

115TH CONGRESS
1ST SESSION

H. R. 4458

To amend the Congressional Accountability Act of 1995 to prohibit the use of public funds for the payment of a settlement or award under such Act in connection with a claim arising from sexual harassment committed by a Member of Congress, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

NOVEMBER 28, 2017

Mr. MARINO introduced the following bill; which was referred to the Committee on House Administration, and in addition to the Committee on Rules, 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

A BILL

To amend the Congressional Accountability Act of 1995 to prohibit the use of public funds for the payment of a settlement or award under such Act in connection with a claim arising from sexual harassment committed by a Member of Congress, 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. PROHIBITING USE OF PUBLIC FUNDS FOR PAY-**
2 **MENT OF SETTLEMENTS AND AWARDS**
3 **UNDER CONGRESSIONAL ACCOUNTABILITY**
4 **ACT IN SEXUAL HARASSMENT CLAIMS IN-**
5 **VOLVING MEMBERS OF CONGRESS.**

6 (a) PROHIBITION.—Section 415 of the Congressional
7 Accountability Act of 1995 (2 U.S.C. 1415) is amended—

8 (1) in subsection (a), by striking “subsection
9 (c)” and inserting “subsections (c) and (d)”; and

10 (2) by adding at the end the following new sub-
11 section:

12 “(d) NO USE OF PUBLIC FUNDS FOR PAYMENTS OF
13 AWARDS AND SETTLEMENTS IN CONNECTION WITH ACTS
14 OF SEXUAL HARASSMENT COMMITTED BY MEMBERS OF
15 CONGRESS.—No funds of the Treasury of the United
16 States may be used for the payment of an award or settle-
17 ment under this Act in connection with a violation of sec-
18 tion 201(a)(1) if the violation consists of an act of sexual
19 harassment committed personally by a Member of the
20 House of Representatives (including a Delegate or Resi-
21 dent Commissioner to the Congress) or a Senator.”.

22 (b) EFFECTIVE DATE.—The amendment made by
23 subsection (a) shall apply with respect to settlements and
24 awards paid on or after the date of the enactment of this
25 Act.

1 **SEC. 2. MANDATORY CONSIDERATION BY ETHICS COMMIT-**
2 **TEES OF EXPULSION OF MEMBERS OF CON-**
3 **GRESS COMMITTING ACTS OF SEXUAL HAR-**
4 **ASSMENT UNDER CONGRESSIONAL AC-**
5 **COUNTABILITY ACT.**

6 (a) MANDATORY CONSIDERATION OF QUESTION OF
7 EXPULSION.—Title V of the Congressional Accountability
8 Act of 1995 (2 U.S.C. 1431 et seq.) is amended—

9 (1) by redesignating section 509 as section 510;
10 and

11 (2) by inserting after section 508 the following
12 new section:

13 **“SEC. 509. MANDATORY CONSIDERATION BY ETHICS COM-**
14 **MITTEES OF QUESTION OF EXPULSION OF**
15 **MEMBERS OF CONGRESS COMMITTING ACTS**
16 **OF SEXUAL HARASSMENT.**

17 “If it is determined in any final decision entered
18 under section 405(g) or 406(e), or in any decision in a
19 civil action brought under section 408, that a violation of
20 section 201(a)(1) occurred which consisted of an act of
21 sexual harassment committed personally by a Member of
22 the House of Representatives (including a Delegate or
23 Resident Commissioner to the Congress) or a Senator, or
24 if the payment of an award or settlement under this Act
25 is ordered in connection with a violation of section
26 201(a)(1) which consists of such an act—

1 “(1) in the case of an act committed by a Mem-
 2 ber of the House, the Committee on Ethics of the
 3 House of Representatives shall conduct an investiga-
 4 tion and issue a report on the question of whether
 5 the Member should be expelled from the House; or

6 “(2) in the case of an act committed by a Sen-
 7 ator, the Select Committee on Ethics of the Senate
 8 shall conduct an investigation and issue a report on
 9 the question of whether the Senator should be ex-
 10 pelled from the Senate.”.

11 (b) CLERICAL AMENDMENT.—The table of contents
 12 of such Act is amended—

13 (1) by redesignating the item relating to section
 14 509 as relating to section 510; and

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

“Sec. 509. Mandatory consideration by ethics committees of question of expul-
 sion of Members of Congress committing acts of sexual harass-
 ment.”.

17 (c) EFFECTIVE DATE.—The amendments made by
 18 this section shall apply with respect to acts occurring be-
 19 fore, on, or after the date of the enactment of this Act.

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