

NOES—186

Adams	Garamendi	Nolan
Aguilar	Gomez	Norcross
Amash	Gonzalez (TX)	O'Halleran
Barragán	Green, Al	O'Rourke
Bass	Green, Gene	Pallone
Beatty	Grijalva	Panetta
Bera	Hanabusa	Pascarell
Bishop (GA)	Hastings	Payne
Blumenauer	Heck	Pelosi
Blunt Rochester	Higgins (NY)	Perlmutter
Bonamici	Himes	Peters
Boyle, Brendan F.	Hoyer	Peterson
Brady (PA)	Huffman	Pingree
Brown (MD)	Jackson Lee	Pocan
Brownley (CA)	Jayapal	Polis
Bustos	Jeffries	Price (NC)
Butterfield	Johnson (GA)	Quigley
Capuano	Johnson, E. B.	Raskin
Carbajal	Kaptur	Rice (NY)
Cardenas	Keating	Richmond
Carson (IN)	Kelly (IL)	Rosen
Cartwright	Kennedy	Roybal-Allard
Castor (FL)	Khanna	Ruiz
Castro (TX)	Kihuen	Ruppersberger
Ciilline	Kildee	Rush
Clark (MA)	Kilmer	Ryan (OH)
Clarke (NY)	Kind	Sánchez
Cleaver	Krishnamoorthi	Sarbanes
Clyburn	Kuster (NH)	Schakowsky
Cohen	Langevin	Schiff
Connolly	Larsen (WA)	Schneider
Cooper	Larson (CT)	Schrader
Correa	Lawrence	Scott (VA)
Costa	Lawson (FL)	Scott, David
Courtney	Lee	Serrano
Crist	Levin	Sewell (AL)
Crowley	Lewis (GA)	Shea-Porter
Cuellar	Lieu, Ted	Sherman
Davis (CA)	Lipinski	Sires
Davis, Danny	Loeback	Slaughter
DeFazio	Lofgren	Smith (WA)
DeGette	Lowenthal	Soto
Delaney	Lowe	Speier
DeLauro	Lujan Grisham, M.	Suozi
DelBene	Luján, Ben Ray	Swalwell (CA)
Demings	Lynch	Takano
DeSaulnier	Maloney,	Thompson (CA)
Deutch	Carolyn B.	Thompson (MS)
Dingell	Maloney, Sean	Titus
Doggett	Massie	Tonko
Doyle, Michael F.	Matsui	Torres
Ellison	McColum	Tsongas
Engel	McEachin	Vargas
Eshoo	McGovern	Veasey
Espallat	McNerney	Vela
Esty (CT)	Meeks	Velázquez
Evans	Meng	Visclosky
Foster	Moore	Wasserman
Frankel (FL)	Moulton	Schultz
Fudge	Murphy (FL)	Waters, Maxine
Gabbard	Nadler	Watson Coleman
Gallego	Napolitano	Welch
	Neal	Yarmuth

NOT VOTING—13

Beyer	Gutiérrez	Rooney, Thomas J.
Bridenstine	Johnson (LA)	Walz
Chu, Judy	MacArthur	Wilson (FL)
Clay	Palazzo	
Cummings	Pearce	

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore (during the vote). There are 2 minutes remaining.

□ 1141

So the resolution was agreed to.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

PERSONAL EXPLANATION

Mr. GUTIÉRREZ. Mr. Speaker, I was unavoidably absent in the House chamber for rollcall votes, 53, 54, and 55 on Tuesday, February 6, 2018. Had I been present, I would have voted "nay" on rollcall votes 53, 54, and 55.

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore. Pursuant to clause 8 of rule XX, the Chair will postpone further proceedings today on motions to suspend the rules on which a recorded vote or the yeas and nays are ordered, or on which the vote incurs objection under clause 6 of rule XX.

The House will resume proceedings on postponed questions at a later time.

CONGRESSIONAL ACCOUNTABILITY ACT OF 1995 REFORM ACT

Mr. HARPER. Mr. Speaker, I move to suspend the rules and pass the bill (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.

The Clerk read the title of the bill.

The text of the bill is as follows:

H.R. 4924

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,*

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

(a) SHORT TITLE.—This Act may be cited as the "Congressional Accountability Act of 1995 Reform Act".

(b) REFERENCES IN ACT.—Except as otherwise expressly provided, whenever in this Act an amendment is expressed in terms of an amendment to or repeal of a section or other provision, the reference shall be considered to be made to that section or other provision of the Congressional Accountability Act of 1995 (2 U.S.C. 1301 et seq.).

(c) TABLE OF CONTENTS.—The table of contents of 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 violations.

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 personally by Members.

Sec. 112. Automatic referral to congressional ethics committees of disposition of certain claims alleging violations of Congressional Accountability Act of 1995 involving Members of Congress and senior staff.

Sec. 113. Availability of 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 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.

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 VIOLATIONS.

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

"SEC. 401. PROCEDURE FOR CONSIDERATION OF ALLEGED VIOLATIONS.

"(a) FILING AND INVESTIGATION OF CLAIMS.—Except as otherwise provided, the procedure for consideration of an alleged violation of part A of title II consists of—

"(1) the filing of a claim by the covered employee alleging the violation, as provided in section 402;

"(2) an investigation of the claim, to be conducted by the General Counsel as provided in section 403; and

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

"(A) that there is reasonable cause to believe that the employing office involved committed a violation of part A of title II as alleged in the covered employee's claim; or

"(B) that the General Counsel cannot determine whether or not there is reasonable cause to believe that the employing office committed a violation of part A of title II as alleged in the covered employee's claim.

"(b) RIGHT OF EMPLOYEE TO FILE CIVIL ACTION.—

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

"(2) EFFECT OF FILING CIVIL ACTION.—Notwithstanding paragraph (2) or paragraph (3) of subsection (a), if the covered employee files such a civil action—

"(A) the investigation of the claim by the General Counsel as provided in section 403,

or any subsequent formal hearing as provided in section 405, shall terminate upon the filing of the action by the covered employee; and

“(B) the procedure for consideration of the alleged violation shall not include any further investigation of the claim by the General Counsel as provided in section 403 or any subsequent formal hearing as provided in section 405.

“(3) PERIOD FOR FILING CIVIL ACTION.—The period described in this paragraph with respect to a claim is the 45-day period which begins on the date the covered employee files the claim under section 402.

“(4) SPECIAL RULE FOR EMPLOYEES RECEIVING FINDING OF NO REASONABLE CAUSE UNDER INVESTIGATION BY GENERAL COUNSEL.—Notwithstanding paragraph (3), if a covered employee receives a written notice from the General Counsel under section 403(c)(3) that the employee has the right to file a civil action with respect to the claim in accordance with section 408, the covered employee may file the civil action not later than 90 days after receiving such written notice.

“(c) SPECIAL RULE FOR ARCHITECT OF THE CAPITOL AND CAPITOL POLICE.—In the case of an employee of the Office of the Architect of the Capitol or of the Capitol Police, the Office, after receiving a claim filed under section 402, may recommend that the employee use the grievance procedures of the Architect of the Capitol or the Capitol Police for resolution of the employee’s grievance for a specific period of time.

“(d) RIGHTS OF PARTIES TO RETAIN PRIVATE COUNSEL.—Nothing in this title may be construed to limit the authority of any individual, including a covered employee, the head of an employing office, or an individual who is alleged to have personally committed an act which consists of a violation of part A of title II to retain counsel to protect the interests of the individual at any point during any of the procedures provided under this title for the consideration of an alleged violation of part A of title II, including as provided under section 415(d)(7) with respect to Members of the House of Representatives and Senators.

“(e) STANDARDS FOR COUNSEL PROVIDING REPRESENTATION.—Any counsel who represents a party in any of the procedures provided under this title shall have an obligation to ensure that, to the best of the counsel’s knowledge, information, and belief, as formed after an inquiry which is reasonable under the circumstances, each of the following is correct:

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

“(2) The claims, defenses, and other legal contentions the counsel advocates are warranted by existing law or by a nonfrivolous argument for extending, modifying, or reversing existing law or for establishing new law.

“(3) The factual contentions have evidentiary support or, if specifically so identified, will likely have evidentiary support after a reasonable opportunity for further investigation or discovery.

“(4) The denials of factual contentions are warranted on the evidence or, if specifically so identified, are reasonably based on belief or a lack of information.”

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

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

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

(3) by striking the second sentence.

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

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

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

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

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

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

**SEC. 102. REFORM OF PROCESS FOR INITIATION OF PROCEDURES.**

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

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

“(b) INITIAL PROCESSING OF CLAIM.—

“(1) INTAKE AND RECORDING; NOTIFICATION TO EMPLOYING OFFICE.—Upon the filing of a claim by a covered employee under subsection (a), the Office shall take such steps as may be necessary for the initial intake and recording of the claim, including providing the employee with all relevant information with respect to the rights of the employee under this title, and shall notify the head of the employing office of the claim.

“(2) SPECIAL NOTIFICATION REQUIREMENTS FOR CLAIMS BASED ON ACTS COMMITTED PERSONALLY BY MEMBERS OF CONGRESS.—

“(A) IN GENERAL.—In the case of a claim alleging a violation described in subparagraph (B) which consists of an act committed personally by an individual who, at the time of committing the act, was a Member of the House of Representatives (including a Delegate or Resident Commissioner to the Congress) or a Senator, upon the filing of the claim under subsection (a), the Office shall notify such individual of the claim, the possibility that the individual may be required to reimburse the account described in section 415(a) for the amount of any award or settlement in connection with the claim, and the right of the individual under section 415(d)(7) to intervene in any mediation, hearing, or civil action under this title with respect to the claim.

“(B) VIOLATIONS DESCRIBED.—A violation described in this subparagraph is—

“(1) a violation of section 201(a); or

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

“(c) USE OF ELECTRONIC REPORTING AND TRACKING SYSTEM.—

“(1) ESTABLISHMENT AND OPERATION OF SYSTEM.—The Office shall establish and operate an electronic reporting system through which a covered employee may initiate a proceeding under this title, and which will keep an electronic record of the date and time at which the proceeding is initiated and will track all subsequent actions or proceedings occurring with respect to the proceeding under this title.

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

“(3) ASSESSMENT OF EFFECTIVENESS OF PROCEDURES.—The Office shall use the information contained in the system to make reg-

ular assessments of the effectiveness of the procedures under this title in providing for the timely resolution of claims, and shall submit semi-annual reports on such assessments each year to the Committee on House Administration of the House of Representatives and the Committee on Rules and Administration of the Senate.

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

“(e) NO EFFECT ON ABILITY OF COVERED EMPLOYEE TO SEEK INFORMATION FROM OFFICE OR PURSUE RELIEF.—Nothing in this section may be construed to limit the ability of a covered employee—

“(1) to contact the Office or any other appropriate office prior to filing a claim under this section to seek information regarding the employee’s rights under this Act and the procedures available under this title;

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

“(3) to file a civil action in accordance with section 401(b).”

(b) CLERICAL AMENDMENT.—The table of contents is amended by amending the item relating to section 402 to read as follows: “Sec. 402. Initiation of procedures.”

**SEC. 103. INVESTIGATION OF CLAIMS BY GENERAL COUNSEL.**

(a) INVESTIGATIONS DESCRIBED.—Title IV (2 U.S.C. 1401 et seq.), as amended by section 101(b), is further amended by inserting after section 402 the following new section:

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

“(a) INVESTIGATION.—Upon the completion of the initial processing of a claim under section 402(b), the General Counsel shall conduct an investigation of the claim involved.

“(b) SUBPOENAS.—To carry out an investigation under this section, the General Counsel may issue subpoenas in the same manner, and subject to the same terms and conditions, as a hearing officer may issue subpoenas to carry out discovery with respect to a hearing under section 405, except that the General Counsel may issue such a subpoena on the General Counsel’s own initiative, without regard to whether or not a party requests that the General Counsel issue the subpoena. It is the sense of Congress that the General Counsel should issue subpoenas under this subsection only to the extent that other methods of obtaining information with respect to an investigation are insufficient to enable the General Counsel to conclude the investigation within the deadline described in subsection (e).

“(c) REPORT; FINDINGS.—

“(1) REPORT.—Upon concluding an investigation of a claim under this section, the General Counsel shall transmit a written report on the results of the investigation to the covered employee and the employing office involved.

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

“(A) A finding that there is reasonable cause to believe that the employing office committed a violation of part A of title II, as alleged in the covered employee’s claim.

“(B) A finding that there is no reasonable cause to believe that the employing office committed a violation of part A of title II, as alleged in the covered employee’s claim.

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

reasonable cause to believe that the employing office committed a violation of part A of title II, as alleged in the covered employee's claim.

“(3) NOTICE OF RIGHT TO FILE CIVIL ACTION.—If the General Counsel transmits a finding under subparagraph (B) of paragraph (2), the General Counsel shall also transmit to the covered employee a written notice that the employee has the right to file a civil action with respect to the claim under section 408.

“(4) TRANSMISSION TO EXECUTIVE DIRECTOR.—If the General Counsel transmits a finding under subparagraph (A) or subparagraph (C) of paragraph (2), the General Counsel shall also transmit the report to the Executive Director.

“(5) TRANSMISSION OF REPORT ON INVESTIGATION OF CERTAIN CLAIMS TO CONGRESSIONAL ETHICS COMMITTEES.—

“(A) IN GENERAL.—In the case of a report furnished by the General Counsel under paragraph (1) on the results of an investigation of a claim alleging a violation described in subparagraph (B) which consists of an act committed personally by a Member of the House of Representatives (including a Delegate or Resident Commissioner to the Congress) or a Senator, the General Counsel shall transmit the report to—

“(i) the Committee on Ethics of the House of Representatives, in the case of a Member of the House (including a Delegate or Resident Commissioner to the Congress); or

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

“(B) VIOLATIONS DESCRIBED.—A violation described in this subparagraph is—

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

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

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

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

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

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

(2) By amending subsection (a) to read as follows:

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

“(1) HEARING REQUIRED UPON CERTAIN FINDINGS BY GENERAL COUNSEL.—

“(A) IN GENERAL.—If the General Counsel transmits to the Executive Director a report on the investigation of a claim under section 403 which includes a finding described in subparagraph (B), the Office shall conduct a hearing to consider the claim and render a decision.

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

“(i) a finding under section 403(c)(2)(A) that there is reasonable cause to believe that an employing office committed a violation of

part A of title II, as alleged in a claim filed by a covered employee; or

“(ii) a finding under section 403(c)(2)(C) that the General Counsel cannot determine whether or not there is reasonable cause to believe that the employing office committed a violation of part A of title II, as alleged in the covered employee's claim.”.

(3) In subsection (c)(1), by striking “complaint” and inserting “claim”.

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

(5) In subsection (d)(2), by striking “no later than 60 days after filing of the complaint” and inserting “no later than 60 days after the Executive Director receives the General Counsel's report on the investigation of the claim”.

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

(c) OTHER CONFORMING AMENDMENT.—The heading of section 414 (2 U.S.C. 1414) is amended by striking “OF COMPLAINTS”.

(d) CLERICAL AMENDMENTS.—The table of contents, as amended by section 101(c), is further amended as follows:

(1) By inserting after the item relating to section 402 the following new item:

“Sec. 403. Investigation of claims.”.

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

“Sec. 405. Hearing.”.

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

“Sec. 414. Settlement.”.

**SEC. 104. AVAILABILITY OF MEDIATION DURING INVESTIGATIONS.**

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

“(a) AVAILABILITY OF MEDIATION DURING INVESTIGATION.—At any time during the investigation of a covered employee's claim under section 403, the covered employee and the employing office may jointly file a request for mediation with the Office.”.

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

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

#### 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 PERSONALLY BY MEMBERS.**

(a) MANDATING REIMBURSEMENT OF AMOUNTS PAID.—Section 415 (2 U.S.C. 1415) is amended by adding at the end the following new subsection:

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

“(1) REIMBURSEMENT REQUIRED FOR CERTAIN VIOLATIONS.—

“(A) IN GENERAL.—If a payment is made from the account described in subsection (a) for an award or settlement in connection with a claim alleging a violation described in subparagraph (B) which consists of an act committed personally by an individual who, at the time of committing the act, was a

Member of the House of Representatives (including a Delegate or Resident Commissioner to the Congress) or a Senator, the individual shall reimburse the account for the amount of the award or settlement.

“(B) VIOLATIONS DESCRIBED.—A violation described in this subparagraph is—

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

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

“(2) WITHHOLDING AMOUNTS FROM SALARY.—

“(A) ESTABLISHMENT OF TIMETABLE AND PROCEDURES BY COMMITTEES.—For purposes of carrying out subparagraph (B), the applicable Committee shall establish a timetable and procedures for the withholding of amounts from the compensation of an individual who is a Member of the House of Representatives or a Senator.

“(B) DEADLINE.—The payroll administrator shall withhold from an individual's compensation and transfer to the account described in subsection (a) (after transferring any amounts to the account of the individual in the Thrift Savings Fund) such amounts as may be necessary to reimburse the account for the payment of an award or settlement described in paragraph (1) if the individual has not reimbursed the account as required under paragraph (1) prior to the expiration of the 90-day period which begins on the date a payment is made from the account for such an award or settlement.

“(C) APPLICABLE COMMITTEE DEFINED.—In this paragraph, the ‘applicable Committee’ means—

“(i) the Committee on House Administration of the House of Representatives, in the case of an individual who, at the time of the withholding, is a Member of the House; or

“(ii) the Committee on Rules and Administration of the Senate, in the case of an individual who, at the time of the withholding, is a Senator.

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

“(A) IN GENERAL.—If, by the expiration of the 180-day period which begins on the date a payment is made from the account described in subsection (a) for an award or settlement described in paragraph (1), an individual who is a Member of the House of Representatives or a Senator has not reimbursed the account as required under paragraph (1), the Executive Director of the Federal Retirement Thrift Investment Board shall make a transfer, from the account of the individual in the Thrift Savings Fund to the account described in subsection (a), of an amount equal to the award or settlement (reduced by any amount the individual has reimbursed, taking into account any amounts withheld under paragraph (2)).

“(B) INITIATION OF TRANSFER.—Notwithstanding section 8435 of title 5, United States Code, the Executive Director shall make the transfer under subparagraph (A) upon receipt of a written request to the Executive Director from the Secretary of the Treasury, in the form and manner required by the Executive Director, without the consent of the individual or the individual's spouse or former spouse (as the case may be).

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

“(A) shall notify the Director of the Office of Personnel Management, who shall take such actions as the Director considers appropriate to withhold from any annuity payable to the individual under chapter 83 or chapter 84 of title 5, United States Code, and transfer to the account described in subsection (a), such amounts as may be necessary to reimburse the account for the payment; and

“(B) shall notify the Secretary of the Treasury, who (if necessary), notwithstanding section 207 of the Social Security Act (42 U.S.C. 407), shall take such actions as the Secretary of the Treasury considers appropriate to withhold from any payment to the individual under title II of the Social Security Act and transfer to the account described in subsection (a), such amounts as may be necessary to reimburse the account for the payment.

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

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

“(A) in the case of an individual who is a Member of the House of Representatives, the Chief Administrative Officer of the House of Representatives, or an employee of the Office of the Chief Administrative Officer who is designated by the Chief Administrative Officer to carry out this subsection; or

“(B) in the case of an individual who is a Senator, the Secretary of the Senate, or an employee of the Office of the Secretary of the Senate who is designated by the Secretary to carry out this subsection.

“(7) RIGHT TO INTERVENE.—An individual who is subject to the reimbursement requirement of this subsection shall have the right to intervene in any mediation, hearing, or civil action under this title to the extent necessary to protect the interests of the individual in the determination of whether an award or settlement described in paragraph (1) should be made, and the amount of any such award or settlement, except that nothing in this paragraph may be construed to require the covered employee who filed the claim to be deposed by counsel for the individual in a deposition which is separate from any other deposition taken from the employee in connection with the hearing or civil action.”

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

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

**SEC. 112. AUTOMATIC REFERRAL TO CONGRESSIONAL ETHICS COMMITTEES OF DISPOSITION OF CERTAIN CLAIMS ALLEGING VIOLATIONS OF CONGRESSIONAL ACCOUNTABILITY ACT OF 1995 INVOLVING MEMBERS OF CONGRESS AND SENIOR STAFF.**

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

“(e) AUTOMATIC REFERRALS TO CONGRESSIONAL ETHICS COMMITTEES OF DISPOSITIONS OF CLAIMS INVOLVING MEMBERS OF CONGRESS AND SENIOR STAFF.—

“(1) REFERRAL.—Upon the final disposition under this title (as described in paragraph

(4)) of a claim alleging a violation described in section 415(d)(1)(B) which consists of an act committed personally by a Member of the House of Representatives (including a Delegate or Resident Commissioner to the Congress) or a Senator, or by a senior staff of an employing office of the House of Representatives or Senate, the Executive Director shall refer the claim to—

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

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

“(2) ACCESS TO RECORDS AND INFORMATION.—If the Executive Director refers a claim to a Committee under paragraph (1), the Executive Director shall provide the Committee with access to the records of any investigations, hearings, or decisions of the hearing officers and the Board under this title, and any information relating to an award or settlement paid, in response to such claim.

“(3) PROTECTION OF PERSONALLY IDENTIFIABLE INFORMATION.—If a Committee to which a claim is referred under paragraph (1) issues a report with respect to the claim, the Committee shall ensure that the report does not directly disclose the identity or position of the individual who filed the claim.

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

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

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

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

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

“(5) SENIOR STAFF DEFINED.—In this subsection, the term ‘senior staff’ means any individual who, at the time a violation occurred, was required to file a report under title I of the Ethics in Government Act of 1978 (5 U.S.C. App. 101 et seq.).”

**SEC. 113. AVAILABILITY OF REMOTE WORK ASSIGNMENT OR PAID LEAVE OF ABSENCE DURING PENDENCY OF PROCEDURES.**

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

**“SEC. 417. AVAILABILITY OF REMOTE WORK ASSIGNMENT OR PAID LEAVE OF ABSENCE DURING PENDENCY OF PROCEDURES.**

“(a) OPTIONS FOR EMPLOYEES.—

“(1) REMOTE WORK ASSIGNMENT.—At the request of a covered employee who files a claim alleging a violation of part A of title II by the covered employee’s employing office, during the pendency of any of the procedures available under this title for consideration of the claim, the employing office may permit the covered employee to carry out the employee’s responsibilities from a remote location instead of from the location of the employing office.

“(2) EXCEPTION FOR WORK ASSIGNMENTS REQUIRED TO BE CARRIED OUT ONSITE.—If, in the determination of the covered employee’s employing office, a covered employee who makes a request under this subsection cannot carry out the employee’s responsibilities from a remote location, the employing office may grant paid leave of absence to a covered employee during the pendency of the procedures available under this title for the covered employee.

“(3) ENSURING NO RETALIATION.—An employing office may not grant a covered employee’s request under this subsection in a manner which would constitute reprisal or retaliation under section 207.

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

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

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

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

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

“(a) CLAIMS AND INVESTIGATIONS.—The filing of a claim under section 402 and any investigation of a claim under section 403 shall be confidential. Nothing in this subsection may be construed to prohibit a covered employee or an employing office from disclosing any information related to the claim (including information related to the defense of the claim) in the course of any proceeding under this title.”

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

**SEC. 115. REIMBURSEMENT BY OTHER EMPLOYING OFFICES OF LEGISLATIVE BRANCH OF PAYMENTS OF CERTAIN AWARDS AND SETTLEMENTS.**

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

“(e) REIMBURSEMENT BY EMPLOYING OFFICES.—

“(1) NOTIFICATION OF PAYMENTS MADE FROM ACCOUNT.—As soon as practicable after the Executive Director is made aware that a payment of an award or settlement under this chapter has been made from the account described in subsection (a) in connection with a claim alleging a violation of section 201(a) by an employing office (other than an employing office of the House of Representatives or an employing office of the Senate), the Executive Director shall notify the head of the employing office that the payment has been made, and shall include in the notification a statement of the amount of the payment.

“(2) REIMBURSEMENT BY OFFICE.—Not later than 180 days after receiving a notification from the Executive Director under paragraph (1), the head of the employing office involved shall transfer to the account described in subsection (a), out of any funds available for operating expenses of the office, a payment equal to the amount specified in the notification.

“(3) TIMETABLE AND PROCEDURES FOR REIMBURSEMENT.—The head of an employing office shall transfer a payment under paragraph (2) in accordance with such timetable and procedures as may be established under regulations promulgated by the Office.”

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

## TITLE II—IMPROVING OPERATIONS OF OFFICE OF COMPLIANCE

### SEC. 201. REPORTS ON CLAIMS, AWARDS, AND SETTLEMENTS.

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

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

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

“(1) IN GENERAL.—Not later than 45 days after the first 6-month period of each calendar year, and not later than 45 days after the next 6-month period of each calendar year, the Office shall submit to Congress and publish on the Office’s public website a report listing each award or settlement which was paid during the previous year from the account described in section 415(a) as the result of a claim alleging a violation of part A of title II, including the employing office involved, the amount of the award or settlement, the provision of part A of title II which was the subject of the claim, and (in the case of an award or settlement resulting from a violation described in section 415(d)(1)(B) which was committed personally by a Member or former Member of Congress), whether the Member or former Member is in compliance with the requirement of section 415(d) to reimburse the account for the amount of the award or settlement.

“(2) PROTECTION OF IDENTITY OF INDIVIDUALS RECEIVING AWARDS AND SETTLEMENTS.—In preparing and submitting the reports required under paragraph (1), the Office shall ensure that the identity or position of any individual who received an award or settlement, or who made an allegation of a violation against an employing office, is not disclosed.”.

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

(b) REPORT ON AMOUNTS PREVIOUSLY PAID.—

(1) IN GENERAL.—Not later than 30 days after the date of the enactment of this Act, the Office of Compliance shall submit to Congress and make available to the public on the Office’s public website a report on all payments made with public funds prior to the date of the enactment of this Act for awards and settlements in connection with violations of section 201(a)(1) of the Congressional Accountability Act of 1995, and shall include in the report the following information:

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

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

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

### SEC. 202. WORKPLACE CLIMATE SURVEYS OF EMPLOYING OFFICES.

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

#### “SEC. 307. WORKPLACE CLIMATE SURVEYS OF EMPLOYING OFFICES.

“(a) REQUIREMENT TO CONDUCT SURVEYS.—Not later than 1 year after the date of the enactment of this section, and every 2 years

thereafter, the Office shall conduct a survey of employing offices under this Act regarding the workplace environment of such offices.

“(b) SPECIAL INCLUSION OF INFORMATION ON SEXUAL HARASSMENT.—In each survey conducted under this section, the Office shall survey respondents on attitudes regarding sexual harassment.

“(c) METHODOLOGY.—

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

“(2) CONFIDENTIALITY.—Under the methodologies established under paragraph (1), all responses to all portions of the survey shall be anonymous and confidential, and each respondent shall be told throughout the survey that all responses shall be anonymous and confidential.

“(d) USE OF RESULTS OF SURVEYS.—The Office shall furnish the information obtained from the surveys conducted under this section to the Committee on House Administration of the House of Representatives and the Committee on Homeland Security and Governmental Affairs of the Senate.

“(e) CONSULTATION WITH COMMITTEES.—The Office shall carry out this section, including establishment of methodologies and procedures under subsection (c), in consultation with the Committee on House Administration of the House of Representatives and the Committee on Homeland Security and Governmental Affairs of the Senate.

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

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

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

### SEC. 203. RECORD RETENTION.

Section 301 (2 U.S.C. 1381), as amended by section 201(a), is further amended by adding at the end the following new subsection:

“(m) RECORD RETENTION.—The Office shall establish and maintain a program for the permanent retention of its records, including the records of investigations, mediations, hearings, and other proceedings conducted under title IV.”.

### SEC. 204. GAO STUDY OF MANAGEMENT PRACTICES.

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

(b) REPORT TO CONGRESS.—Not later than 180 days after the date of the enactment of this Act, the Comptroller General of the United States shall submit to Congress a report on the study conducted under subsection (a), and shall include in the report such recommendations as the Comptroller General considers appropriate for improvements to the management practices of the Office of Compliance.

### SEC. 205. GAO AUDIT OF CYBERSECURITY.

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

(b) REPORT TO CONGRESS.—Not later than 180 days after the date of the enactment of this Act, the Comptroller General of the United States shall submit to Congress a report on the audit conducted under subsection (a), and shall include in the report such recommendations as the Comptroller General considers appropriate for improvements to the cybersecurity systems and practices of the Office of Compliance.

## TITLE III—MISCELLANEOUS REFORMS

### SEC. 301. EXTENSION TO UNPAID STAFF OF RIGHTS AND PROTECTIONS AGAINST EMPLOYMENT DISCRIMINATION.

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

(1) by redesignating subsection (d) as subsection (e); and

(2) by inserting after subsection (c) the following new subsection:

“(d) APPLICATION TO UNPAID STAFF.—

“(1) IN GENERAL.—Subsections (a) and (b) shall apply with respect to any staff of an employing office who carry out official duties of the employing office but who are not paid by the employing office for carrying out such duties, including an intern (including an applicant for an internship and a former intern), an individual detailed to an employing office, and an individual participating in a fellowship program, in the same manner and to the same extent as such subsections apply with respect to an employee.

“(2) RULE OF CONSTRUCTION.—Nothing in paragraph (1) may be construed to extend liability for a violation of subsection (a) to an employing office on the basis of an action taken by any person who is not under the supervision or control of the employing office.

“(3) INTERN DEFINED.—The term ‘intern’ means an individual who performs service for an employing office which is uncompensated by the United States to earn credit awarded by an educational institution or to learn a trade or occupation, and includes any individual participating in a page program operated by any House of Congress.”.

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

### SEC. 302. COVERAGE OF EMPLOYEES OF LIBRARY OF CONGRESS.

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

(1) by redesignating subsection (e) as subsection (f); and

(2) by inserting after subsection (d) the following new subsection:

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

“(1) the Library of Congress shall be considered an employing office; and

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

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

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

(2) by inserting after subsection (c) the following new subsection:

“(d) SPECIAL RULE FOR LIBRARY OF CONGRESS.—In the case of an employee of the Library of Congress, the employee may use the alternative grievance procedures of the Library of Congress instead of the procedures under this title for consideration and resolution of an alleged violation of part A of title II, except that if the employee files a claim as provided in section 402 with respect to the alleged violation, the employee may not use any of such alternative grievance procedures for consideration and resolution of the alleged violation.”.

(c) OTHER CONFORMING AMENDMENTS.—

(1) CIVIL RIGHTS ACT OF 1964.—Section 717(a) of the Civil Rights Act of 1964 (42 U.S.C. 2000e-16(a)) is amended by striking “Smithsonian Institution” and all that follows

through “Library of Congress” and inserting the following: “Smithsonian Institution, and in the Government Publishing Office and the Government Accountability Office”.

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

(A) in subsection (a), by striking “Smithsonian Institution” and all that follows through “Library of Congress” and inserting the following: “Smithsonian Institution, and in the Government Publishing Office and the Government Accountability Office”; and

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

(3) AMERICANS WITH DISABILITIES ACT OF 1990.—Section 510 of the Americans with Disabilities Act of 1990 (42 U.S.C. 12209) is amended—

(A) by amending the matter preceding paragraph (1) to read as follows: “The Government Accountability Office and the Government Publishing Office shall be covered as follows:”; and

(B) in paragraph (4), by striking “means the following” and all that follows and inserting the following: “means the following: the Government Accountability Office and the Government Publishing Office.”.

(d) EFFECTIVE DATE.—

(1) IN GENERAL.—The amendments made by subsection (a) shall apply with respect to claims alleging violations of part A of title II of the Congressional Accountability Act of 1995 which are first made on or after the date of the enactment of this Act.

(2) TREATMENT OF PENDING CLAIMS UNDER EXISTING PROCEDURES.—If, as of the date of the enactment of this Act, an employee of the Library of Congress has or could have filed a charge or complaint pursuant to procedures of the Library of Congress which were available to the employee prior to such date for the resolution of a claim alleging a violation of a provision of law made applicable to the Library under section 201(a) of the Congressional Accountability Act of 1995 (including procedures applicable pursuant to a collective bargaining agreement), the employee may complete, or initiate and complete, all such procedures, and such procedures shall remain in effect with respect to, and provide the exclusive procedures for, that charge or complaint until the completion of all such procedures.

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

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

(1) by striking “Except as otherwise” and inserting “(a) IN GENERAL.—Except as otherwise”; and

(2) by adding at the end the following new subsection:

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

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

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

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

“(2) AUTHORITY TO PROVIDE LEGAL ASSISTANCE AND REPRESENTATION.—Subject to paragraph (3), legal assistance and representation under this Act, including assistance and representation with respect to the proposal or acceptance of the disposition of a claim under this Act, shall be provided to the China Review Commission, the Congressional-Executive China Commission, and the Helsinki Commission—

“(A) by the House Employment Counsel of the House of Representatives, in the case of assistance and representation in connection with a claim filed under title IV (including all subsequent proceedings under such title in connection with the claim) at a time when the chair of the Commission is a Member of the House; or

“(B) by the Senate Chief Counsel for Employment of the Senate, in the case of assistance and representation in connection with a claim filed under title IV (including all subsequent proceedings under such title in connection with the claim) at a time when the chair of the Commission is a Senator.

“(3) DEFINITIONS.—In this subsection—

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

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

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

(b) COVERAGE OF STENNIS CENTER.—

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

(A) by striking “or” at the end of subparagraph (H);

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

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

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

(2) TREATMENT OF CENTER AS EMPLOYING OFFICE.—Section 101(9)(D) (2 U.S.C. 1301(9)(D)) is amended by striking “and the Office of Technology Assessment” and inserting the following: “the Office of Technology Assessment, and the John C. Stennis Center for Public Service Training and Development”.

(c) EFFECTIVE DATE.—The amendments made by this section shall take effect as if included in the enactment of the Congressional Accountability Act of 1995.

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

(a) REQUIRING OFFICES TO DEVELOP AND IMPLEMENT PROGRAMS.—Title V (2 U.S.C. 1431 et seq.) is amended—

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

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

**“SEC. 509. TRAINING AND EDUCATION PROGRAMS OF EMPLOYING OFFICES.**

“(a) REQUIRING OFFICES TO DEVELOP AND IMPLEMENT PROGRAMS.—Each employing office shall develop and implement a program to train and educate covered employees of the office in the rights and protections provided under this Act, including the procedures available under title IV to consider alleged violations of this Act.

“(b) REPORT TO COMMITTEES.—

“(1) IN GENERAL.—Not later than 45 days after the beginning of each Congress (beginning with the One Hundred Sixteenth Congress), each employing office shall submit a report to the Committee on House Administration of the House of Representatives and the Committee on Rules and Administration of the Senate on the implementation of the program required under subsection (a).

“(2) SPECIAL RULE FOR FIRST REPORT.—Not later than 180 days after the date of the en-

actment of the Congressional Accountability Act of 1995 Reform Act, each employing office shall submit the report described in paragraph (1) to the Committees described in such paragraph.

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

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

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

(2) by inserting after the item relating to section 508 the following new item:

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

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

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

(1) in the heading, by striking “OFFICE OF COMPLIANCE” and inserting “OFFICE OF CONGRESSIONAL WORKPLACE RIGHTS”; and

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

(b) CONFORMING AMENDMENTS TO CONGRESSIONAL ACCOUNTABILITY ACT OF 1995.—The Congressional Accountability Act of 1995 is amended as follows:

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

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

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

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

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

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

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

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

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

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

(11) In the heading of title III, by striking “OFFICE OF COMPLIANCE” and inserting “OFFICE OF CONGRESSIONAL WORKPLACE RIGHTS”.

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

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

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



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

“TITLE III—OFFICE OF CONGRESSIONAL WORKPLACE RIGHTS”;

and

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

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

(d) REFERENCES IN OTHER LAWS, RULES, AND REGULATIONS.—Any reference to the Office of Compliance in any law, rule, regulation, or other official paper in effect as of the effective date of this Act shall be considered to refer and apply to the Office of Congressional Workplace Rights.

#### TITLE IV—EFFECTIVE DATE

##### SEC. 401. EFFECTIVE DATE.

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

(b) NO EFFECT ON PENDING PROCEEDINGS.—Nothing in this Act or the amendments made by this Act may be construed to affect any proceeding under title IV of the Congressional Accountability Act of 1995 which is pending as of the date of the enactment of this Act.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Mississippi (Mr. HARPER) and the gentleman from Pennsylvania (Mr. BRADY) each will control 20 minutes.

The Chair recognizes the gentleman from Mississippi.

#### GENERAL LEAVE

Mr. HARPER. Mr. Speaker, I ask unanimous consent that all Members have 5 legislative days to revise and extend their remarks and include extraneous material on the bill.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Mississippi?

There was no objection.

Mr. HARPER. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, a little more than 3 months ago, you tasked the Committee on House Administration with a great responsibility, to undertake a comprehensive review of the training, policies, and mechanisms to guard against sexual harassment in the congressional workplace.

□ 1145

I believe that the legislation we are considering today, H.R. 4924, the Congressional Accountability Act of 1995 Reform Act, and, immediately following that, the House resolution, together, respond to this great task.

At the outset, I would like to thank the Speaker of the House, PAUL RYAN, for his leadership on this issue and for the trust he placed on our committee to conduct this important review.

I would also like to thank and appreciate the work done by our Conference Chair, CATHY McMORRIS RODGERS.

I would also thank every member of the Committee on House Administration, particularly the ranking member, Mr. BRADY. He has been a great friend and colleague over the last decade, and I appreciate being able to work closely on this issue with him.

Both the CAA Reform Act and the House resolution reflect the dedication

and commitment of a bipartisan group of Members, including Representatives BYRNE, SPEIER, BROOKS, and DEUTCH, who want to ensure this institution remains worthy of the trust placed in it by the American people. I also want to thank Representatives DESANTIS, LOVE, COMSTOCK, and CHRIS SMITH for their contributions to this bill.

As I have said previously and will state again, unequivocally, there is no place for sexual harassment, or any type of harassment, period, in the U.S. House of Representatives.

It is no secret that the culture on Capitol Hill is unique. While there are hundreds of employing offices, we should all share the common goal of creating effective work environments—environments that are safe, productive, collegial, and, most importantly, responsive, responsive to the needs of our constituents and the public.

During our review, the committee held two hearings, three member listening sessions, a roundtable discussion with stakeholders, and meetings with victims and their advocates to examine how we could improve the workplace for everyone. We found the Congressional Accountability Act of 1995 to be outdated and in need of this comprehensive reform.

We found the House training programs to be inadequate in order to meet the needs of all House employees. Additionally, we found that our House policies and procedures are in need of change as they relate to sexual harassment in the workplace.

Last November, the House took the first step in addressing these issues by passing H. Res. 630, a resolution that, among other things, requires all House employees to take annual, in-person antiharassment and antidiscrimination training. Passage of the CAA Reform Act is the logical next step.

The CAA Reform Act makes a number of reforms to the Congressional Accountability Act that will ensure its future effectiveness, including:

Reforming the dispute resolution process to establish procedures for initiating, investigating, and resolving alleged violations of part A, title II, of the CAA;

Ensuring all claims are filed in writing and are made under oath;

Requiring Members who have engaged in intentional discrimination to reimburse the Department of the Treasury;

Requiring the Office of Compliance, the OOC, to report every 6 months of a calendar year to Congress, and to publish on their website the awards and settlements from the previous year;

Directing the OOC to conduct a climate survey of the legislative branch every 2 years;

Directing the OOC to establish a permanent record retention program;

Expanding the definition of covered employees to include unpaid interns, fellows, and detailees; and

Clarifying certain commissions, such as the Helsinki Commission, are covered by the Congressional Account-

ability Act and providing the process for disposing of claims.

These are just a few of the reforms that the CAA Reform Act makes.

I am proud of the work of this committee and our bipartisan group of Members who have worked on this so diligently over the last several months.

Mr. Speaker, I encourage all of my colleagues to support this legislation, and I reserve the balance of my time.

HOUSE OF REPRESENTATIVES,  
COMMITTEE ON HOUSE ADMINISTRATION,

Washington, DC, February 2, 2018.

Hon. SUSAN BROOKS,  
Chairwoman, House Committee on Ethics,  
Washington, DC.

DEAR CHAIRWOMAN BROOKS: I am writing to you concerning H.R. 4924, the Congressional Accountability Act of 1995 Reform Act and H. Res. 724, a resolution making operational changes to the House of Representatives as well as changes to the Code of Official Conduct. There are certain provisions in both pieces of legislation that fall within the jurisdiction of the House Committee on Ethics.

In the interest of permitting the Committee on House Administration to proceed expeditiously for floor consideration of these important bills, I am writing to request a waiver of your committee's right to a referral. I request with the understanding that by waiving consideration of these bills, the Committee on Ethics does not waive any future jurisdictional claim over the subject matters contained in the bills which fall within its Rule X jurisdiction.

I will place this letter into the committee report and into the Congressional Record during consideration of the measures on the House floor. Thank you for the cooperative spirit in which you have worked regarding this matter and others between our respective committees.

Sincerely,

GREGG HARPER,  
Chairman.

HOUSE OF REPRESENTATIVES,  
COMMITTEE ON ETHICS,

Washington, DC, February 6, 2018.

Hon. GREGG HARPER,  
Chairman, Committee on House Administration,  
Washington, DC.

DEAR MR. CHAIRMAN: Thank you for your letter regarding H.R. 4924, the Congressional Accountability Act of 1995 Reform Act, and H. Res. 724, a related resolution. As you know, certain provisions of both bills fall within the jurisdiction of the Committee on Ethics and your committee has previously consulted with us regarding provisions of these measures that fall within our committee's jurisdiction. We appreciate the opportunity to work with you, Ranking Member Robert Brady, and your colleagues on the Committee on House Administration in a collegial and bipartisan manner on this important legislation.

The Committee on Ethics has unique and exclusive jurisdiction over the Code of Official Conduct. In addition, the Committee on Ethics takes allegations of sexual harassment and discrimination and other violations of workplace rights extremely seriously. However, in order to expedite Floor consideration of these measures, the Committee on Ethics will forgo action on both measures.

We believe that discharging the Committee on Ethics from further consideration of H.R. 4924 and H. Res. 724 will serve in the best interest of the House of Representatives to ensure their swift consideration. It is our mutual understanding that forgoing action on

H.R. 4924 and H. Res. 724 will not prejudice the Committee on Ethics with respect to appointment of conferees or any future jurisdictional claim over subject matter contained in this or similar legislation. Our committee also reserves the right to seek appointment of an appropriate number of conferees to any House-Senate conference involving this or similar legislation, and ask that you support any such request. We understand that your letter and this response will be included in the bill report filed by your Committee, as well as in the Congressional Record.

Sincerely,

SUSAN W. BROOKS,  
*Chairwoman, Committee on Ethics.*  
THEODORE E. DEUTCH,  
*Ranking Member, Committee on Ethics.*

HOUSE OF REPRESENTATIVES,

COMMITTEE ON HOUSE ADMINISTRATION,  
*Washington, DC, February 2, 2018.*

Hon. TREY GOWDY,  
*Chairman, House Committee on Oversight and Government Reform, Washington, DC.*

DEAR CHAIRMAN GOWDY: I am writing to you concerning H.R. 4924, the Congressional Accountability Act of 1995 Reform Act. There are certain provisions in the bill that fall within the jurisdiction of the House Committee on Oversight and Government Reform.

In the interest of permitting the Committee on House Administration to proceed expeditiously for floor consideration of this important bill, I am writing to request a waiver of your committee's right to a referral. I request with the understanding that by waiving consideration of this bill, the Committee on Oversight and Government Reform does not waive any future jurisdictional claim over the subject matters contained in the bill which fall within its Rule X jurisdiction.

I will place this letter into the committee report and into the Congressional Record during consideration of the measure on the House floor. Thank you for the cooperative spirit.

Sincerely,

GREGG HARPER,  
*Chairman.*

HOUSE OF REPRESENTATIVES, COMMITTEE ON OVERSIGHT AND GOVERNMENT REFORM,  
*Washington, DC, February 6, 2018.*

Hon. GREGG HARPER,  
*Chairman, Committee on House Administration, Washington, DC.*

DEAR MR. CHAIRMAN: Thank you for your letter regarding H.R. 4924. As you know, certain provisions of the bill fall within the Jurisdiction of Committee on Oversight and Government Reform.

I realize that discharging the Committee on House Administration from further consideration of H.R. 4924 will serve in the best interest of the House of Representatives and agree to do so. It is the understanding of the Committee on Oversight and Government Reform that forgoing action on H.R. 4924 will not prejudice the Committee with respect to appointment of conferees or any future jurisdictional claim. I request that your letter and this response be included in the bill report filed by your Committee, as well as in the Congressional Record.

Sincerely,

TREY GOWDY.

HOUSE OF REPRESENTATIVES,  
COMMITTEE ON HOUSE ADMINISTRATION,  
*Washington, DC, February 5, 2018.*

Hon. KEVIN BRADY,  
*Chairman, House Committee on Ways and Means, Washington, DC.*

DEAR CHAIRMAN BRADY: I am writing to you concerning H.R. 4924, the Congressional Accountability Act of 1995 Reform Act. There are certain provisions in the legislation that fall within the jurisdiction of the House Committee on Ways and Means.

In the interest of permitting the Committee on House Administration to proceed expeditiously for floor consideration of this important bill, I am writing to request a waiver of your committee's right to a referral. I request with the understanding that by waiving consideration of these bills, the Committee on Ways and Means does not waive any future jurisdictional claim over the subject matter contained in the bill which falls within its Rule X jurisdiction.

I will place this letter into the committee report and into the Congressional Record during consideration of the measure on the House floor. Thank you for the cooperative spirit in which you have worked regarding this matter and others between our respective committees.

Sincerely,

GREGG HARPER,  
*Chairman.*

HOUSE OF REPRESENTATIVES,  
COMMITTEE ON WAYS AND MEANS,  
*Washington, DC, February 5, 2018.*

Hon. GREGG HARPER,  
*Chairman, Committee on House Administration, Washington, DC.*

DEAR CHAIRMAN HARPER: I am writing with respect to H.R. 4924, the "Congressional Accountability Act of the 1995 Reform Act," on which the Committee on Ways and Means was granted an additional referral.

As a result of your having consulted with us on provisions in H.R. 4924 that fall within the Rule X jurisdiction of the Committee on Ways and Means, I agree to waive formal consideration of this bill so that it may move expeditiously to the floor. The Committee on Ways and Means takes this action with the mutual understanding that we do not waive any jurisdiction over the subject matter contained in this or similar legislation, and the Committee will be appropriately consulted and involved as the bill or similar legislation moves forward so that we may address any remaining issues that fall within our jurisdiction. The Committee also reserves the right to seek appointment of an appropriate number of conferees to any House-Senate conference involving this or similar legislation, and requests your support for such request.

Finally, I would appreciate your response to this letter confirming this understanding, and would ask that a copy of our exchange of letters on this matter be included in the Congressional Record during floor consideration of H.R. 4924.

Sincerely,

KEVIN BRADY,  
*Chairman.*

Mr. BRADY of Pennsylvania. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, since we began this process several months ago, I have met with experts, my colleagues, and, most importantly, the survivors of sexual harassment and assault. Their insight has informed this legislation today.

By passing this proposal, Congress will take a much-needed first step in changing how we do business:

We eliminate counseling;  
We eliminate the cooling off period;  
We make mediation optional;  
We change the system so that we protect the victim and not the perpetrator;

We require more transparency with regular reporting that has meaningful information;

We change the confidentiality rule so that the victim decides what to talk about and when; and

We hold Members accountable for their behavior by referring every case to the Ethics Committee.

This is long overdue.

There is one person who has been championing this work her entire career, the gentlewoman from California, Representative JACKIE SPEIER, and I thank her. Without her, we would not be here. Representative SPEIER's leadership and persistence are the main reasons we are so close to getting this done, and the entire Congress should be grateful for her work.

It is because of the leadership of the chairman that we are here on the floor today. As he has his entire 10 years on the committee, he has been focused on working together in a bipartisan way where we can agree. Because of that commitment, he will certainly be remembered as one of the most consequential chairmen of this committee. I thank him, and I cherish his friendship.

Mr. Speaker, I reserve the balance of my time.

Mr. HARPER. Mr. Speaker, I yield 2½ minutes to the gentleman from Alabama (Mr. BYRNE).

Mr. BYRNE. Mr. Speaker, I thank the chairman for yielding.

Prior to coming to Congress, I worked for 30 years as a labor and employment attorney in Alabama. I advised clients on how to prevent sexual harassment and how to navigate the process if a harassment claim was made. Quite frankly, I was shocked to see how complicated the congressional process for handling sexual harassment and other employment law claims was.

Mr. Speaker, this legislation is a shining example of how Congress should work. Chairman HARPER and Ranking Member BRADY engaged a bipartisan group of Members, including Representative JACKIE SPEIER and me, interested in solving this problem. After months of thoughtful negotiation, we come to the floor today with a product that this House and the American people can be proud of.

Under this legislation, we will bring the congressional workplace into the 21st century and ensure that Congress plays by the same rules as the private sector.

There are far too many important reforms to mention all of them, but I want to highlight a few that I think are especially transformative.

First, the bill creates a fair and simpler process for employees to file an employment law claim and for the claim to be resolved. The bill creates



an Office of Employee Advocacy to ensure staff has access to legal counsel just as Member offices are provided. The process is also simplified to make the claims process smoother, faster, and fairer.

Second, the bill increases transparency by requiring that basic information about any sexual harassment or other claims be made public so the American people are fully aware of what is happening in Congress.

Third, the bill will ensure that Members of Congress, not taxpayers, are responsible for paying out sexual harassment settlements that they are responsible for.

Fourth, the related resolution paves the way for every congressional office to have a clearly defined antiharassment and antidiscrimination policy. This reform alone will result in greater awareness.

Fifth, the resolution prohibits Members of Congress from engaging in a sexual relationship with any staff member under their supervision and makes clear that sexual harassment is a violation of the Code of Official Conduct and will not be tolerated.

In closing, I want to again thank Chairman HARPER and Ranking Member BRADY for their leadership on this issue, and I strongly urge my colleagues to support this bipartisan legislation and the related resolution.

Mr. BRADY of Pennsylvania. Mr. Speaker, I yield 3 minutes to the gentlewoman from California (Ms. SPEIER), and, again, the main reason we are on the floor today.

Ms. SPEIER. Mr. Speaker, I thank the ranking member for his generosity and for his great leadership.

Mr. Speaker, we are truly here on a historic occasion. It is a rare and crucial moment of bipartisanship. This is the way you can do it—men and women, Republicans and Democrats, conservatives and liberals—coming together to make this place better.

When I first started this work back in 2014, I dreamed, but I did not dare to hope, that we would end up here today. Today, this bipartisan group of legislators is taking a historic step that has plagued this institution for generations.

For years, Members of Congress have gotten away with truly egregious behavior by mistreating their staff. A story that will be etched in my memory forever is a young woman who sat in my office earlier this year and told me her story and who said, as she cried, the process was almost worse than the harassment.

No more, ladies and gentlemen, no more will that be the case. Thanks to the Me Too movement, the American public has made it clear that they have had enough. They expect Congress to lead; and, for once, we are.

Today, I am proud to support the CAA Reform Act. Based on the ME TOO Congress Act, which I introduced last fall, this bill empowers survivors. They will no longer be subject to man-

datory mediation. They will be represented by counsel. They will no longer have cooling off periods and periods where they have to be counseled legally, and they have the right to sue.

Most importantly, it creates the kind of transparency that we talk about but rarely ever provide, and Members—yes, Members—are going to be held responsible for their bad behavior. We will require them to pay the settlement in full in 90 days. If they can't do that, we will garnish their wages, we will garnish their thrift saving plans, and we will garnish their Social Security.

We would not be here today were it not for the unwavering commitment of Chairman HARPER, Ranking Member BRADY, Speaker RYAN, Leader PELOSI, Congressman BYRNE—whom I was delighted to work with on this issue—Congresswoman BROOKS, Congressman DEUTCH, and the entire Committee on House Administration.

This would not be here today but for the majority and minority committee staff, especially Jamie Fleet, who has shown extraordinary leadership, as has Kim Betz, for all the late nights and the lost weekends to get this bill over the finish line. And to my staff, who worked just as hard, to Molly Fishman and to Miriam Goldstein, I will forever be grateful for what you have provided.

The SPEAKER pro tempore (Mr. BOST). The time of the gentlewoman has expired.

Mr. BRADY of Pennsylvania. Mr. Speaker, I yield the gentlewoman from California an additional 30 seconds.

Ms. SPEIER. But our work is not done. The Me Too movement is driving change from the boardrooms to the break rooms across our great country. I am committed to ensuring that Congress looks beyond itself to improve the lives of all workers in America.

Today, we take a great step forward for the congressional workplace. We show that we can come together across party and geography. Tomorrow, let us continue to work to make sexual harassment and violence in all workplace settings a thing of the past.

Mr. HARPER. Mr. Speaker, I yield 2 minutes to the gentlewoman from Indiana (Mrs. BROOKS), the chairwoman of the Ethics Committee.

Mrs. BROOKS of Indiana. Mr. Speaker, I rise today in support of the bipartisan Congressional Accountability Act of 1995 Reform Act, introduced by the House Administration chairman, Mr. HARPER, and the ranking member, Mr. BRADY.

I also want to thank my colleagues who have helped lead the effort, Representative BYRNE and Representative SPEIER, along with my colleague, the ranking member of the House Ethics Committee, Representative DEUTCH.

Current law, the CAA, as we call it, was enacted over 20 years ago, and it has become so outdated. The proposed reforms in this CAA Reform Act work to improve our response to harassment and discrimination so that allegations of wrongdoing can be investigated

swifter, fairer, and in a more efficient manner. This legislation prioritizes protecting the victims while ensuring due process for the accused.

Congress must be a force for justice in order to ensure all employees have a safe workplace environment that is free of sexual harassment or discrimination of any kind, because it is completely unacceptable to be subjected to harassment or discrimination of any kind at any workplace in our country.

The element of the CAA that allowed for silencing of victims and spending taxpayer dollars to settle claims for Members of Congress must be changed.

The CAA Reform Act will increase transparency and accountability in Congress and create a more victim-friendly process. It ensures sexual harassment and discrimination settlements made, moving forward, will no longer be secret.

This bill will protect taxpayer dollars by requiring Members of Congress who have an award or judgment against them for harassment to personally pay for any settlement.

As chairwoman of the House Ethics Committee, I am proud to work alongside the ranking member, Representative DEUTCH, on this important, bipartisan legislation. I want to thank our colleagues who worked to ensure that, in order for the Ethics Committee to fulfill its obligation of the House to investigate and potentially discipline Members and staff, now the committee must be given information on potential bad actors. The CAA Reform Act ensures the Ethics Committee is given that information.

□ 1200

The SPEAKER pro tempore. The time of the gentlewoman has expired.

Mr. HARPER. Mr. Speaker, I yield an additional 30 seconds to the gentlewoman.

Mrs. BROOKS of Indiana. It provides an automatic referral to the Ethics Committee upon disposition of claims before the Office of Congressional Workplace Rights, currently known as the Office of Compliance, so now the House Ethics Committee can quickly investigate allegations of wrongdoing while protecting the identity of the accuser and ensuring due process for the accused.

By supporting this Reform Act, we are showing the Nation that Congress is taking strong bipartisan action to improve the workplace called the people's House and the conduct of those who work in it.

Mr. BRADY of Pennsylvania. Mr. Speaker, I yield 1 minute to the gentlewoman from California (Ms. PELOSI), our Democratic leader.

Ms. PELOSI. Mr. Speaker, I thank the gentleman for yielding. I also thank him and Mr. HARPER for their leadership in bringing this legislation to the floor.

Congratulations to the Committee on House Administration. I commend Congresswoman BROOKS and Congressman

DEUTCH for their work on the Ethics Committee in this regard. I thank Mr. RASKIN as well for his work.

Of course I want to thank Congresswoman JACKIE SPEIER from California, who has made this part of her life's work in officialdom in her public service in the California Legislature and here. Today, the fruit of your labor, Madam Congresswoman, comes to fruition. Your strong leadership will ensure that no survivor of discrimination or harassment will face the injustice of having his or her voice silenced.

The ME TOO Congress Act is our promise, in a bipartisan way, to hold every person accountable to the rule of absolutely zero tolerance. No matter someone's contribution to our country, harassment and discrimination are always unacceptable.

With this bill, we are shining a blazing light on the scourge of workplace abuse, which has been allowed to fester in the shadows for too long. We are securing protections for all employees by streamlining and strengthening the resolution and reporting process.

We are holding Members personally responsible for settlements, and we are guaranteeing taxpayer money will never again be used to create a culture of complicity and silence around workplace harassment.

This bill is bipartisan because the fight against workplace harassment and discrimination transcends party or politics. This legislation is about protecting the personal safety of every person who comes to Congress to serve either as a Member or in the workforce. This is about upholding human dignity and the inalienable right to live free from abuse.

Our Nation is at a watershed moment in the fight against sexual harassment and discrimination. Brave men and women from Hollywood to Washington, from Sacramento—I might add, where my daughter has been involved in this campaign—from the boardroom to the newsroom, in the hotels, restaurants, and workplaces, in every corner of the country, people are standing up to say: Time is up.

But the Me Too movement has really made quite a difference. Their voices are correcting the culture around harassment and abuse.

But more needs to be done. The Congress must continue to work with the Equal Employment Opportunity Commission and others to forge a path forward to improve protection for all American workplaces. That is why I am so pleased to bring this bill to the floor.

Over recent times, Members of Congress listened to survivors and advocates, learned from public and private sector experts, and received constructive recommendations from many Members. We will not rest until every person in every workplace has full safeguards against harassment and abuse and discrimination. This is a time for shaking up the status quo, not for bowing to inaction and incrementalism.

Members of Congress are trustees of the people. We have a solemn responsibility to do well by the people, both the people who sent us to Washington, and those who serve by our sides here. Our values and our humanity compel us to take action and to finish this fight so that every woman, man, and child can live free from the fear of abuse.

Again, I thank Mr. BRADY and Mr. HARPER for their leadership on this issue.

Mr. HARPER. Mr. Speaker, I yield 2 minutes to the gentleman from Illinois (Mr. RODNEY DAVIS), the vice chairman of the Committee on House Administration.

Mr. RODNEY DAVIS of Illinois. Mr. Speaker, I would like to thank Chairman HARPER for his leadership on this important piece of legislation. And I would be remiss, Mr. Speaker, if I didn't offer my thanks to our House Administration Committee's ranking member, Mr. BRADY. I thank him for his leadership on this important issue, too. I want to thank my fellow colleagues on that committee for their hard work and diligence.

Mr. Speaker, no one should have to worry about sexual harassment when they come to work. This bill is vital to addressing this problem as we work to increase professionalism in the House and establish a workplace that is grounded in respect.

In Congress, we have got to lead by example. As a member of this committee, my colleagues and I held hearings on preventing sexual harassment in the congressional workplace and the effectiveness of the Congressional Accountability Act, which demonstrated the need for reform.

I am pleased to report that this bill continues the House Administration Committee's commitment to increasing transparency in the Federal Government. Last Congress, we worked hard to pass reforms that made House office spending more transparent and accountable than any other area of the Federal Government.

Today we are voting on a bill that will increase transparency of Member conduct by requiring the Office of Compliance to report on awards and settlements every 6 months and by holding Members personally responsible. This strengthens the dispute resolution process, enables employees to speak without fear of retribution, and ensures every House office has an antidiscriminatory and antiharassment policy.

Mr. Speaker, I urge my colleagues to vote "yes" and to support this bill.

Mr. BRADY of Pennsylvania. Mr. Speaker, I yield 2 minutes to the gentleman from Maryland (Mr. RASKIN), a valued member of our committee.

Mr. RASKIN. Mr. Speaker, I want to thank our chairman, Mr. HARPER; and the ranking member, Mr. BRADY, for their excellent leadership on this legislation.

I rise as a proud cosponsor and strong supporter of H.R. 4924, the Congres-

sional Accountability Act of 1995 Reform Act; and H. Res. 724, the companion resolution which strengthens antiharassment and antidiscrimination policies and procedures in this institution.

These two bills show how Congress can make dramatic progress on a bipartisan basis when we listen to the people; specifically, the Me Too movement against workplace discrimination and harassment that has swept America into the 21st century by demanding equality and dignity in the workplace for all women as well as all men.

This continuing Women's March Across America for workplace fairness has forced the Members of this body to acknowledge that, here in Congress, sexual harassment has been a serious occupational hazard for thousands of women who only want to come to work to support their families and to contribute to the common good of the country.

We have heard about shameful cases of quid pro quo harassment, hostile workplace environment, groping, forcible kissing, sexual coercion, and reprisal and retaliation for saying no or complaining.

As the representatives of the American people, we have a compelling obligation to lead America to a culture of zero tolerance for sexual harassment and assault in the workplace; and we, in Congress, must lead, not only by strong legislation, but by strong example.

Our current dispute resolution process is stacked against victims, requiring people to go through a protracted and duplicative process. Members are provided legal counsel, while victims are left to navigate this convoluted process on their own. Settlements, if provided, are paid for with taxpayer money instead of the money of the perpetrators of the events.

This legislation eliminates protracted mandatory waiting periods. It empowers victims to move directly to a court proceeding if they so desire. It creates an Office of Employee Advocacy with lawyers on hand to help people understand their rights.

The SPEAKER pro tempore (Mr. DUNCAN of Tennessee). The time of the gentleman has expired.

Mr. BRADY of Pennsylvania. Mr. Speaker, I yield an additional 30 seconds to the gentleman.

Mr. RASKIN. It prohibits sexual relationships between Members of Congress and their staffs. It holds offending Members personally responsible for their conduct by requiring that they pay any settlements that are actually made.

I thank Chairman HARPER and Ranking Member BRADY for their leadership. I especially thank Congresswoman JACKIE SPEIER for her untiring and exemplary advocacy over the years on this issue. I am glad that we are being part of this great cultural paradigm shift in America right now.

Mr. HARPER. Mr. Speaker, I yield 3 minutes to the gentlewoman from Virginia (Mrs. COMSTOCK), who continues to work tirelessly on this issue.

Mrs. COMSTOCK. Mr. Speaker, I thank the chairman for his leadership. I also thank all of my colleagues on the committee and all of those who have participated in this process on this bill and this resolution.

I rise in support of both the bill and the resolution.

We know sexual harassment is about power—a misuse of power that impacts careers, lives, and self-esteem. We know most women do not come forward and disclose sexual harassment. We know, often, they leave their desired careers because of that.

We have seen it in all industries: predators such as Harvey Weinstein in Hollywood; Matt Lauer, Roger Ailes, Charlie Rose in the media; John Conyers and Trent Franks in our own body.

So it is so important that this legislation, this historic step, is fundamentally changing that balance of power by creating an office for the victims, the Office of Employee Advocacy. This is the single most important thing in this legislation to restore that balance of power that has been misused by those in power.

When I spoke to Dorena Bertussi, who, 30 years ago, was sexually harassed in this body by Congressman Jim Bates from California, she didn't have an office to go to. She didn't even have one that wasn't very good. So now, 30 years later, we are writing this.

We now have transparency. People can't hide behind the process anymore. The Members' names will be known. Taxpayers will not be on the hook for any of this. The offender themselves will have to pay. We have all types of methods in here to get that money because we want to make sure the victim is made whole.

I appreciate we have also adopted some of the DeSantis provisions to get a full accounting of past cases so we know the amounts and we know exactly what happened. And I am still concerned about those Members who may have used their MRAs, their Member allowances, in an inappropriate way. That is corrected in this bill and is no longer allowed.

Also, we have made it clear that there are no relationships with subordinates. I do want to mention that I still do believe, despite—this is a great bill and I heartily support it and so appreciate all the hard work that the staff and everyone has done, but I still do believe we need to disclose the past names that are still unknown. Some of those names have come forward because of the press, because of victims speaking out.

We need to let the victims know that they can speak out from the past. If they want to speak out, they can; that this body is not going to be using any of our resources to stop a victim from the past from speaking out.

I also do think we still need to disclose all of those names going forward so that we have full accountability, because part of that misuse of power is that they can continue to know they won't be held accountable, and the victims see that. So we need to have a strong message that there is nobody in this body that would ever be allowed to go forward without being held accountable.

I encourage all of my colleagues to support this resolution and this important legislation.

Mr. BRADY of Pennsylvania. Mr. Speaker, I yield 2 minutes to the gentleman from Florida (Mr. DEUTCH).

Mr. DEUTCH. Mr. Speaker, last year, American culture experienced a moment of reckoning. It doesn't matter what political party; it doesn't matter when or where: sexual harassment and sexual violence are unacceptable.

America has been willfully blind to abuses of power for far too long. The bravery of survivors of sexual assault and harassment has changed that, has changed our country, and it is time for Congress to follow their lead.

I am grateful to introduce this bill with my colleagues: House Administration Chairman HARPER and Ranking Member BRADY; my counterpart on the House Ethics Committee, Chairwoman SUSAN BROOKS; all of whom worked so hard to develop these reforms.

I am going to thank Representative BYRNE for his commitment to this effort, sharing his experience. And my colleague and friend, Congresswoman JACKIE SPEIER, deserves particular appreciation and acknowledgment for her strong leadership not just in crafting this bill, but throughout her career in standing up for the rights of women; but, in this case, for crafting a bill that will produce lasting change for the United States Congress.

This bill will allow survivors to speak out, ensure that legal resources are available to them, and offer justice without fear of retribution. This bill will not only strengthen our out-of-date workplace protections, but it will send an important message to the entire country that Members of Congress will be held accountable.

Also with this legislation, the Office of Compliance must provide the House Ethics Committee with all of the information required for the transparent pursuit of full accountability.

□ 1215

It is time to end protections for powerful abusers and to empower survivors. Each survivor must be heard, allegations must be taken seriously, and abusers and harassers must be held accountable.

Every congressional employee and every American deserves an equal chance at success in their careers, free from sexual harassment and free from retaliation for defending themselves and asserting their rights.

Mr. Speaker, it is time to do the work necessary to change our culture.

I encourage my colleagues to support this bill and ensure that Congress does its part in that important work.

Mr. HARPER. Mr. Speaker, may I inquire of the time remaining for debate.

The SPEAKER pro tempore. The gentleman from Mississippi has 6 minutes remaining. The gentleman from Pennsylvania has 9½ minutes remaining.

Mr. HARPER. Mr. Speaker, I yield 1 minute to the gentleman from Florida (Mr. DESANTIS).

Mr. DESANTIS. Mr. Speaker, when news broke that there had been a series of secret sexual harassment payments paid for on behalf of Members of Congress by tax dollars, I think a lot of Americans, even by the low standards that they have for this body, were shocked to hear that. And it was almost as if the rules were set up to incentivize bad behavior by a Member because Members could harass people and they wouldn't be personally liable for it, and they could keep it all secret.

This had to change, and I applaud Chairman HARPER for leading on this bill. And I am happy that the provisions of my bill have been adopted in this because I think it is important. Taxpayers should not bail Members of Congress out for misconduct, and this bill fixes that and makes them personally liable.

We also need a full accounting of any payments that are being made with tax dollars. This bill does that. We have to protect identities of victims.

I think we are making a step in the right direction. I think this starts to foster a culture of respect on Capitol Hill.

Mr. Speaker, I urge my colleagues to support the bill, and I thank Chairman HARPER for his efforts.

Mr. BRADY of Pennsylvania. Mr. Speaker, I yield 2 minutes to the gentleman from the District of Columbia (Ms. NORTON).

(Ms. NORTON asked and was given permission to revise and extend her remarks.)

Ms. NORTON. Mr. Speaker, I want to thank both sides for the bipartisan way in which this bill has proceeded.

Today, the House is doing no more than bringing itself in line with what we have long required of the public sector and Federal agencies.

When I became chair of the Equal Employment Opportunity Commission in the late 1970s, sexual harassment was not even recognized as a form of employment discrimination.

We remedied that with sexual harassment guidelines, later ratified by the Supreme Court. In drawing the sexual harassment guidelines, it never occurred to us that Congress would adopt special procedures for themselves, preferential to Members and prejudicial to employees.

The antidiscrimination statutes typically require some kind of conciliation before moving forward to avoid excessive litigation, but the current process creates multiple steps and time frames that exhaust complainants and deter resolution.

It takes courage to file a sexual harassment complaint because most are unwitnessed and they are difficult to corroborate.

The most important provisions of this bill, I believe, are the provisions for legal assistance to complainants, which Members have long had, and personal liability for sexual harassment lying with the Member, not the taxpayers.

This bill marks the Congress holding itself accountable to the public. However, it is another focus on high-profile workplaces.

I ask the House to move next to the workplaces of America where the average woman and man works—hospitality, factories, offices, retail, and the like. Increasingly, we find sexual harassment is still widespread.

Therefore, I hope the House will pass my bill to create a national commission to hear from ordinary workers so that the average worker gets our equal attention and equal time.

Mr. Speaker, again, I thank the sponsors of this bill and for this bipartisan effort.

Mr. HARPER. Mr. Speaker, I yield 1 minute to the gentlewoman from Utah (Mrs. LOVE).

Mrs. LOVE. Mr. Speaker, I would like to thank Chairman HARPER and also Ranking Member BRADY for including the STOP Act in the House Administration legislation.

Shockingly, the Office of Compliance confirms that hundreds of thousands of dollars have been paid with taxpayer money to settle sexual harassment cases against Members of Congress.

I am pleased to say that the bill that is before us today incorporates a bill that I introduced last December to stop this practice, H.R. 4674. The Stop Taxpayers Obligations to Perpetrators of Sexual Harassment Act will require Members of Congress to pay back any taxpayer money used to settle sexual harassment cases. Victims will be compensated, but taxpayers won't be footing the bill.

This bill promotes and supports due process. It sends a message that there isn't a set fund out there paid for by the taxpayer ready for someone to access, but it also doesn't encourage a Member who feels that they have done nothing wrong to settle so an issue can just go away.

If a Member of Congress behaves badly, the consequences of those actions are that person's responsibility, not the taxpayers'. I believe that Members should live by the laws that they create and the taxpayers should not be responsible for inappropriate behavior.

Mr. Speaker, I encourage my colleagues to vote for this bill.

Mr. HARPER. Mr. Speaker, I yield 2½ minutes to the gentleman from New Jersey (Mr. SMITH).

Mr. SMITH of New Jersey. Mr. Speaker, first of all, let me begin by thanking Chairman HARPER for this outstanding bipartisan legislation, and Mr. BRADY as well. This is what this

place can produce when we do come together.

Obviously, it provides congressional employees with comprehensive protection from abuse, including zero tolerance for sexual harassment.

The bill significantly increases transparency on Member conduct by publishing reports on awards and settlements, and it holds Members personally financially responsible, ending the charade of having taxpayers foot the bill for abuses.

Very, very significantly, the new Office of Employee Advocacy, which the legislation creates, will provide free legal services to congressional employees. That is absolutely critical, Mr. Speaker, that House employees have a dedicated advocate to consult, assist, and to represent them.

Mr. Speaker, I want to thank Chairman HARPER for including my bill, H.R. 4393, as section 303 of this bill. This section makes clear that employees of the Helsinki Commission and the China Commission, both of which I co-chair, are covered by the CAA.

In 2011, Mr. Speaker, an employee, a woman employed by the Commission on Security and Cooperation in Europe, filed suit making sexual harassment and workplace retaliation allegations directed to a former chairman of the commission. When I learned that the woman was being told—the woman who lodged the complaint—that the CAA did not apply to her, I immediately, as chairman, changed that policy. I deemed it. Thankfully, I checked with the House counsel, and I had the full backing of the House counsel.

I thought it was unconscionable that this person was told not only did she not have representation, which, again, the Harper bill now provides, but the CAA itself did not cover her. That was a terrible, terrible wrong. That will be rectified forever by this legislation.

Mr. Speaker, again, I want to thank Chairman HARPER for his leadership. This is a remarkable bill, an important bill, and will protect employees from abuse.

Mr. BRADY of Pennsylvania. Mr. Speaker, I yield 2 minutes to the gentlewoman from Texas (Ms. JACKSON LEE).

Ms. JACKSON LEE. Mr. Speaker, let me thank the ranking member, Mr. BRADY, and acknowledge his longstanding leadership and friendship, and as well the work that he does with the chairman and for his leadership as well.

This is a highlight on the floor of the House for the bipartisanship that it represents, the tone of which we are speaking, even though we know that this is a matter of urgency and we have seen the telling of situations that none of us would want to see repeated.

And forgive me for using more of a most recent set of circumstances just to capture the intensity of the moment, and that is, of course, the recent trial with a conspicuous and vile sex offender to the 200-plus young women athletes.

Now, this is not the circumstances here in the House of Representatives, but I think it captures the intensity of silence, because those young women had to live or thought that that was what they were obligated to do because they wanted to achieve greatness in their field, and they were stopped by the wall of silence and, therefore, could not find relief. The courts have finally given them relief, but through an enormity of pain.

I think it is important for the congressional standards to be such that it sets a wide net across the Nation to be able to ensure that the wall of silence is broken.

Mr. Speaker, I support 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 protection against sexual harassment, and for other purposes.

Mr. Speaker, this bill will provide a broader subpoena authority to the Office of Compliance, which adjudicates workplace disputes, and as well it would expand protections in other areas of antidiscrimination.

Let me say that this is a positive statement made by all of us, and I ask my colleagues to support H.R. 4924.

Mr. Speaker, I rise today to express my support for H.R. 4924, the "Congressional Accountability Act of 1995 Reform Act," legislation to amend the Congressional Accountability Act (CAA) 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.

Legislative branch employees who allege sexual harassment or other workplace violations could use an accelerated claims process under H.R. 4924.

The bill would amend the 1995 Congressional Accountability Act (CAA; Public Law 104-1).

I celebrate and congratulate JACKIE SPEIER and the women members of Congress who stood up. Thanks again to the Ranking Member and Chairman of the House Administration Committee.

The amendments include:

Eliminating a requirement for counseling and mediation before a legislative staffer could file a civil action in a U.S. district court;

Requiring members of Congress to pay for settlements and awards if they're the alleged offender;

Giving broader subpoena authority to the Office of Compliance (OOC), which adjudicates workplace disputes for most legislative branch offices;

Requiring the OOC to publish more information on claims, awards, and settlement payments and reimbursements from lawmakers;

The measure follows recent accusations that lawmakers sexually harassed or otherwise mistreated employees.

Some of those cases went through the OOC process and resulted in resignations and taxpayer-funded settlements.

The OOC approved more than \$17 million in awards and settlements from fiscal 1997 through 2017.

Many of those cases originated outside of member-led congressional offices and didn't involve alleged sexual harassment.

The House is also slated to consider a separate resolution (H. Res. 724) that would apply only to House offices and employees.

That measure would establish an office to provide House employees with free legal assistance during the OOC process, and would bar the Office of Congressional Ethics from investigating an alleged workplace violation once a staffer files a claim with the OOC.

These comprehensive reforms will provide a positive change of culture within the Congress, and improve the overall process of both preventing and reporting any harassment in the future.

The CAA requires congressional and other legislative offices, such as the Congressional Budget Office, to comply with about a dozen workplace protections that apply to private-sector and executive branch employees.

For instance, the 1964 Civil Rights Act bars discrimination based on factors such as race, religion, and sex.

The Supreme Court has held that the law also prohibits sexual harassment in the workplace.

Some CAA provisions don't apply to offices such as the Library of Congress (LOC), whose employees are covered by other laws and procedures.

To seek relief for certain workplace violations specified in the CAA, a legislative employee must go through a multistep OOC process.

Within 180 days of an alleged violation, the employee must bring it to the attention of the OOC to initiate a 30-day counseling phase and be informed of his or her rights.

The OOC doesn't notify the employing office unless the employee waives confidentiality.

An employee can participate by phone and be represented by someone else.

If a claim isn't resolved during the counseling phase and the employee wishes to keep pursuing it, he or she must file a request for mediation, which lasts at least 30 days and can be extended for an additional period.

Materials prepared for mediation are kept confidential, though an employee can still discuss the allegations publicly, according to December 2017 testimony from OOC Executive Director Susan Tsui Grundmann.

If a resolution can't be reached through mediation, the employee can file a confidential administrative complaint with the OOC or a public civil action in a U.S. district court.

Either filing has to be made within 90 days after mediation ends, though the employee must wait at least 30 days during a "cooling off" period.

OOC-appointed hearing officers are authorized to issue subpoenas to investigate the allegations.

An employee can appeal a hearing officer's decision to the OOC board and then to the U.S. Court of Appeals for the Federal Circuit.

For most legislative branch offices, including congressional offices, settlements are paid from an account in the Treasury general fund.

The bill would still require employees to file a claim with the OOC within 180 days of an

alleged violation. The measure, however, would allow an employee to file a civil action in a U.S. district court within 45 days, which would end the OOC investigation.

Otherwise, the matter would go through a revised OOC process.

At the outset, the OOC would inform the employee of his or her rights and notify the head of the employing office.

Employees could also contact the OOC before filing a claim to learn about their rights.

The OOC general counsel's investigative authority is limited to certain types of claims, such as alleged violations of the Occupational Safety and Health Act.

The bill would expand that authority to cover a wider range of claims, including alleged discrimination or harassment under the Civil Rights Act.

The general counsel could issue subpoenas regardless of whether a party requests one.

The bill would express the sense of Congress that subpoenas should be issued only if other methods are insufficient.

The general counsel would have to finish the investigation within 120 days.

The OOC would have to conduct an administrative hearing if the general counsel finds reasonable cause to believe there was a violation, or if the general counsel is unable to make a determination.

If the general counsel finds no reasonable cause to believe a violation occurred, the employee would be notified that he or she could still file a civil action within 90 days.

The general counsel could also recommend mediation, and the parties could file a joint request for mediation at any time.

The bill would allow an employee to request mediation meetings in which the parties are separated.

Any investigative reports concerning allegations of discrimination or retaliation by members of Congress would be referred to the House and Senate Ethics committees.

The OOC would also refer claims to the committees if there's a final disposition—such as a settlement or final decision by the OOC or a court—in a case involving a lawmaker or a senior staffer.

The bill would require current and former members of Congress to reimburse the government if an employee receives an award or settlement for the member's alleged act of discrimination or retaliation.

Funds could be withheld from the member's salary or retirement account if he or she doesn't meet payment deadlines specified in the bill.

The OOC would have to notify members as soon as a claim is filed that they may be required to provide reimbursement.

The member could intervene in a mediation, hearing, or civil action to contest an award or settlement, though the employee who filed the claim couldn't be subject to an additional deposition.

Non-congressional legislative offices would also have to reimburse the government for certain award or settlement payments.

The filing and investigation of a claim would be kept confidential, though an employee or employing office could disclose claim information during a proceeding.

The bill would also clarify that information discussed or disclosed during mediation would remain confidential, without barring the parties from talking about the underlying allegations.

An office could allow an employee to work remotely or grant the employee a paid leave of absence while a claim is pending.

The provisions wouldn't override the terms of a collective bargaining agreement for the office.

The bill would rename the OOC as the "Office of Congressional Workplace Rights" and make other changes to the office.

The office publishes annual reports with statistics on employee contacts with the office, the basis of their claims, and the results of proceedings.

The bill would require the office to publish semiannual reports listing each award and settlement in the previous year related to a wide range of CAA workplace claims if the money comes from the Treasury account.

The reports would have to specify the employing offices, award amounts, and alleged violations.

They would also have to indicate whether members of Congress made reimbursements resulting from cases of alleged discrimination.

Reports couldn't include the names or positions of employees who filed a claim.

Within 30 days of the bill's enactment, the office would have to publish a report on all previous payments related specifically to discrimination claims if the payment involved any public funds.

That report would have to indicate the amount paid and the source of public funds, including a House or Senate office account, though it couldn't identify the specific office.

The OOC would also have to establish an electronic system to receive and keep track of claims, and use the system to provide Congress with semiannual reports on the time required to resolve claims.

The OOC would collect information from employing offices, including the Library of Congress, every two years on their workplace environment and attitudes regarding sexual harassment.

All responses would be anonymous and confidential.

The OOC would consult with Congress on survey procedures and methodologies and share the survey results.

The office would have to create a program to permanently retain records of investigations, mediations, hearings, and other proceedings.

The Government Accountability Office would report to Congress on OOC management practices and cybersecurity.

The bill would expand certain protections—including antidiscrimination provisions—to cover employees at the LOC, as well as unpaid legislative branch interns, detailees, and fellows.

Because of these clarifications and expanded protections included in H.R. 4924, I stand in support of this bill and urge my colleagues to join me.

Mr. HARPER. Mr. Speaker, I yield 1 minute to the gentleman from New Jersey (Mr. LANCE).

Mr. LANCE. Mr. Speaker, as a member of the House Ethics Committee, I rise in strong support of this legislation and resolution combating the scourge of sexual harassment.

I commend the leadership of Chairman HARPER and of Representative JACKIE SPEIER, a national leader on this issue for many years.

From this day forward, if a lawmaker commits an act of sexual harassment

and breaks the trust of the people, that information will be made public and taxpayers will not foot the bill.

I am pleased that this legislation mirrors my bill that would increase governmental transparency and accountability concerning taxpayer-financed harassment settlements in Congress.

The people who come forward to serve this country, particularly young people, need to know that protections are in place and that offenders, no matter how powerful, will face accountability.

Congress must be an exemplar for the Nation on this important issue, and I encourage other institutions in this country—business, labor, Hollywood, and the press—to examine their own practices to ensure a safe workplace.

Mr. Speaker, now is the time for action and results.

Mr. BRADY of Pennsylvania. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, this is an important day for the House of Representatives. Republicans and Democrats from all different parts of the country have come together to make meaningful change in how Congress operates.

As I conclude, I would like to thank the staff that worked so hard on this, especially Kim Betz, Molly Fishman, and Miriam Goldstein; and members of my staff, Teri Morgan and Jamie Fleet, my staff director.

Mr. Speaker, I thank Chairman HARPER for his leadership, and I urge my colleagues to support this legislation before us now.

Mr. Speaker, I yield back the balance of my time.

Mr. HARPER. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, this is a historic moment for the House of Representatives, and I, too, want to thank Kim Betz for her hard work on our staff; as well as Jamie Fleet, the staff director; and particularly I want to give a special thanks to JACKIE SPEIER and BRADLEY BYRNE for the many hours they have spent working through this process for us.

Mr. Speaker, this makes historic and important steps in the House of Representatives. It brings us a step closer to achieving our goal of creating effective and safe work environments—environments that are safe, productive, collegial, and, most importantly, responsive to the needs of our constituents and the public.

□ 1230

There is no place like the House of Representatives. This should be, for every employee, the most special place that they will ever work.

I urge my colleagues to support H.R. 4924.

Mr. Speaker, I yield back the balance of my time.

Mr. HARPER. Mr. Speaker, I would like to discuss the background and need for this legislation.

Accounts of sexual harassment revealed in the private sector last fall prompted former and current Members of Congress as well as congressional staff to disclose accounts of sexual harassment in Congress. Moreover, current and former Members and staff were critical of Congress' policies and procedures responding to sexual harassment claims. Criticism included, but was not limited to, the lack of awareness regarding sexual harassment generally in Congressional offices, the lack of mandatory sexual harassment awareness training; the lack of support provided to victims of sexual harassment, and the ineffectiveness of certain aspects of the dispute resolution process set out under the Congressional Accountability Act of 1995 (CAA) as it related to sexual harassment. Reports about the use of taxpayer dollars to settle sexual harassment claims in the past raised additional concerns about the lack of transparency in the process. The accounts of sexual harassment and criticism of the process revealed that it was not only timely, but important Congress review the employment and workplace policies and processes included in the CAA as well as those policies internal to House offices.

To that end, on November 3, 2017, the Speaker of the House of Representatives tasked the Committee on House Administration (Committee) to conduct a review of the "existing training, policies, and mechanisms to guard against and report sexual harassment." The Speaker further "instructed the Committee to be as thorough as possible," and to incorporate Member ideas and feedback.

The Committee responded and its review was methodical. On November 14, 2017, the Committee held its first hearing titled "Preventing Sexual Harassment in the Congressional Workplace." The hearing identified: (1) the gaps in the House's training, policies, and procedures; and (2) solutions to address the gaps. Testifying at the hearing were Representatives JACKIE SPEIER and BRADLEY BYRNE in addition to Barbara Childs Wallace, Chair, Board of Directors, Office of Compliance; and Gloria Lett, Counsel, Office of House Employment Counsel. The witnesses were unified in their recommendation the House should implement a mandatory training program.

On November 29, 2017, the House of Representatives responded to the calls for mandatory training by passing H. Res. 630. H. Res. 630 requires all House employees, including interns, fellows, and detailees, to participate in a mandatory annual training program. In addition, the resolution required all House offices to post a statement of employee rights and protections under the Congressional Accountability Act of 1995 (CAA). The resolution also required the Committee to promulgate regulations within 30 days to implement the House of Representatives' training and education program, which it did on December 19, 2017. Mandatory training will begin on April 2, 2018.

On December 7, 2017, the Committee held a second hearing focused on the CAA and the need to reform certain provisions to ensure the adjudication process contemplated by the CAA protects the rights of all parties to the proceedings. The Committee took testimony from four experts, including Victoria Lipnic, Acting Chair, Equal Employment Opportunity Commission; Susan Grundmann, Executive Director, Office of Compliance; Gloria Lett, Counsel, Office of House Counsel; and Dan

Crowley, former General Counsel, Committee on House Administration.

The Committee also held a roundtable discussion with organizations reflecting the interests of both employees and employers to discuss best practices in preventing harassment and discrimination in the workplace. In addition, stakeholders discussed potential reforms to the CAA's dispute resolution process to protect employers and employees.

Congress passed the CAA in 1995 to bring Congress, the Architect of the Capitol, the U.S. Capitol Police, the Office of Congressional Accessibility Services, the Congressional Budget Office, the Office of Attending Physician, and the Office of Compliance under the same employment and workplace safety laws and standards as the federal government and the private sector. The CAA incorporates the prohibitions against discrimination contained in Title VII of the 1964 Civil Rights Act (42 U.S.C. 2000e et seq.). In addition to incorporating employment and safety laws, the CAA establishes the adjudication process for resolving claims filed under the CAA. For discrimination claims, the adjudication process includes counseling, mediation, and either an administrative hearing overseen by the OOC or proceeding to federal court.

In addition to the dispute resolution process, the CAA authorizes remedies for successful claims of discrimination, including sex discrimination and harassment. The remedies are similar to those available under Title VII, with the exception of punitive damages. Successful claims under the CAA are paid from an account within the Department of Treasury of the United States authorized for the payment of awards and settlements under the CAA. Rule X of House Rules specifies that employing offices of the House may only enter into settlements providing for the payment of claims filed under the CAA only after receiving the approval of the Chair and Ranking Member of the Committee.

The CAA established the Office of Compliance (OOC) as the independent non-partisan agency to implement the adjudication process for claims filed under the CAA. The OOC is responsible for, among other things, to compile and publish statistics "on the use of the Office by covered employees, including the number and type of contact made with the Office, on the reason for such contacts, on the number of covered employees who initiated proceedings with the Office under this chapter and the result of such proceedings and on the number of covered employees who filed a complaint, the basis for the complaint, and the action taken on the complaint."

The CAA has not been comprehensively examined since its passage in 1995. The Committee's review revealed frustration and criticism of the initial stages of adjudication process as it related to sexual harassment claims; concerns with OOC's management policies, including its record management, and the need for additional reporting by the OOC beyond its current statutory obligations. Relatedly, the Committee believes there should be greater transparency around the use of the Settlement and Award account authorized under section 1415 for section 201(a) and 207 claims for discrimination and retaliation. Furthermore, the Committee believes in cases of harassment and discrimination where a Member of Congress' conduct is intentional, reimbursement to the Treasury account should be



required. To that end, the Committee recommends the reforms contained in H.R. 4924 to ensure the CAA's future effectiveness in preventing discrimination and harassment in the Congressional Workplace and adjudicating claims in a fair and expeditious manner.

The Committee found the current requirements for counseling and mediation to be ineffective and burdensome. Specifically, the Committee took testimony revealing the "counseling phase" was not counseling but more akin to claim intake. The Committee further found the mandated 30-day counseling period to be unnecessary. The Committee recommends eliminating the counseling phase altogether and replacing it with a more simplistic process. Under H.R. 4924, proceedings set out under section 1401 are initiated as soon as a claim is filed. Relatedly, the Committee heard concerns about frivolous claims being filed under the CAA and potential abuses of the adjudication process. The Committee recommends strengthening the requirements for filing a claim under the CAA as well as imposing standards and responsibilities on all attorneys involved in a CAA proceeding similar to those found in Rule 11 of the Federal Rules of Civil Procedure. H.R. 4924 requires claims filed under the CAA to be in writing and under oath. Moreover, attorneys involved in a CAA proceeding must ensure all filings with the OOC are made in a manner consistent with their ethical obligations in federal court.

In addition to concerns about the counseling phase, the Committee heard testimony criticizing mandatory mediation. The Committee agrees the mandate only prolongs a proceeding—particularly in cases where one party does not want to settle. The Committee recommends making mediation available when both parties agree that it is in their joint interest.

Apart from the reforms to counseling and mediation, the Committee recommends granting investigative authority to the OOC General Counsel. The Committee supports incorporating a similar investigative process as is currently conducted by the Equal Employment Opportunity Commission (EEOC) in the private sector and executive branch. Given the OOC General Counsel already has investigative authority under the CAA in certain other claims, the Committee recommends extending limited investigative authority to claims, including those of discrimination and harassment. The Committee believes investigations early on will help facilitate the resolution of cases. The Committee further believes the OOC General Counsel should have limited subpoena authority during its investigation. However, this authority should not be construed to be any broader than the authority granted to hearing officers pursuant to section 1405(f). Further, as noted in the text of H.R. 4924, the Committee believes subpoenas should only be issued as a last resort and primarily to keep the investigation on schedule.

As noted above, during the Committee's review, reports surfaced of settlements of sexual harassment claims involving taxpayer dollars, including the use of the Member Representational Allowance (MRA). The Committee heard from Members, constituents and the public that taxpayer dollars should not be available to settle claims of sexual harassment. While the Committee agrees, it recognizes victims need to be made whole. Not victims a second time.

To that end, H.R. 4924 requires a Member of the House of Representatives (including a

Delegate or Resident Commissioner to the Congress), a Senator, or a former Member of the House of Representatives or Senator to reimburse the Department of Treasury account authorized under section 1415 for certain settlements and awards. H.R. 4924 sets out a structure to compel reimbursement if voluntary reimbursement is not made.

The Committee is mindful that personal liability for employment law claims does not exist in federal law and has worked to strike a balance between protecting taxpayers from being responsible for bad actions conducted by elected officials, protecting the due process rights of those accused, and not making the provision so broad as to discourage the settlement of meritorious claims.

With this in mind, the Committee intends the reimbursement obligation to be triggered only when three conditions are met: (1) the claimant alleges (and, unless the claim is settled, ultimately proved to the trier of fact) that the Member or Senator personally engaged in an intentional act of harassment, discrimination, or retaliation with animus covered by section (d)(1)(B); (2) the alleged act resulted in a settlement or award for the claimant; and (3) payment is made from the section 1415 account to compensate the claimant for the specific claim requiring reimbursement under this section. If in contention, the trier of fact should make an express finding, separate from the underlying claim, that the Member or Senator engaged in an intentional act of harassment, discrimination, or retaliation covered by section (d)(1)(B) with animus.

A reimbursement obligation is not triggered if the claimant does not allege an intentional act of harassment or discrimination or retaliation committed by a Member or Senator with animus and covered by this section. For example, the Committee does not intend the reimbursement obligation to be triggered if an act of discrimination or harassment was alleged against a supervising employee of a congressional office, such as the chief of staff. The provision would also not apply in the case of an omission, such as a failure to properly supervise an employee with hiring authority. The provision would not apply in the case of a disparate impact or other theory of unintentional discrimination. The provision would not be triggered if the claimant alleges a violation occurred but does not name a Member or Senator as the individual who committed an act leading to the violation. In the case of a discrimination claim, the provision would not apply if there was no discriminatory animus on the part of the Member or Senator.

Concerned with its day-to-day management, Congress requested the Government Accountability Office (GAO) to audit OOC in 2004. The Committee has similar concerns today. H.R. 4924 directs the Government Accountability Office to update its 2004 review of OOC's management practices. In addition to its management operations, the Committee is also concerned with the lack of record retention policies adopted by OOC. H.R. 4924 requires OOC to establish a permanent record retention program to ensure that general questions about OOC case management may be answered in a timely manner.

Relatedly, the Committee's review brought to light the use of the Department of Treasury account established in Section 1415 to pay for the settlement of claims including claims of sexual harassment. In addition to settlements

and awards constructed under the CAA, it was brought to the Committee's attention that the Member Representational Allowance (MRA) was used to settle claims of sexual harassment, including for claims filed under the CAA. While not specifically prohibited by statute or by the Committee's Member Handbook, the use of the MRA for these purposes is of concern and is addressed in separate legislation.

The Committee is concerned with the use of taxpayer dollars to settle claims, particularly for claims of discrimination and harassment. H.R. 4924 directs the OOC to report within 30 days on all settlements and awards under the CAA in which public funds were used over the last 20 years. This includes any House or Senate account. The OOC is directed to identify the claim, the award or settlement and the source of funding. In putting together its report, the OOC should take care not to disclose any identifying information about any party to a legally binding agreement or proceeding who has an expectation of privacy. The Committee understands there may be victims to agreements which may be unenforceable. To that end, the Committee recommends working with the new Office of Employee Advocacy authorized in separate legislation.

Notwithstanding OOC's responsibility to issue its comprehensive report looking backward, H.R. 4924 directs the OOC to report to Congress every six months on the payment of awards and settlements for claims filed under Part A, title II of the CAA, the name of the employing office, the amount of the award or settlement, and in cases where a Member or Senator is responsible for reimbursement—whether the Member is in compliance with the reimbursement obligation.

Notwithstanding its new reporting requirements, the Committee takes this opportunity to clarify its expectation of OOC's current reporting requirements. The Committee encourages the OOC to include in its existing reporting the following: (1) number of Complaints listed by their protected categories under the CAA (ie. race, sex, national origin, religion, disability, age) as opposed to title VII; (2) summary of general information requests listed by the groups of people contacting the OOC (ie. number of covered employees, number of public inquiries, media, union, employing offices); (3) the specific information requested by protected category for issues under section 201 and 207 (race/color, sex/gender, disability, age, national origin, retaliation, religion); (4) the number of requests for counseling and mediation broken down by their protected classes; and (5) workplace issues raised with the OOC (ADA, compensation, demotion, disparate work environment, promotion, overtime, etc).

Mr. Speaker, I include in the RECORD a section-by-section analysis of this legislation:

SECTION-BY-SECTION OF THE LEGISLATION  
TITLE I—REFORM OF DISPUTE RESOLUTION PROCEDURES

Subtitle A—Reform of Procedures for Initiation, Investigations and Resolution of Claims

Sec. 101 (a). Description of Procedures Available for Consideration of Alleged Violations. Section 101 sets out the procedures for initiating, investigating and resolving alleged violation(s) of Part A, Title II of the Congressional Accountability Act (CAA). The procedures require a covered employee to file a claim with the Office of Compliance

(OOC). Once a claim is filed, an investigation is initiated by the OOC General Counsel. The section specifies at the conclusion of the investigation, the covered employee may proceed to a hearing before the OOC hearing officer in two instances: (1) the investigation results in a finding of reasonable cause a violation occurred, or (2) the General Counsel is unable to determine whether reasonable cause exists on the merits of the claim. The procedures allow for a covered employee to file in federal court within 45 days of filing a claim. The decision to file in federal court stops the investigation and any further ability to seek an investigation. The section further authorizes a covered employee to file in federal court within 90 days upon receiving a right to sue letter from the OOC General Counsel. Finally, the section specifies that any party may retain counsel to protect their respective interests. The section also imposes FRCP Rule 11 obligations on all parties to the proceedings including OHEC, the new Office of Employee Advocate and any party that intervenes on behalf of a party.

Sec. 101 (b). Conforming Amendments. The section makes conforming amendments.

Sec. 102 (a). Reform of Process for Initiation of Procedures. Section 102 specifies a claim must be filed with the OOC to initiate the process. The claim must be in writing and under oath or affirmation. (The bill eliminates mandatory counseling and mediation). The employing office is notified once a claim is filed. The section also sets out a special notification requirement to Members whose conduct is the focus of a section 201(a) or 207 allegation. The special notification requirement specifies OOC must notify the Member of the potential repayment obligation associated with claim and the opportunity to intervene in the proceedings. The section directs the OOC to establish an electronic reporting and tracking system that will be used to report and track claims. The system will be accessible by both parties, taking into consideration the covered employee's need for confidentiality. In addition, the section imposes a reporting requirement on OOC to provide the Committees of jurisdiction with semi-annual reports on the effectiveness of the system to facilitate the resolution of cases. Under section 102, all claims must be filed within 180 days of alleged violation. The section reaffirms the ability of a covered employee to: contact OOC or any other office (i.e. Office of Employee Advocate) for information; refer a matter to the respective Committees on Ethics; as well as to file in federal court.

Sec. 103 (a). Investigations of Claims by General Counsel. Section 103 authorizes the OOC General Counsel to initiate an investigation of a claim under Part A, Title II once a claim is filed. The OOC General Counsel has subpoena authority to compel production of documents and testimony from witnesses during the pendency of the investigation. The subpoena authority is consistent with existing subpoena authority held by the hearing officers under Section 1405(f). Subpoenas may be enforced in same manner as provided in Section 1405 (f). The OOC General Counsel is required to make one of three findings at the end of the investigation: (1) a finding of reasonable cause that a violation of Part A, Title II occurred; (2) a finding that there is no reasonable cause to believe a violation of Part A, Title II occurred; or (3) a finding indicating the General Counsel cannot determine cause based on the facts. In the event there is a finding no reasonable cause exists to believe a violation occurred, the General Counsel will issue a letter to the covered employee authorizing their right to sue in federal court. The section authorizes the General Counsel to transmit the findings to the par-

ties. With respect to section 201(a) and/or 207 claims involving Member conduct, the General Counsel is authorized to transmit the report to the Committees on Ethics. The section authorizes the General Counsel to recommend mediation to the parties at any time. The General Counsel has 90 days to investigate and issue findings. The General Counsel can extend investigation for an additional 30 days with notice to the parties.

Sec. 103 (b). Conforming Amendments. This section makes conforming amendments.

Sec. 104. Availability of Mediation during Investigations. Section 104 allows the parties to request mediation while the investigation is proceeding. The request for mediation must be made by both parties and may be for a period of 30 days. The parties may jointly agree to extend for another 30 days. The section allows the parties to be separated during mediation if requested by the covered employee.

#### Part B—Other Reforms

Sec. 111. Requiring Members of Congress to Reimburse Treasury for Amounts Paid as Settlements and Awards in Cases of Acts Committed Personally by Members. The section requires Members of Congress (including former Members who were in office at the time of the allegation) to repay the Settlement and Award Account authorized under section 1415 of the CAA. Members are responsible for repayment in cases in which the allegation of an act or violation under section 201(a) (discrimination and harassment) and section 207 (retaliation resulting from a 201(a) violation) involves a Member personally. The section authorizes the appropriate Committees to establish a plan to withhold compensation if the account is not repaid within 90 days. If the account is not repaid within 180 days, section 111 authorizes the transfer of funds from the Member's Thrift Savings Plan. The section clarifies that spouses' rights are not applicable when TSP is accessed. In the event, the Member is no longer receiving compensation (i.e. former Member), the section authorizes withholding annuities and transferring amount to the account. The section reiterates a Member's right to intervene in his or her personal capacity during mediation, hearing or civil action to protect the Member's interest. The section ensures the covered employee is not unduly burdened in depositions resulting from the intervention. The Committees on House Administration and Senate Rules are charged with promulgating regulations to implement this section.

Sec. 112. Automatic Referral to Congressional Ethics Committees of allegations involving Members and Senior Staff. Section 112 authorizes an automatic referral to the House Committee on Ethics (and Senate Select Committee on Ethics) with respect to claims filed under section 201(a) (harassment and discrimination) and/or 207 involving Member and senior staff conduct. The referral occurs when there is: an order to pay an award or settlement (including agreements resulting from mediation outlined in section 104); a final decision of a hearing officer; a final decision by the Board under Section 406(e); and a final decision in a civil action. The section authorizes the Committees on Ethics to have access to records and information relating to any investigation, hearing, or settlement. The section prohibits the Committee on Ethics from releasing the identity or position of an individual making allegation.

Sec. 113. Availability of Remote Work Assignment or Paid Leave of Absence during Pendency of Procedures. The section allows a covered employee to work remotely if requested. If a covered employee's responsibilities require on-site presence, an employee

may request paid leave. The section prohibits an employing office from using requests as a method of retaliation. The section protects any collective bargaining agreements that are in place.

Sec. 114. Modification of Rules on Confidentiality. The section makes technical changes to sections 1416(a) and (b) regarding confidentiality as it relates to filing a claim and the subsequent investigation as well as information relating to mediation. The section includes a rule of construction indicating nothing in the section precludes a covered employee or employing office from disclosing information related to a claim.

Sec. 115. Reimbursement by Other Employing Offices of the Legislative Branch of Payments of Certain Awards and Settlements. Section 115 requires the Legislative Branch agencies under the CAA to repay the Settlement and Award account as result of awards and settlements issued under section 201(a). Repayment shall be made from the operating expenses of agency within 180 days. The section directs the OOC to establish procedures and timetables for repayment.

#### TITLE II—IMPROVING OPERATIONS OF OFFICE OF COMPLIANCE

Sec. 201. Semiannual Reporting on Allegations, Awards, and Settlements. In addition to their current reporting requirements, section 201 requires the OOC to report every six months of a calendar year to Congress and to publish on their website the awards and settlements from the previous year. The report to Congress must include: the employing office; the provision of Part A, Title II that was the subject of the allegation or violation; and the amount of the award or settlement resulting from an allegation or violation. In cases where the Member is personally responsible for repayment, the report will identify whether the Member has complied with repayment obligations. In addition, the section requires the OOC to submit a report within 30 days of enactment on all payments made with public funds, including MRAs, used to settle section 201(a) claims. The report is to include the amount paid and the source of funding.

Sec. 202. Workplace Climate Survey. The section directs the OOC to conduct a climate survey of all employing offices covered under the CAA regarding the workplace environment each Congress. The survey will also collect data on sexual harassment in congressional employment. The section requires the OOC to ensure all responses to the survey are anonymous and confidential and to consult with the respective House and Senate Committees on the survey including collecting and analyzing data. The section requires OOC to maintain confidentiality during the process and with the results. The section directs the survey results to be sent to the Committees.

Sec. 203. Record Retention. The section requires the OOC to establish and maintain a permanent recordkeeping program.

Sec. 204. GAO Study of Management Practices. The section requires the GAO to update its review of the OOC's management practices and effectiveness within 180 days. The last GAO study was conducted in 2004.

Sec. 205. GAO Study of Cybersecurity. The section requires GAO to conduct an audit of the OOC's cyber security systems and practices within 180 days.

#### TITLE III—MISCELLANEOUS REFORMS TO THE CAA

Sec. 301. Extension to Unpaid Staff of Rights and Protections against Employment Discrimination. The section extends coverage of the rights and protections established under the CAA to unpaid interns, fellows and detailees.

Sec. 302. Coverage for Purposes of Protections against Workplace Discrimination. The

section extends coverage of Part A, Title II of the CAA to the Library of Congress. The section acknowledges the existing process utilized by covered employees of the Library and gives those employees choice of whether to continue to use the LOC internal grievance procedures if they choose.

Sec. 303. Clarification of Coverage of Employees of Helsinki and China Commissions. The section extends covered employee status to employees of the above Commissions. The section establishes employing office status for the Commissions, which is contingent on whether the House or Senate maintains the Chairmanship. Section 303 also sets out the process for approving the disposition of claims against the Commissions as employing offices. The section also extends coverage to the Office of Technology Assistance and the John C. Stennis Public Service Training and Development Center.

Sec. 304. Training and Education Programs of Other Employing Offices. Section 304 directs the legislative branch agencies to establish programs of training and education for covered employees on the rights and protections under the CAA.

Sec. 305. Renaming Office of Compliance as Office of Congressional Workplace Rights. This section renames OOC as the Office of Congressional Workplace Rights.

#### TITLE IV—EFFECTIVE DATE

Sec. 401. Effective Date. The section specifies the amendments made in this Act are effective 180 days after enactment. In addition, the bill specifies that nothing in the Act or amendment is intended to impact current proceedings.

#### INTRODUCTION AND REFERRAL

On February 5, 2018, Representative Gregg Harper of Mississippi introduced H.R. 4924, the Congressional Accountability Act of 1995 Reform Act, which was referred to the Committee on House Administration.

#### HEARINGS

On November 14, 2017 and December 7, 2017, the Committee held an oversight hearing to review the policies, procedures, and mechanisms to address sexual harassment in the Congressional workplace.

#### COMMITTEE OVERSIGHT FINDINGS AND RECOMMENDATIONS

In compliance with House Rule XIII, clause 3(c)(1), the Committee states that the findings and recommendations of the Committee, based on oversight activities under House Rule X, clause 2(b)(1), are incorporated into the general discussion section of this report.

Ms. LOFGREN. Mr. Speaker, I rise today in strong support of H.R. 4924, the Congressional Accountability Act of 1995 Reform Act.

This bill would bring much-needed reforms to the process available to congressional employees for filing workplace complaints and ensure a more equitable and transparent process.

Under the new process, employees who file a complaint would have the choice to enter into mediation instead of being required to do so, as is currently the case. Employees should not be forced into mandatory mediation, especially with an employer against whom they have raised allegations of sexual harassment or other types of discrimination. This bill also eliminates the thirty-day “cooling off” period currently mandated by the CAA.

Filing a workplace complaint can be harrowing for employees, and having no choice but to face the employer or colleague against whom they have filed the complaint may deter employees from going through with it. That is why the protections in this bill from

retaliation by the employing office for requesting remote work or paid leave by an employee who has a filed a complaint are so important.

Unpaid interns, fellows, and detailees in Congressional offices should not be more vulnerable to workplace harassment and discrimination than their congressional staff colleagues. This bill would extend coverage of the rights and protections established under the CAA to these groups.

The bill also requires that a climate survey be conducted of all offices covered by the CAA, each Congress, regarding the workplace environment, including sexual harassment. Collecting information, anonymously, from staff will help us determine whether the reforms we hope in this bill are serving their purpose or if modifications are needed.

H.R. 4924 is the culmination of bipartisan work on the part of House Administration Committee Chairman HARPER and Ranking Member BRADY, and my fellow members on the Committee, as well as the leadership of my colleague Rep. JACKIE SPEIER, who has championed the issue of fighting sexual harassment on the Hill. I want to thank them all for working collaboratively on this legislation.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Mississippi (Mr. HARPER) that the House suspend the rules and pass the bill, H.R. 4924.

The question was taken; and (two-thirds being in the affirmative) the rules were suspended and the bill was passed.

A motion to reconsider was laid on the table.

#### REQUIRING ADOPTION OF ANTI-HARASSMENT AND ANTI-DISCRIMINATION POLICIES FOR HOUSE OFFICES

Mr. HARPER. Mr. Speaker, I move to suspend the rules and agree to the resolution (H. Res. 724) requiring each employing office of the House of Representatives to adopt an anti-harassment and anti-discrimination policy for the office's workplace, establishing the Office of Employee Advocacy to provide legal assistance and consultation to employees of the House regarding procedures and proceedings under the Congressional Accountability Act of 1995, and for other purposes.

The Clerk read the title of the resolution.

The text of the resolution is as follows:

H. RES. 724

*Resolved,*

#### SECTION 1. MANDATORY ANTI-HARASSMENT AND ANTI-DISCRIMINATION POLICIES FOR HOUSE OFFICES.

(a) REQUIRING OFFICES TO ADOPT POLICY.—Each employing office of the House of Representatives under the Congressional Accountability Act of 1995 shall adopt an anti-harassment and anti-discrimination policy for the office's workplace.

(b) REGULATIONS.—Not later than June 1, 2018, the Committee on House Administration shall promulgate regulations to carry out this section, and shall ensure that such regulations are consistent with the requirements of the Congressional Accountability Act of 1995, the Code of Official Conduct

under rule XXIII of the Rules of the House of Representatives, and other relevant laws, rules, and regulations.

#### SEC. 2. OFFICE OF EMPLOYEE ADVOCACY.

(a) ESTABLISHMENT.—There is established in the Office of the Chief Administrative Officer of the House of Representatives the Office of Employee Advocacy (hereafter in this section referred to as the “Office”).

(b) FUNCTIONS.—

(1) LEGAL ASSISTANCE, CONSULTATION, AND REPRESENTATION.—Subject to subsection (c), the Office shall carry out the following functions:

(A) Providing legal assistance and consultation to covered employees of the House under the Congressional Accountability Act of 1995 regarding the procedures of such Act and the procedures applicable to civil actions arising under such Act, including—

(i) the roles and responsibilities of the Office of Compliance, the Office of the House Employment Counsel, and similar authorities;

(ii) any proceedings conducted under such Act;

(iii) the authority of the Office of Compliance to compel cooperation and testimony under investigations and proceedings conducted under title IV of such Act; and

(iv) the employee's duties relating to such proceedings, including the responsibility to testify.

(B) Providing legal assistance and representation—

(i) in personal civil legal matters related to a covered employee's initiation of or participation in proceedings under title IV of such Act (other than a civil action filed under section 408 of such Act); and

(ii) in any proceedings of the Office of Compliance, the Committee on Ethics of the House of Representatives (including the Office of Congressional Ethics), or any other administrative or judicial body related to the alleged violations of such Act which are the subject of the proceedings initiated by the covered employee, or the proceedings in which the covered employee participates, under title IV of such Act.

(C) Operating a hotline through which covered employees of the House under such Act may contact the Office.

(2) AUTHORITY TO PROVIDE ASSISTANCE IN ANY JURISDICTION.—Notwithstanding any law regarding the licensure of attorneys, an attorney who is employed by the Office and is authorized to provide legal assistance and representation under this section is authorized to provide that assistance and representation in any jurisdiction, subject to such regulations as may be prescribed by the Office.

(3) NATURE OF RELATIONSHIP.—The relationship between the Office and an employee to whom the Office provides legal assistance, consultation, and representation under this section shall be the relationship between an attorney and client.

(4) PROHIBITING ACCEPTANCE OF AWARD OF ATTORNEY FEES OR OTHER COSTS.—The Office may not accept any award of attorney fees or other litigation expenses and costs under any hearing or civil action brought under the Congressional Accountability Act of 1995.

(5) PROHIBITING ASSISTANCE IN OTHER MATTERS OR PROCEEDINGS.—The Office may not provide any legal assistance, consultation, or representation with respect to any matter or proceeding which does not arise under the Congressional Accountability Act of 1995.

(c) PROHIBITING PROVISION OF ASSISTANCE UPON FILING OF CIVIL ACTION.—If a covered employee of the House files a civil action with respect to an alleged violation of the Congressional Accountability Act of 1995, as provided in section 408 of such Act, the Office