''(8) FINAL AGENCY ACTION.—The determination by the Secretary that an act of terrorism or qualifying cyber incident has occurred shall constitute a final agency action subject to review under chapter 7 of title 5, United States Code.''.

By Mr. GRASSLEY:

S. 2401. A bill to amend the Congressional Accountability Act of 1995 to reform the procedures provided under such Act for the initiation, investigation, and resolution of claims alleging that employing offices of the legislative branch have violated the rights and protections provided to their employees under such Act, including protections against sexual harassment, and for other purposes; to the Committee on Homeland Security and Governmental Affairs.

Mr. GRASSLEY. Mr. President, two decades ago, I championed passage of the Congressional Accountability Act. It was the first piece of legislation passed by the 104th Congress and the first time in history that Congressional employees enjoyed any legal protections relating to harassment and discrimination.

Today, I am introducing a measure to update and improve this landmark legislation. I call on my colleagues to support these proposed reforms, which already have passed the House of Representatives. Doing so will promote greater transparency, accountability, and an improved work climate in the halls of Congress.

For decades before the enactment of the original Congressional Accountability Act, our branch of government adopted legislation setting workplace safety, civil rights, labor and health policies that directly impacted workers and employers in our hometown communities. Until 1995, Congress was exempt from these Federal laws, which meant that Congressional staff enjoyed none of the employment protections that applied to private sector and executive branch employees.

Because Members of Congress are elected to represent the people, it seemed to me rather disingenuous that the people's branch had authored laws that applied to the men and women on Main Street but didn't apply to the members of Congress who wrote them. Why shouldn't Congress be held to the same set of standards as everyone else?

That's what prompted me to champion the development of the original, bipartisan Congressional Accountability Act.

My initial good government effort wasn't met with open arms on Capitol Hill. It took tremendous effort and half a dozen years to secure enough support to pass these reforms. The Congressional Accountability Act finally passed when Republicans gained majority control of both houses of Congress for the first time in four decades. President Bill Clinton signed this legislation on January 23, 1995.

The Federal legislative branch employs tens of thousands of workers on Capitol Hill, in state offices around the country, and in associated offices, such as the Capitol Police. Thanks to the Congressional Accountability Act, these legislative employees are covered by over a dozen Federal workplace laws, including provisions that mandate minimum wage and regulate overtime; make accommodations for workers with disabilities; spell out anti-discriminatory policies for workers based on race, color, religion, sex, national origin, age, disability or military service; guarantee family and medical leave; require hazard-free workplaces; clarify collective bargaining rights for union members; and explain rules about lie detector tests for employees.

The legislation I'm introducing today makes significant reforms, in three areas, to the Congressional Accountability Act (CAA). The purpose of these reforms is to enhance transparency, ensure accountability, and promote a more respectful work climate in both chambers of Congress.

First, this legislation would streamline and enhance the dispute resolution process for Congressional staff and interns. For example, it would enable Congressional employees to have access to an advocate who can offer assistance in proceedings before the Congressional Office of Compliance. It would require that every Congressional office adopt an anti-harassment policy. It would make it optional, not mandatory, for staffers complaining of harassment to engage in mediation. And it would institute a periodic survey of employees to assess attitudes about harassment in Congress.

Second, this legislation would make Congressional lawmakers personally liable for their harassment of employees and interns. It imposes a 90-day deadline by which Congressional lawmakers must reimburse the Treasury for awards or settlements of harassment claims. It bars the use of official House or Senate funds to cover a settlement of a harassment claim. It also ensures the automatic referral of harassment claims against a lawmaker to the Ethics Committee.

Third, and finally, this measure would increase public transparency of Congressional settlement awards. It does so by ensuring that detailed information on awards and settlements will be reported twice a year and posted online.

These reforms are overdue, and I urge my colleagues to join me in supporting the immediate passage of the Congressional Accountability Act of 1995 Reform Act. I also want to take this opportunity to thank Congressman GREGG HARPER for introducing and championing the passage of very similar legislation in the House of Representatives earlier this week.

SUBMITTED RESOLUTIONS

SENATE RESOLUTION 395—EXPRESSING THE SENSE OF THE SENATE THAT AMBUSH MARKETING ADVERSELY AFFECTS THE UNITED STATES OLYMPIC AND PARALYMPIC TEAMS

Mr. THUNE (for himself, Mr. HATCH, Mr. BENNET, Ms. KLOBUCHAR, and Mr. GARDNER) submitted the following resolution; which was referred to the Committee on Commerce, Science, and Transportation.

S. RES. 395

Whereas the 2018 Olympic and Paralympic Winter Games will occur on February 9, 2018, through February 25, 2018, and March 9, 2018, through March 18, 2018, respectively, in PyeongChang, South Korea;

Whereas approximately 3,000 athletes representing 90 nations across 7 sports are expected at the Olympic Winter Games PyeongChang 2018 and 670 athletes representing approximately 45 nations across 5 sports at the Paralympic Winter Games PyeongChang 2018;

Whereas American athletes have spent countless days, months, and years training to earn a spot on the United States Olympic or Paralympic teams;

Whereas the Ted Stevens Olympic and Amateur Sports Act (36 U.S.C. 220501 et seq.)—

(1) established the United States Olympic Committee as the coordinating body for all Olympic and Paralympic athletic activity in the United States;

(2) gave the United States Olympic Committee the exclusive right in the United States to use the words ''Olympic'', ''Olympiad'', ''Paralympic'', and ''Paralympiad'', the emblem of the United States Olympic Committee, and the symbols of the International Olympic Committee and the International Paralympic Committee; and

(3) empowered the United States Olympic Committee to authorize sponsors that contribute to the United States Olympic or Paralympic teams to use any trademark, symbol, insignia, or emblem of the International Olympic Committee, the International Paralympic Committee, the Pan-American Sports Organization, or the United States Olympic Committee;

Whereas Team USA is significantly funded by 35 sponsors who ensure that the United States has the best Olympic and Paralympic teams possible;

Whereas in recent years, a number of entities in the United States have engaged in marketing strategies that appear to affiliate themselves with the Olympic and Paralympic Games without becoming official sponsors of Team USA;

Whereas any ambush marketing in violation of the Lanham Act (15 U.S.C. 1051 et seq.) undermines sponsorship activities and creates consumer confusion around official Olympic and Paralympic sponsors; and

Whereas ambush marketing impedes the goals of the Ted Stevens Olympic and Amateur Sports Act (36 U.S.C. 220501 et seq.) to fund the United States Olympic and Paralympic teams through official sponsorships: Now, therefore, be it

Resolved, That it is the sense of the Senate that—

(1) official sponsor support is critical to the success of Team USA at all international competitions; and

(2) ambush marketing adversely affects the United States Olympic and Paralympic teams and their ability to attract and retain corporate sponsorships.

SENATE RESOLUTION 396—TO ESTABLISH A SPECIAL COMMITTEE OF THE SENATE TO ADDRESS SEXUAL ABUSE WITHIN UNITED STATES OLYMPIC GYMNASTICS

Mrs. SHAHEEN (for herself, Mrs. ERNST, Mrs. GILLIBRAND, Ms. STABENOW, Mr. SANDERS, Ms. HASSAN, Mr. VAN HOLLEN, Ms. CORTEZ MASTO, Ms. BALDWIN, Ms. WARREN, Mr. TILLIS, Ms. KLOBUCHAR, Mr. WYDEN, Mr. ISAKSON, Mr. SCOTT, Mr. DAINES, Ms. SMITH, and Mr. BURR) submitted the following resolution; which was referred to the Committee on Rules and Administration:

S. RES. 396

Resolved,

SECTION 1. ESTABLISHMENT OF THE SPECIAL COMMITTEE.

(a) ESTABLISHMENT.—There is established a special committee of the Senate to be known as the Special Committee to Investigate Sexual Abuse Within United States Olympic Gymnastics (hereafter in this resolution referred to as the ''special committee'').

(b) PURPOSE.—The purpose of the special committee is—

(1) to investigate the United States Olympic Committee and national sports governing bodies, including USA Gymnastics, and determine the extent to which these organizations were complicit in the criminal or negligent behavior of their employees relating to sexual abuse;

(2) to identify and recommend solutions to the systemic failures at the United States Olympic Committee and national sports governing bodies, including USA Gymnastics, that allowed for pervasive sexual abuse to continue for decades;

(3) to identify actions that must be taken by the United States Olympic Committee and national sports governing bodies, including USA Gymnastics, to ensure increased transparency and protections for children, athletes, and their families;

(4) to make such findings of fact as are warranted and appropriate; and

(5) to make such recommendations, including recommendations for new legislation and amendments to existing laws and any administrative or other actions, as the special committee may determine to be necessary or desirable.

(c) LIMITATION.—No proposed legislation shall be referred to the special committee, and the special committee shall not have power to report by bill or otherwise have legislative jurisdiction.

(d) TREATMENT AS STANDING COMMITTEE.—For purposes of paragraphs 1, 2, 7(a)(1), 7(a)(2), and 10(a) of rule XXVI and rule XXVII of the Standing Rules of the Senate, and subsections (i) and (j) of section 202 of the Legislative Reorganization Act of 1946 (2 U.S.C. 4301), the special committee shall be treated as a standing committee of the Senate.

SEC. 2. MEMBERSHIP AND ORGANIZATION OF THE SPECIAL COMMITTEE.

(a) MEMBERSHIP.—

(1) IN GENERAL.—The special committee shall consist of 8 members of the Senate, of whom—

(A) 4 shall be appointed by the President pro tempore of the Senate from the majority party of the Senate upon the recommendation of the Majority Leader of the Senate; and

(B) 4 shall be appointed by the President pro tempore of the Senate from the minority party of the Senate upon the recommendation of the Minority Leader of the Senate.

(2) COMPOSITION.—Not less than 4 of the members appointed under paragraph (1) shall be women.

(3) VACANCIES.—Any vacancy in the membership of the special committee shall—

(A) not affect the authority of the remaining members to execute the functions of the special committee; and

(B) be filled in the same manner as original appointments to the special committee are made.

(4) SERVICE.—For the purpose of paragraph 4 of rule XXV of the Standing Rules of the Senate, service of a Senator as a member, chair, or vice chair of the special committee shall not be taken into account.

(b) CHAIR AND VICE CHAIR.—

(1) IN GENERAL.—The chair of the special committee shall be selected by the Majority Leader of the Senate and the vice chair of the special committee shall be selected by the Minority Leader of the Senate.

(2) VICE CHAIR DUTIES.—The vice chair shall discharge such responsibilities as the special committee or the chair may assign.

SEC. 3. AUTHORITY OF SPECIAL COMMITTEE.

(a) IN GENERAL.—For the purposes of this resolution, the special committee may—

(1) make expenditures from the contingent fund of the Senate;

(2) employ personnel;

(3) hold hearings;

(4) sit and act at any time or place during the sessions, recesses, and adjourned periods of the Senate;

(5) require, by subpoena or otherwise, the attendance of witnesses and the production of correspondence, books, papers, and documents;

(6) take depositions and other testimony;

(7) issue interim reports, as necessary;

(8) procure the services of individual consultations or organizations thereof in accordance with the provisions of section 202(i) of the Legislative Reorganization Act of 1946 (2 U.S.C. 4301(i)); and

(9) with the prior consent of the Federal department or agency concerned and the Committee on Rules and Administration, use on a nonreimbursable basis the services of personnel of the Federal department or agency.

(b) OATHS FOR WITNESSES.—The chair or any member of the special committee may administer oaths to witnesses.

(c) SUBPOENAS.—A subpoena authorized by the special committee may be—

(1) issued over the signature of—

(A) the chair after consultation with the vice chair; or

(B) any member of the special committee designated by the chair after consultation with the vice chair; and

(2) served by any person designated by the chair or the member signing the subpoena.

(d) ACCESS OF MEMBERS TO INFORMATION.—Each member of the special committee shall have equal and unimpeded access to information collected or otherwise obtained by the special committee.

SEC. 4. REPORT AND TERMINATION.

(a) REPORT.—The special committee shall report the findings of the special committee, together with such recommendations as the special committee deems advisable, to the Senate not later than the last day of the first session of the 116th Congress.

(b) RECORDS.—Upon termination of the special committee, all records, files, documents, and other materials in the possession, custody, or control of the special committee shall be transferred to the Secretary of the Senate under appropriate conditions established by the special committee, including conditions to protect information under the HIPAA privacy and security law, as defined in section 3009(a) of the Public Health Service Act (42 U.S.C. 300jj–19(a)).

SEC. 5. FUNDING.

From the date on which this resolution is agreed to through the termination of the special committee, the special committee shall use such funds as necessary to carry out the duties of the special committee.

SENATE RESOLUTION 397—DESIGNATING THE WEEK OF FEBRUARY 5 THROUGH FEBRUARY 9, 2018, AS ''NATIONAL SCHOOL COUNSELING WEEK''

Mrs. MURRAY (for herself, Ms. COLLINS, Ms. BALDWIN, Mrs. FEINSTEIN, Mr. WYDEN, Ms. STABENOW, Mr. COONS, Ms. CANTWELL, Ms. HASSAN, Ms. KLOBUCHAR, Mr. KING, Mr. PETERS, Mr. DURBIN, Mr. MURPHY, Mr. CASEY, and Mr. ISAKSON) submitted the following resolution; which was considered and agreed to:

S. RES. 397

Whereas the American School Counselor Association has designated February 5 through 9, 2018, as ''National School Counseling Week'';

Whereas school counselors have long advocated for equal opportunities for all students;

Whereas school counselors help develop well-rounded students by guiding students through academic, social and emotional, and career development;

Whereas personal and social growth results in increased academic achievement;

Whereas school counselors play a vital role in ensuring that students are ready for both college and careers;

Whereas school counselors play a vital role in making students aware of opportunities for financial aid and college scholarships;

Whereas school counselors assist with and coordinate efforts to foster a positive school climate, resulting in a safer learning environment for all students;

Whereas school counselors have been instrumental in helping students, teachers, and parents deal with personal trauma as well as tragedies in their communities and the United States;

Whereas students face myriad challenges every day, including peer pressure, bullying, mental health issues, the deployment of family members to serve in conflicts overseas, and school violence;

Whereas a school counselor is one of the few professionals in a school building who is trained in both education and social and emotional development;

Whereas the roles and responsibilities of school counselors are often misunderstood;

Whereas the school counselor position is often among the first to be eliminated to meet budgetary constraints;

Whereas the national average ratio of students to school counselors is 482 to 1, almost twice the 250 to 1 ratio recommended by the American School Counselor Association, the National Association for College Admission Counseling, and other organizations; and

Whereas the celebration of National School Counseling Week will increase awareness of the important and necessary role school counselors play in the lives of students in the United States: Now, therefore, be it

Resolved, That the Senate—

(1) designates the week of February 5 through 9, 2018, as ''National School Counseling Week''; and

(2) encourages the people of the United States to observe National School Counseling Week with appropriate ceremonies and activities that promote awareness of the role school counselors play in schools and the community at large in preparing students for fulfilling lives as contributing members of society.