendar year, the Office shall submit  
18 to Congress and publish on the Office’s public  
19 website a report listing each award or settlement  
20 which was paid during the previous year from the  
21 account described in section 415(a) as the result of  
22 a claim alleging a violation of part A of title II, in-  
23 cluding the employing office involved, the amount of  
24 the award or settlement, the provision of part A of  
25 title II which was the subject of the claim, and (in

1 the case of an award or settlement resulting from a  
2 violation described in section 415(d)(1)(B) which  
3 was committed personally by a Member or former  
4 Member of Congress), whether the Member or  
5 former Member is in compliance with the require-  
6 ment of section 415(d) to reimburse the account for  
7 the amount of the award or settlement.

8 “(2) PROTECTION OF IDENTITY OF INDIVID-  
9 UALS RECEIVING AWARDS AND SETTLEMENTS.—In  
10 preparing and submitting the reports required under  
11 paragraph (1), the Office shall ensure that the iden-  
12 tity or position of any individual who received an  
13 award or settlement, or who made an allegation of  
14 a violation against an employing office, is not dis-  
15 closed.”.

16 (2) EFFECTIVE DATE.—The amendment made  
17 by paragraph (1) shall apply with respect to 2018  
18 and each succeeding year.

19 (b) REPORT ON AMOUNTS PREVIOUSLY PAID.—

20 (1) IN GENERAL.—Not later than 30 days after  
21 the date of the enactment of this Act, the Office of  
22 Compliance shall submit to Congress and make  
23 available to the public on the Office’s public website  
24 a report on all payments made with public funds  
25 prior to the date of the enactment of this Act for

1 awards and settlements in connection with violations  
2 of section 201(a)(1) of the Congressional Account-  
3 ability Act of 1995, and shall include in the report  
4 the following information:

5 (A) The amount paid for each such award  
6 or settlement.

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

14 (2) RULE OF CONSTRUCTION REGARDING IDEN-  
15 TIFICATION OF HOUSE AND SENATE ACCOUNTS.—  
16 Nothing in paragraph (1)(B) may be construed to  
17 require or permit the Office to report the account of  
18 any specific office of the House of Representatives  
19 or Senate as the source of funds used for an award  
20 or settlement.

21 **SEC. 202. WORKPLACE CLIMATE SURVEYS OF EMPLOYING**  
22 **OFFICES.**

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

1 **“SEC. 307. WORKPLACE CLIMATE SURVEYS OF EMPLOYING**  
2 **OFFICES.**

3 “(a) **REQUIREMENT TO CONDUCT SURVEYS.**—Not  
4 later than 1 year after the date of the enactment of this  
5 section, and every 2 years thereafter, the Office shall con-  
6 duct a survey of employing offices under this Act regard-  
7 ing the workplace environment of such offices.

8 “(b) **SPECIAL INCLUSION OF INFORMATION ON SEX-**  
9 **UAL HARASSMENT.**—In each survey conducted under this  
10 section, the Office shall survey respondents on attitudes  
11 regarding sexual harassment.

12 “(c) **METHODOLOGY.**—

13 “(1) **IN GENERAL.**—The Office shall conduct  
14 each survey under this section in accordance with  
15 methodologies established by the Office.

16 “(2) **CONFIDENTIALITY.**—Under the meth-  
17 odologies established under paragraph (1), all re-  
18 sponses to all portions of the survey shall be anony-  
19 mous and confidential, and each respondent shall be  
20 told throughout the survey that all responses shall  
21 be anonymous and confidential.

22 “(d) **USE OF RESULTS OF SURVEYS.**—The Office  
23 shall furnish the information obtained from the surveys  
24 conducted under this section to the Committee on House  
25 Administration of the House of Representatives and the

1 Committee on Homeland Security and Governmental Af-  
2 fairs of the Senate.

3 “(e) CONSULTATION WITH COMMITTEES.—The Of-  
4 fice shall carry out this section, including establishment  
5 of methodologies and procedures under subsection (c), in  
6 consultation with the Committee on House Administration  
7 of the House of Representatives and the Committee on  
8 Homeland Security and Governmental Affairs of the Sen-  
9 ate.

10 “(f) INCLUSION OF LIBRARY OF CONGRESS.—For  
11 purposes of this section, the Library of Congress shall be  
12 considered an employing office.”.

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

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

16 **SEC. 203. RECORD RETENTION.**

17 Section 301 (2 U.S.C. 1381), as amended by section  
18 201(a), is further amended by adding at the end the fol-  
19 lowing new subsection:

20 “(m) RECORD RETENTION.—The Office shall estab-  
21 lish and maintain a program for the permanent retention  
22 of its records, including the records of investigations, me-  
23 diations, hearings, and other proceedings conducted under  
24 title IV.”.

1 **SEC. 204. GAO STUDY OF MANAGEMENT PRACTICES.**

2 (a) STUDY.—The Comptroller General of the United  
3 States shall conduct a study of the management practices  
4 of the Office of Compliance.

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

13 **SEC. 205. GAO AUDIT OF CYBERSECURITY.**

14 (a) AUDIT.—The Comptroller General of the United  
15 States shall conduct an audit of the cybersecurity systems  
16 and practices of the Office of Compliance.

17 (b) REPORT TO CONGRESS.—Not later than 180 days  
18 after the date of the enactment of this Act, the Comp-  
19 troller General of the United States shall submit to Con-  
20 gress a report on the audit conducted under subsection  
21 (a), and shall include in the report such recommendations  
22 as the Comptroller General considers appropriate for im-  
23 provements to the cybersecurity systems and practices of  
24 the Office of Compliance.

1           **TITLE III—MISCELLANEOUS**  
2                           **REFORMS**

3   **SEC. 301. EXTENSION TO UNPAID STAFF OF RIGHTS AND**  
4                           **PROTECTIONS AGAINST EMPLOYMENT DIS-**  
5                           **CRIMINATION.**

6           (a) EXTENSION.—Section 201 (2 U.S.C. 1311) is  
7 amended—

8                   (1) by redesignating subsection (d) as sub-  
9 section (e); and

10                   (2) by inserting after subsection (c) the fol-  
11 lowing new subsection:

12           “(d) APPLICATION TO UNPAID STAFF.—

13                   “(1) IN GENERAL.—Subsections (a) and (b)  
14 shall apply with respect to any staff of an employing  
15 office who carry out official duties of the employing  
16 office but who are not paid by the employing office  
17 for carrying out such duties, including an intern (in-  
18 cluding an applicant for an internship and a former  
19 intern), an individual detailed to an employing office,  
20 and an individual participating in a fellowship pro-  
21 gram, in the same manner and to the same extent  
22 as such subsections apply with respect to an em-  
23 ployee.

24                   “(2) RULE OF CONSTRUCTION.—Nothing in  
25 paragraph (1) may be construed to extend liability



1 for a violation of subsection (a) to an employing of-  
2 fice on the basis of an action taken by any person  
3 who is not under the supervision or control of the  
4 employing office.

5 “(3) INTERN DEFINED.—The term ‘intern’  
6 means an individual who performs service for an em-  
7 ploying office which is uncompensated by the United  
8 States to earn credit awarded by an educational in-  
9 stitution or to learn a trade or occupation, and in-  
10 cludes any individual participating in a page pro-  
11 gram operated by any House of Congress.”.

12 (b) TECHNICAL CORRECTION RELATING TO OFFICE  
13 RESPONSIBLE FOR DISBURSEMENT OF PAY TO HOUSE  
14 EMPLOYEES.—Section 101(7) (2 U.S.C. 1301(7)) is  
15 amended by striking “disbursed by the Clerk of the House  
16 of Representatives” and inserting “disbursed by the Chief  
17 Administrative Officer of the House of Representatives”.

18 **SEC. 302. COVERAGE OF EMPLOYEES OF LIBRARY OF CON-**  
19 **GRESS.**

20 (a) COVERAGE FOR PURPOSES OF PROTECTIONS  
21 AGAINST WORKPLACE DISCRIMINATION.—Section 201 (2  
22 U.S.C. 1311), as amended by section 301(a), is further  
23 amended—

24 (1) by redesignating subsection (e) as sub-  
25 section (f); and

1           (2) by inserting after subsection (d) the fol-  
2           lowing new subsection:

3           “(e) COVERAGE OF LIBRARY OF CONGRESS.—For  
4 purposes of this section—

5           “(1) the Library of Congress shall be consid-  
6           ered an employing office; and

7           “(2) the employees of the Library of Congress  
8           shall be considered covered employees.”.

9           (b) AVAILABILITY OF ALTERNATIVE GRIEVANCE  
10 PROCEDURES.—Section 401 (2 U.S.C.1401), as amended  
11 by section 101(a), is amended—

12           (1) by redesignating subsections (d) and (e) as  
13           subsections (e) and (f); and

14           (2) by inserting after subsection (c) the fol-  
15           lowing new subsection:

16           “(d) SPECIAL RULE FOR LIBRARY OF CONGRESS.—

17 In the case of an employee of the Library of Congress,

18 the employee may use the alternative grievance procedures

19 of the Library of Congress instead of the procedures under

20 this title for consideration and resolution of an alleged vio-

21 lation of part A of title II, except that if the employee

22 files a claim as provided in section 402 with respect to

23 the alleged violation, the employee may not use any of

24 such alternative grievance procedures for consideration

25 and resolution of the alleged violation.”.

1 (c) OTHER CONFORMING AMENDMENTS.—

2 (1) CIVIL RIGHTS ACT OF 1964.—Section 717(a)  
3 of the Civil Rights Act of 1964 (42 U.S.C. 2000e–  
4 16(a)) is amended by striking “Smithsonian Institu-  
5 tion” and all that follows through “Library of Con-  
6 gress” and inserting the following: “Smithsonian In-  
7 stitution, and in the Government Publishing Office  
8 and the Government Accountability Office”.

9 (2) AGE DISCRIMINATION IN EMPLOYMENT ACT  
10 OF 1967.—Section 15 of the Age Discrimination in  
11 Employment Act of 1967 (29 U.S.C. 633a) is  
12 amended—

13 (A) in subsection (a), by striking “Smith-  
14 sonian Institution” and all that follows through  
15 “Library of Congress” and inserting the fol-  
16 lowing: “Smithsonian Institution, and in the  
17 Government Publishing Office and the Govern-  
18 ment Accountability Office”; and

19 (B) in subsection (b), by striking the last  
20 sentence.

21 (3) AMERICANS WITH DISABILITIES ACT OF  
22 1990.—Section 510 of the Americans with Disabil-  
23 ities Act of 1990 (42 U.S.C. 12209) is amended—

24 (A) by amending the matter preceding  
25 paragraph (1) to read as follows: “The Govern-

1           ment Accountability Office and the Government  
2           Publishing Office shall be covered as follows:”;  
3           and

4                   (B) in paragraph (4), by striking “means  
5           the following” and all that follows and inserting  
6           the following: “means the following: the Govern-  
7           ment Accountability Office and the Government  
8           Publishing Office.”.

9           (d) EFFECTIVE DATE.—

10                   (1) IN GENERAL.—The amendments made by  
11           subsection (a) shall apply with respect to claims al-  
12           leging violations of part A of title II of the Congres-  
13           sional Accountability Act of 1995 which are first  
14           made on or after the date of the enactment of this  
15           Act.

16                   (2) TREATMENT OF PENDING CLAIMS UNDER  
17           EXISTING PROCEDURES.—If, as of the date of the  
18           enactment of this Act, an employee of the Library  
19           of Congress has or could have filed a charge or com-  
20           plaint pursuant to procedures of the Library of Con-  
21           gress which were available to the employee prior to  
22           such date for the resolution of a claim alleging a vio-  
23           lation of a provision of law made applicable to the  
24           Library under section 201(a) of the Congressional  
25           Accountability Act of 1995 (including procedures ap-

1 plicable pursuant to a collective bargaining agree-  
2 ment), the employee may complete, or initiate and  
3 complete, all such procedures, and such procedures  
4 shall remain in effect with respect to, and provide  
5 the exclusive procedures for, that charge or com-  
6 plaint until the completion of all such procedures.

7 **SEC. 303. CLARIFICATION OF COVERAGE OF EMPLOYEES**  
8 **OF HELSINKI AND CHINA COMMISSIONS.**

9 (a) CLARIFICATION OF COVERAGE.—Section 101 (2  
10 U.S.C. 1301) is amended—

11 (1) by striking “Except as otherwise” and in-  
12 serting “(a) IN GENERAL.—Except as otherwise”;  
13 and

14 (2) by adding at the end the following new sub-  
15 section:

16 “(b) CLARIFICATION OF COVERAGE OF EMPLOYEES  
17 OF CERTAIN COMMISSIONS.—

18 “(1) COVERAGE.—With respect to the China  
19 Review Commission, the Congressional-Executive  
20 China Commission, and the Helsinki Commission—

21 “(A) any individual who is an employee of  
22 such Commission shall be considered a covered  
23 employee for purposes of this Act; and

24 “(B) the Commission shall be considered  
25 an employing office for purposes of this Act.

1           “(2) AUTHORITY TO PROVIDE LEGAL ASSIST-  
2           ANCE AND REPRESENTATION.—Subject to paragraph  
3           (3), legal assistance and representation under this  
4           Act, including assistance and representation with re-  
5           spect to the proposal or acceptance of the disposition  
6           of a claim under this Act, shall be provided to the  
7           China Review Commission, the Congressional-Execu-  
8           tive China Commission, and the Helsinki Commis-  
9           sion—

10                   “(A) by the House Employment Counsel of  
11                   the House of Representatives, in the case of as-  
12                   sistance and representation in connection with a  
13                   claim filed under title IV (including all subse-  
14                   quent proceedings under such title in connec-  
15                   tion with the claim) at a time when the chair  
16                   of the Commission is a Member of the House;  
17                   or

18                   “(B) by the Senate Chief Counsel for Em-  
19                   ployment of the Senate, in the case of assist-  
20                   ance and representation in connection with a  
21                   claim filed under title IV (including all subse-  
22                   quent proceedings under such title in connec-  
23                   tion with the claim) at a time when the chair  
24                   of the Commission is a Senator.

25           “(3) DEFINITIONS.—In this subsection—

1           “(A) the term ‘China Review Commission’  
2 means the United States-China Economic and  
3 Security Review Commission established under  
4 section 1238 of the Floyd D. Spence National  
5 Defense Authorization Act of 2001 (Public Law  
6 106–398; 22 U.S.C. 7002);

7           “(B) the term ‘Congressional-Executive  
8 China Commission’ means the Congressional-  
9 Executive Commission on the People’s Republic  
10 of China established under title III of the U.S.–  
11 China Relations Act of 2000 (Public Law 106–  
12 286; 22 U.S.C. 6911 et seq.); and

13           “(C) the term ‘Helsinki Commission’  
14 means the Commission on Security and Co-  
15 operation in Europe established under the Act  
16 entitled ‘An Act to establish a Commission on  
17 Security and Cooperation in Europe’ (Public  
18 Law 94–304; 22 U.S.C. 3001 et seq.).”.

19 (b) COVERAGE OF STENNIS CENTER.—

20           (1) TREATMENT OF EMPLOYEES AS COVERED  
21 EMPLOYEES.—Section 101(3) (2 U.S.C. 1301(3)) is  
22 amended—

23           (A) by striking “or” at the end of subpara-  
24 graph (H);

1 (B) by striking the period at the end of  
2 subparagraph (I) and inserting “; or”; and

3 (C) by adding at the end the following new  
4 subparagraph:

5 “(J) the John C. Stennis Center for Public  
6 Service Training and Development.”.

7 (2) TREATMENT OF CENTER AS EMPLOYING OF-  
8 FICE.—Section 101(9)(D) (2 U.S.C. 1301(9)(D)) is  
9 amended by striking “and the Office of Technology  
10 Assessment” and inserting the following: “the Office  
11 of Technology Assessment, and the John C. Stennis  
12 Center for Public Service Training and Develop-  
13 ment”.

14 (c) EFFECTIVE DATE.—The amendments made by  
15 this section shall take effect as if included in the enact-  
16 ment of the Congressional Accountability Act of 1995.

17 **SEC. 304. TRAINING AND EDUCATION PROGRAMS OF**  
18 **OTHER EMPLOYING OFFICES.**

19 (a) REQUIRING OFFICES TO DEVELOP AND IMPLE-  
20 MENT PROGRAMS.—Title V (2 U.S.C. 1431 et seq.) is  
21 amended—

22 (1) by redesignating section 509 as section 510;  
23 and

24 (2) by inserting after section 508 the following  
25 new section:



1 **“SEC. 509. TRAINING AND EDUCATION PROGRAMS OF EM-**  
2 **PLYING OFFICES.**

3 “(a) **REQUIRING OFFICES TO DEVELOP AND IMPLE-**  
4 **MENT PROGRAMS.**—Each employing office shall develop  
5 and implement a program to train and educate covered  
6 employees of the office in the rights and protections pro-  
7 vided under this Act, including the procedures available  
8 under title IV to consider alleged violations of this Act.

9 “(b) **REPORT TO COMMITTEES.**—

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

18 “(2) **SPECIAL RULE FOR FIRST REPORT.**—Not  
19 later than 180 days after the date of the enactment  
20 of the Congressional Accountability Act of 1995 Re-  
21 form Act, each employing office shall submit the re-  
22 port described in paragraph (1) to the Committees  
23 described in such paragraph.

24 “(c) **EXCEPTION FOR OFFICES OF CONGRESS.**—This  
25 section does not apply to an employing office of the House  
26 of Representatives or an employing office of the Senate.”.

1 (b) CLERICAL AMENDMENT.—The table of contents  
2 is amended—

3 (1) by redesignating the item relating to section  
4 509 as relating to section 510; and

5 (2) by inserting after the item relating to sec-  
6 tion 508 the following new item:

“Sec. 509. Training and education programs of employing offices.”.

7 **SEC. 305. RENAMING OFFICE OF COMPLIANCE AS OFFICE**  
8 **OF CONGRESSIONAL WORKPLACE RIGHTS.**

9 (a) RENAMING.—Section 301 of the Congressional  
10 Accountability Act of 1995 (2 U.S.C. 1381 et seq.) is  
11 amended—

12 (1) in the heading, by striking “**OFFICE OF**  
13 **COMPLIANCE**” and inserting “**OFFICE OF CON-**  
14 **GRESSIONAL WORKPLACE RIGHTS**”; and

15 (2) in subsection (a), by striking “Office of  
16 Compliance” and inserting “Office of Congressional  
17 Workplace Rights”.

18 (b) CONFORMING AMENDMENTS TO CONGRESSIONAL  
19 ACCOUNTABILITY ACT OF 1995.—The Congressional Ac-  
20 countability Act of 1995 is amended as follows:

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

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 head-  
23           ing 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. 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 of this Act shall be consid-  
7 ered to refer and apply to the Office of Congressional  
8 Workplace Rights.

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

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

11          (a) IN GENERAL.—Except as otherwise provided, this  
12 Act and the amendments made by this Act shall take ef-  
13 fect upon the expiration of the 180-day period which be-  
14 gins 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 under title IV of  
18 the Congressional Accountability Act of 1995 which is  
19 pending as of the date of the enactment of this Act.

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