

115TH CONGRESS
2D SESSION

S. _____

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

IN THE SENATE OF THE UNITED STATES

_____ introduced the following bill; which was read twice
and referred to the Committee on _____

A BILL

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

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

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

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

7 (b) REFERENCES IN ACT.—Except as otherwise ex-
8 pressly provided in this Act, wherever an amendment or
9 repeal is expressed in terms of an amendment to or repeal

1 of a section or other provision, the reference shall be con-
 2 sidered to be made to that section or other provision of
 3 the Congressional Accountability Act of 1995 (2 U.S.C.
 4 1301 et seq.).

5 (c) TABLE OF CONTENTS.—The table of contents of
 6 this Act is as follows:

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

TITLE I—REFORM OF DISPUTE RESOLUTION PROCEDURES

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

Sec. 101. Description of procedures available for consideration of alleged viola-
 tions.

Sec. 102. Reform of process for initiation of procedures.

Sec. 103. Availability of mediation during process.

Sec. 104. Hearings.

Subtitle B—Other Reforms

Sec. 111. Requiring Members of Congress to reimburse treasury for damages
 paid as settlements and awards for certain violations.

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

Sec. 113. Availability of option to request remote work assignment or paid leave
 of absence during pendency of procedures.

Sec. 114. Modification of rules on confidentiality of proceedings.

Sec. 115. Reimbursement by other employing offices of legislative branch of
 payments of certain awards and settlements.

TITLE II—IMPROVING OPERATIONS OF OFFICE OF CONGRESSIONAL WORKPLACE RIGHTS

Sec. 201. Reports on awards and settlements.

Sec. 202. Workplace climate surveys of employing offices.

Sec. 203. Record retention.

Sec. 204. Confidential Advisor.

Sec. 205. GAO study of management practices.

Sec. 206. GAO audit of cybersecurity.

TITLE III—MISCELLANEOUS REFORMS

Sec. 301. Application of Genetic Information Nondiscrimination Act of 2008.

Sec. 302. Extension to unpaid staff of rights and protections against employ-
 ment discrimination.

Sec. 303. Provisions relating to instrumentalities.

Sec. 304. Notices.

Sec. 305. Clarification of coverage of employees of Stennis Center and Helsinki and China Commissions.

Sec. 306. Training and education programs of other employing offices.

Sec. 307. Support for out-of-area covered employees.

Sec. 308. Renaming Office of Compliance as Office of Congressional Workplace Rights.

TITLE IV—EFFECTIVE DATE

Sec. 401. Effective date.

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

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

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

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

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

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

20 “(2) an election of proceeding, as provided in
 21 this section, of—

1 “(A) a formal hearing as provided in sec-
2 tion 405, subject to Board review as provided
3 in section 406, and judicial review in the United
4 States Court of Appeals for the Federal Circuit
5 as provided in section 407;

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

8 “(C) in the case of a Library claimant (as
9 defined in subsection (d)(1)), a proceeding de-
10 scribed in subsection (d)(2) that relates to the
11 violation at issue.

12 “(b) ELECTION OF FORMAL HEARING OR CIVIL AC-
13 TION.—

14 “(1) IN GENERAL.—A covered employee who
15 seeks to make—

16 “(A) the election described in subsection
17 (a)(2)(A) shall file the request for the formal
18 hearing as provided in section 405(a)(1), by the
19 deadline described in paragraph (2); or

20 “(B) the election described in subsection
21 (a)(2)(B) shall file the civil action as provided
22 in section 408, by the deadline described in
23 paragraph (2).

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

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

6 “(B) the end of the period of mediation
7 under section 403(c).

8 “(3) EFFECT OF ELECTION.—If the covered
9 employee—

10 “(A) elects to file a request for a formal
11 hearing as provided in section 405(a), the pro-
12 cedure for consideration of the claim shall not
13 include a civil action or other proceeding de-
14 scribed in subparagraph (B) or (C) of sub-
15 section (a)(2); or

16 “(B) elects to file a civil action as provided
17 in section 408(a), the procedure for consider-
18 ation of the claim shall not include any formal
19 hearing, review, or other proceeding described
20 in subparagraph (A) or (C) of subsection
21 (a)(2).

22 “(c) SPECIAL RULE FOR ARCHITECT OF THE CAP-
23 ITOL AND CAPITOL POLICE.—In the case of an employee
24 of the Office of the Architect of the Capitol or of the Cap-
25 itol Police, the Office, after receiving a claim filed under

1 section 402, may recommend that the employee use, for
2 a specific period of time, the grievance procedures of the
3 Architect of the Capitol or the Capitol Police for resolution
4 of the employee’s grievance. If the grievance procedures
5 do not resolve the grievance, the employee may resume
6 the procedure described in subsection (a), starting with
7 section 403, except that the deadline for opting out of me-
8 diation under that section shall be 10 business days after
9 the last day of the grievance procedures.

10 “(d) ELECTION OF REMEDIES FOR LIBRARY OF CON-
11 GRESS.—

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

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

17 “(B) DIRECT PROVISION.—The term ‘di-
18 rect provision’ means a provision (including a
19 definitional provision) of a direct Act that ap-
20 plies the rights or protections of a direct Act
21 (including rights and protections relating to
22 nonretaliation or noncoercion) to a Library
23 claimant.

24 “(C) LIBRARY CLAIMANT.—The term ‘Li-
25 brary claimant’ means, with respect to a direct

1 provision, an employee of the Library of Con-
2 gress who is covered by that direct provision.

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

15 “(3) ELECTION AFTER PROCEEDINGS INITIALLY
16 BROUGHT UNDER OTHER CIVIL RIGHTS OR LABOR
17 LAW.—A Library claimant who initially brings a
18 claim, complaint, or charge under a direct provision
19 for a proceeding before a Federal agency may, prior
20 to requesting a hearing under the agency’s proce-
21 dures, elect to—

22 “(A) continue with the agency’s procedures
23 and preserve the option (if any) to bring any
24 civil action relating to the claim, complaint, or

1 charge, that is available to the Library claim-
2 ant; or

3 “(B) file a claim with the Office under sec-
4 tion 402, make an election under subparagraph
5 (A) or (B) of section 401(a)(2), and continue
6 with the corresponding procedures of this sub-
7 title.

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

14 “(e) RIGHTS OF INDIVIDUALS TO RETAIN PRIVATE
15 COUNSEL.—Nothing in this Act may be construed to limit
16 the authority of any particular individual, including a cov-
17 ered employee, the head of an employing office, or an indi-
18 vidual who has a right to intervene under section
19 415(d)(6), to retain private counsel to protect the interests
20 of the particular individual at any point during any of the
21 procedures provided under this Act for the consideration
22 of an alleged violation of part A of title II, including proce-
23 dures described in section 415(d)(6).

24 “(f) STANDARDS FOR DESIGNATED REPRESENTA-
25 TIVES OR UNREPRESENTED PARTIES.—

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

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

15 “(B) The claims, defenses, and other legal
16 contentions the designated representative or un-
17 represented party advocates are warranted by
18 existing law or by a nonfrivolous argument for
19 extending, modifying, or reversing existing law
20 or for establishing new law.

21 “(C) The factual contentions have evi-
22 dentiary support or, if specifically so identified,
23 will likely have evidentiary support after a rea-
24 sonable opportunity for discovery.

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

5 “(2) SANCTIONS.—

6 “(A) IN GENERAL.—If a decisionmaker de-
7 scribed in subparagraph (B) determines that a
8 designated representative of a party, or unrepre-
9 sented party, has failed to comply with the
10 standards specified in paragraph (1), then that
11 decisionmaker may impose appropriate sanc-
12 tions.

13 “(B) DECISIONMAKER.—A decisionmaker
14 described in subparagraph (A) is—

15 “(i) a hearing officer or mediator cho-
16 sen from the list specified in section
17 405(c)(2), who is not serving as a hearing
18 officer or mediator to resolve any claim
19 filed under section 402 that is associated
20 with—

21 “(I) the designated representative
22 or unrepresented party; or

23 “(II) an individual identified in
24 claim.”.

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

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

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

12 (3) by striking the second sentence.

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

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

17 **SEC. 102. REFORM OF PROCESS FOR INITIATION OF PROCE-**
18 **DURES.**

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

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

22 **“(a) INTAKE OF CLAIM BY OFFICE.—**

23 **“(1) NOTIFICATION OF INTENT TO FILE.—To**
24 **commence a proceeding under this title, a covered**
25 **employee alleging a violation of law made applicable**

1 under part A of title II shall notify the Office of in-
2 tent to file a claim with the Office.

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

15 “(3) FILING.—Upon providing the notification
16 described in paragraph (1), and not later than the
17 expiration of the 180-day period in subsection (e),
18 the covered employee may file the claim. The claim
19 shall be made in writing under oath or affirmation,
20 shall describe the facts that form the basis of the
21 claim and the violation that is being alleged, shall
22 identify the employing office alleged to have com-
23 mitted the violation or in which the violation is al-
24 leged to have occurred, and shall be in such form as
25 the Office requires.

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

8 “(c) MEDIATION.—

9 “(1) NOTIFICATION OF RIGHT TO OPT OUT OF
10 MEDIATION.—

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

17 “(B) EMPLOYING OFFICE.—Upon trans-
18 mission to the employing office of the claim
19 pursuant to subsection (b), the Office shall no-
20 tify the employing office about the process for
21 mediation under section 403, the right to opt
22 out of the mediation, and the deadline for opt-
23 ing out of the mediation.

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

25 Either party may opt out of the mediation. The

1 deadline for opting out shall be 10 business days
2 after the date on which the claim that would be the
3 subject of the mediation is filed.

4 “(d) USE OF ELECTRONIC REPORTING AND TRACK-
5 ING SYSTEM.—

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

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

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

1 tion and the Committee on Appropriations of the
2 House of Representatives and the Committee on
3 Rules and Administration and the Committee on Ap-
4 propriations of the Senate.

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

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

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

20 “(2) in the case of a covered employee of an
21 employing office described in subparagraph (A), (B),
22 or (C) of section 101(9), to refer information re-
23 garding an alleged violation of part A of title II to
24 the Committee on Ethics of the House of Represent-

1 atives or the Select Committee on Ethics of the Sen-
2 ate (as the case may be).”.

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

“Sec. 402. Initiation of procedures.”.

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

7 (a) AVAILABILITY OF MEDIATION.—Section 403(a)
8 (2 U.S.C. 1403(a)) is amended to read as follows:

9 “(a) AVAILABILITY OF MEDIATION.—

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

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

21 (b) REQUIRING PARTIES TO BE SEPARATED DURING
22 MEDIATION AT REQUEST OF EMPLOYEE.—Section
23 403(b)(2) (2 U.S.C. 1403(b)(2)) is amended by striking
24 “meetings with the parties separately or jointly” and in-
25 serting “meetings with the parties during which, at the

1 request of the covered employee, the parties shall be sepa-
2 rated.”.

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

5 (1) in the first sentence, by striking “beginning
6 on the date the request for mediation is received”
7 and inserting “beginning on the first day after the
8 deadline described in section 402(c)(2)”;

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

13 **SEC. 104. HEARINGS.**

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

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

19 (2) By amending subsection (a) to read as fol-
20 lows:

21 “(a) REQUIREMENT FOR HEARINGS TO COMMENCE
22 IN OFFICE.—

23 “(1) HEARING REQUIRED UPON REQUEST.—If
24 a covered employee elects to file a request for a
25 hearing under this section by the deadline described

1 in paragraph (2), the Executive Director shall ap-
2 point an independent hearing officer pursuant to
3 subsection (c) to consider the claim and render a de-
4 cision, and a hearing shall be commenced in the Of-
5 fice.

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

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

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

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

19 (3) In subsection (b), by striking “dismiss any
20 claim” and inserting “dismiss any cause of action
21 within a claim”.

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

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

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

6 (b) **ADDITIONAL TIME TO COMMENCE A HEARING**
7 **BEFORE A HEARING OFFICER.**—Section 405(d) (2 U.S.C.
8 1405(d)), as amended by subsection (a), is further amend-
9 ed by striking paragraph (2) and inserting the following:

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

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

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

22 (1) By amending the item relating to section
23 405 to read as follows:

“Sec. 405. Hearing.”.

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

“Sec. 414. Settlement.”.

3 **Subtitle B—Other Reforms**

4 **SEC. 111. REQUIRING MEMBERS OF CONGRESS TO REIM-** 5 **BURSE TREASURY FOR DAMAGES PAID AS** 6 **SETTLEMENTS AND AWARDS FOR CERTAIN** 7 **VIOLATIONS.**

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

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

13 “(1) REIMBURSEMENT REQUIRED FOR CERTAIN
14 VIOLATIONS.—

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

1 for the amount of compensatory damages in-
2 cluded in the award or settlement attributable
3 to that violation.

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

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

23 “(D) VIOLATION DESCRIBED.—A violation
24 described in this subparagraph is—

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

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

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

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

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

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

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

1 “(C) APPLICABLE COMMITTEE DEFINED.—

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

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

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

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

16 “(A) INDIVIDUAL SUBJECT TO GARNISH-
17 MENT OR OTHER COLLECTION.—Subparagraph
18 (B) shall apply to an individual who is subject
19 to the reimbursement requirement of this sub-
20 section if, by the expiration of the 180-day pe-
21 riod that begins on the date a payment is made
22 from the account described in subsection (a) re-
23 lating to an award or settlement described in
24 paragraph (1), the individual—

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

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

23 “(B) shall notify the Secretary of the
24 Treasury, who (if necessary), notwithstanding
25 section 207 of the Social Security Act (42

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

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

18 “(6) RIGHT TO INTERVENE.—An individual
19 who is subject to the reimbursement requirement of
20 this subsection shall have the unconditional right to
21 intervene in any mediation, hearing, or civil action
22 under this title to protect the interests of the indi-
23 vidual in the determination of whether an award or
24 settlement described in paragraph (1) should be
25 made, and the amount of any such award or settle-

1 ment, except that nothing in this paragraph may be
2 construed to require the covered employee who filed
3 the claim to be deposed by counsel for the individual
4 in a deposition that is separate from any other depo-
5 sition taken from the employee in connection with
6 the hearing or civil action.

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

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

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

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

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

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

9 “(e) AUTOMATIC REFERRALS TO CONGRESSIONAL
10 ETHICS COMMITTEES OF DISPOSITIONS OF CLAIMS IN-
11 VOLVING MEMBERS OF CONGRESS AND SENIOR STAFF.—

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

22 “(A) the Committee on Ethics of the
23 House of Representatives, in the case of a
24 Member or senior staffer of the House (includ-
25 ing a Delegate or Resident Commissioner to the
26 Congress); or

1 “(B) the Select Committee on Ethics of
2 the Senate, in the case of a Senator or senior
3 staffer of the Senate.

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

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

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

24 “(B) determine whether an investigation of
25 the claim is warranted; and

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

11 “(4) PROTECTION OF PERSONALLY IDENTIFI-
12 ABLE INFORMATION.—If a Committee to which a
13 claim is referred under paragraph (1) issues a report
14 with respect to the claim, the Committee shall en-
15 sure that the report does not directly disclose the
16 identity or position of the individual who filed the
17 claim.

18 “(5) AUTHORITY TO PROTECT IDENTITY OF A
19 CLAIMANT.—

20 “(A) REDACTIONS.—If a Committee issues
21 a report as described in paragraph (4), the
22 Committee may, in accordance with subpara-
23 graph (B), make an appropriate redaction to
24 the information or data included in the report
25 if the Committee and the appropriate decision-

1 makers described in subparagraph (B) deter-
2 mine that including the information or data
3 considered for redaction may lead to the unin-
4 tentional disclosure of the identity or position of
5 a claimant. The report including any such re-
6 daction shall note each redaction and include a
7 statement that the redaction was made solely
8 for the purpose of avoiding such an uninten-
9 tional disclosure of the identity or position of a
10 claimant.

11 “(B) AGREEMENT ON REDACTIONS.—The
12 Committee shall make a redaction under sub-
13 paragraph (A) only if agreement is reached on
14 the precise information or data to be redacted
15 by—

16 “(i) the Chairman and Ranking Mem-
17 ber of the Committee on Ethics of the
18 House of Representatives, in the case of a
19 report concerning a Member of the House
20 of Representatives (including a Delegate or
21 Resident Commissioner to the Congress) or
22 a senior staffer who is an employee of the
23 House of Representatives; or

24 “(ii) the Chairman and Vice Chair-
25 man of the Select Committee on Ethics of

1 the Senate, in the case of a report con-
2 cerning a Senator or senior staffer who is
3 an employee of the Senate.

4 “(C) RETENTION OF UNREDACTED RE-
5 PORTS.—Each committee described in subpara-
6 graph (B) shall retain a copy of the report,
7 without redactions.

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

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

11 “(i) An agreement to pay a settle-
12 ment, including an agreement reached pur-
13 suant to mediation under section 403.

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

16 “(B) SENIOR STAFFER.—The term ‘senior
17 staffer’ means any individual who, at the time
18 a violation occurred, was required to file a re-
19 port under title I of the Ethics in Government
20 Act of 1978 (5 U.S.C. App.).”

21 **SEC. 113. AVAILABILITY OF OPTION TO REQUEST REMOTE**
22 **WORK ASSIGNMENT OR PAID LEAVE OF AB-**
23 **SENCE DURING PENDENCY OF PROCEDURES.**

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

1 **“SEC. 417. OPTION TO REQUEST REMOTE WORK ASSIGN-**
2 **MENT OR PAID LEAVE OF ABSENCE DURING**
3 **PENDENCY OF PROCEDURES.**

4 “(a) OPTIONS FOR EMPLOYEES.—

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

19 “(2) EXCEPTION FOR WORK ASSIGNMENTS RE-
20 QUIRED TO BE CARRIED OUT ONSITE.—If, in the de-
21 termination of the covered employee’s employing of-
22 fice, a covered employee who makes a request under
23 this subsection cannot carry out the employee’s re-
24 sponsibilities from a remote location or such reloca-
25 tion would not have the effect described in para-
26 graph (1), the employing office may during the

1 pendency of the procedures described in paragraph
2 (1)—

3 “(A) grant a paid leave of absence to the
4 covered employee;

5 “(B) permit a remote work assignment
6 and grant a paid leave of absence to the covered
7 employee; or

8 “(C) make another workplace adjustment,
9 or permit a remote work assignment, that
10 would have the effect of reducing interactions
11 between the covered employee and any person
12 alleged to have committed the violation de-
13 scribed in paragraph (1).

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

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

24 “(b) EXCEPTION FOR ARRANGEMENTS SUBJECT TO
25 COLLECTIVE BARGAINING AGREEMENTS.—Subsection (a)

1 does not apply to the extent that it is inconsistent with
2 the terms and conditions of any collective bargaining
3 agreement which is in effect with respect to an employing
4 office.”.

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

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

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

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

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

16 (1) by striking subsection (a);

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

19 (3) in subsection (b), as redesignated by para-
20 graph (2) of this subsection, by striking “subsections
21 (d), (e), and (f)” and inserting “subsections (c), (d),
22 and (e)”; and

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

1 “(f) CLAIMS.—Nothing in this section may be con-
2 strued to prohibit a covered employee from disclosing the
3 factual allegations supporting the covered employee’s
4 claim, or to prohibit an employing office from disclosing
5 the factual allegations supporting the employing office’s
6 defense to the claim, in the course of any proceeding under
7 this title.”.

8 **SEC. 115. REIMBURSEMENT BY OTHER EMPLOYING OF-**
9 **FICES OF LEGISLATIVE BRANCH OF PAY-**
10 **MENTS OF CERTAIN AWARDS AND SETTLE-**
11 **MENTS.**

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

16 “(e) REIMBURSEMENT BY EMPLOYING OFFICES.—
17 “(1) NOTIFICATION OF PAYMENTS MADE FROM
18 ACCOUNT.—As soon as practicable after the Execu-
19 tive Director is made aware that a payment of an
20 award or settlement under this Act has been made
21 from the account described in subsection (a) in con-
22 nection with a claim alleging a violation described in
23 section 201(a) or 206(a) by an employing office
24 (other than an employing office described in sub-
25 paragraph (A), (B), or (C) of section 101(9)), the

1 Executive Director shall notify the head of the em-
2 ploying office associated with the claim that the pay-
3 ment has been made, and shall include in the notifi-
4 cation a statement of the amount of the payment.

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

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

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

1 **TITLE II—IMPROVING OPER-**
2 **ATIONS OF OFFICE OF CON-**
3 **GRESSIONAL WORKPLACE**
4 **RIGHTS**

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

6 (a) ANNUAL REPORTS ON AWARDS AND SETTLE-
7 MENTS.—

8 (1) REQUIRING SUBMISSION AND PUBLICATION
9 OF REPORTS.—Section 301 (2 U.S.C. 1381) is
10 amended—

11 (A) in subsection (h)(3), by striking “com-
12 plaint” each place it appears and inserting
13 “claim”; and

14 (B) by adding at the end the following new
15 subsection:

16 “(l) ANNUAL REPORTS ON AWARDS AND SETTLE-
17 MENTS.—

18 “(1) IN GENERAL.—Not later than 45 days
19 after the beginning of each calendar year, the Office
20 shall submit to Congress and publish on the Office’s
21 public website a report listing each award that is the
22 result of a violation of part A of title II or settle-
23 ment that is attributable to a finding described in
24 section 415(d)(1)(B) and that was paid during the
25 previous calendar year from the account described in

1 section 415(a). The report shall include information
2 on the employing office involved, the amount of the
3 award or settlement, the provision that was the sub-
4 ject of the claim, and (in the case of an award or
5 settlement resulting from a finding described in sec-
6 tion 415(d)(1)(B)), whether the Member or former
7 Member is in compliance with the requirement of
8 section 415(d) to reimburse the account for the re-
9 imburseable portion of the award or settlement.

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

15 “(3) AUTHORITY TO PROTECT THE IDENTITY
16 OF A CLAIMANT.—

17 “(A) IN GENERAL.—In carrying out para-
18 graph (2), the Executive Director may make an
19 appropriate redaction to the data included in
20 the report described in paragraph (1) if the Ex-
21 ecutive Director determines that including the
22 data considered for redaction may lead to the
23 identity or position of a claimant unintention-
24 ally being disclosed. The report shall note each
25 redaction and include a statement that the re-

1 daction was made solely for the purpose of
2 avoiding such an unintentional disclosure of the
3 identity or position of a claimant.

4 “(B) RECORDKEEPING.—The Executive
5 Director shall retain a copy of the report de-
6 scribed in subparagraph (A), without
7 redactions.

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

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

15 (b) REPORT ON AMOUNTS PREVIOUSLY PAID.—

16 (1) IN GENERAL.—Not later than 30 days after
17 the date of the enactment of this Act, the Office of
18 Congressional Workplace Rights shall submit to
19 Congress and make available to the public on the
20 Office’s public website a report on all payments
21 made with public funds prior to the date of the en-
22 actment of this Act for awards and settlements in
23 connection with violations of section 201(a) of the
24 Congressional Accountability Act of 1995 (2 U.S.C.
25 1311(a)), or section 207 of such Act (2 U.S.C.

1 1317) and shall include in the report the following
2 information:

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

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

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

19 **SEC. 202. WORKPLACE CLIMATE SURVEYS OF EMPLOYING**
20 **OFFICES.**

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

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

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

13 “(b) SPECIAL INCLUSION OF INFORMATION ON SEX-
14 UAL HARASSMENT AND DISCRIMINATION.—In each sur-
15 vey conducted under this section, the Office shall survey
16 respondents on attitudes regarding sexual harassment and
17 discrimination.

18 “(c) METHODOLOGY.—

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

22 “(2) CONFIDENTIALITY.—Under the meth-
23 odologies established under paragraph (1), all re-
24 sponses to all portions of the survey shall be anony-
25 mous and confidential, and each respondent shall be

1 told throughout the survey that all responses shall
2 be anonymous and confidential.

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

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

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

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

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

1 **SEC. 203. RECORD RETENTION.**

2 Section 301 (2 U.S.C. 1381), as amended by section
3 201(a), is further amended by adding at the end the fol-
4 lowing new subsection:

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

15 **SEC. 204. CONFIDENTIAL ADVISOR.**

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

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

19 (2) by inserting after subsection (e) the fol-
20 lowing:

21 “(d) **CONFIDENTIAL ADVISOR.**—

22 “(1) **IN GENERAL.**—The Executive Director
23 shall—

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

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

3 “(2) DUTIES.—

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

9 “(B) SERVICES.—The services referred to
10 in subparagraph (A) are—

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

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

21 “(I) the roles, responsibilities,
22 and authority of the Office; and

23 “(II) the relative merits of secur-
24 ing private counsel, designating a non-
25 attorney representative, or proceeding

1 without representation during pro-
2 ceedings before the Office;

3 “(iii) assisting, on a privileged and
4 confidential basis, a covered employee who
5 seeks consideration under title IV of an al-
6 legation of a violation of part A of title II
7 in understanding the procedures, and the
8 significance of the procedures, described in
9 that title IV; and

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

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

21 “(A) is admitted to practice before, and is
22 in good standing with, the bar of a State of the
23 United States, the District of Columbia, or a
24 territory of the United States; and

1 “(B) has experience representing clients in
2 cases involving the workplace laws incorporated
3 by part A of title II.

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

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

16 “(B) a covered employee described in this
17 paragraph may only request such services be-
18 fore the expiration of the 180-day period de-
19 scribed in section 402(e).

20 “(5) RESTRICTIONS.—The Confidential Advi-
21 sor—

22 “(A) shall not provide legal advice to, or
23 act as the designated representative for, any
24 covered employee in connection with the covered
25 employee’s participation in any proceeding, in-

1 including any proceeding under this Act, any ju-
2 dicial proceeding, or any proceeding before any
3 committee of Congress; and

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

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

7 (a) STUDY.—The Comptroller General of the United
8 States shall conduct a study of the management practices
9 of the Office of Congressional Workplace Rights.

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

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

19 (a) AUDIT.—The Comptroller General of the United
20 States shall conduct an audit of the cybersecurity systems
21 and practices of the Office of Congressional Workplace
22 Rights.

23 (b) REPORT TO CONGRESS.—Not later than 180 days
24 after the date of the enactment of this Act, the Comp-
25 troller General of the United States shall submit to Con-

1 gress a report on the audit conducted under subsection
2 (a), and shall include in the report such recommendations
3 as the Comptroller General considers appropriate for im-
4 provements to the cybersecurity systems and practices of
5 the Office of Congressional Workplace Rights.

6 **TITLE III—MISCELLANEOUS**
7 **REFORMS**

8 **SEC. 301. APPLICATION OF GENETIC INFORMATION NON-**
9 **DISCRIMINATION ACT OF 2008.**

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

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

19 **SEC. 302. EXTENSION TO UNPAID STAFF OF RIGHTS AND**
20 **PROTECTIONS AGAINST EMPLOYMENT DIS-**
21 **CRIMINATION.**

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

24 “(d) APPLICATION TO UNPAID STAFF.—

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

11 “(2) RULE OF CONSTRUCTION.—Nothing in
12 paragraph (1) may be construed to extend liability
13 for a violation of subsection (a) or section 207 to an
14 employing office on the basis of an action taken by
15 any person who is not under the supervision or con-
16 trol of the employing office.

17 “(3) INTERN DEFINED.—For purposes of this
18 section, the term ‘intern’ means an individual who
19 performs service for an employing office which is un-
20 compensated by the United States, who obtains an
21 educational benefit, such as by earning credit award-
22 ed by an educational institution or learning a trade
23 or occupation, and who is appointed on a temporary
24 basis.”.

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

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

8 (a) REFERENCES TO FORMER OFFICE OF TECH-
9 NOLOGY ASSESSMENT.—

10 (1) PUBLIC SERVICES AND ACCOMMODATIONS
11 PROVISIONS.—Section 210(a) (2 U.S.C. 1331(a)) is
12 amended—

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

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

16 (C) by redesignating paragraph (11) as
17 paragraph (10).

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

22 (3) LABOR-MANAGEMENT PROVISIONS.—Section
23 220(e)(2)(G) (2 U.S.C. 1351(e)(2)(G)) is amended
24 by striking “, the Office of Technology Assess-
25 ment,”.

1 (b) AMENDMENTS RELATING TO LOC COVERAGE OF
2 LIBRARY VISITORS.—

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

5 (A) by redesignating subsection (h) as sub-
6 section (i); and

7 (B) by inserting after subsection (g) the
8 following:

9 “(h) ELECTION OF REMEDIES RELATING TO RIGHTS
10 TO PUBLIC SERVICES AND ACCOMMODATIONS FOR LI-
11 BRARY VISITORS.—

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

19 “(2) ELECTION OF REMEDIES.—

20 “(A) IN GENERAL.—A Library visitor who
21 alleges a violation of subsection (b) by the Li-
22 brary of Congress may, subject to subparagraph
23 (B)—

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

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

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

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

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

22 (2) EFFECTIVE DATE AND APPLICABILITY.—
23 The amendments made by this subsection shall take
24 effect as if such amendments were included in sec-
25 tion 153 of the Legislative Branch Appropriations

1 Act, 2018 (Public Law 115-141), and shall apply as
2 specified in section 153(c) of such Act.

3 **SEC. 304. NOTICES.**

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

5 (1) in section 225 (2 U.S.C. 1361)—

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

7 (B) by redesignating subsection (f) as sub-
8 section (e).

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

10 **“SEC. 226. NOTICES.**

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

15 “(1) describes the rights, protections, and pro-
16 cedures applicable to covered employees of the em-
17 ploying office under this Act, concerning violations
18 described in subsection (b); and

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

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

22 “(1) discrimination prohibited by section 201(a)
23 (including, in accordance with section 102(c), dis-
24 crimination prohibited by title II of the Genetic In-

1 formation Nondiscrimination Act of 2008 (42 U.S.C.
2 2000ff et seq.) or 206(a); and

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

7 **SEC. 305. CLARIFICATION OF COVERAGE OF EMPLOYEES**
8 **OF STENNIS CENTER AND HELSINKI AND**
9 **CHINA COMMISSIONS.**

10 (a) COVERAGE OF STENNIS CENTER, CHINA REVIEW
11 COMMISSION, CONGRESSIONAL-EXECUTIVE CHINA COM-
12 MISSION, AND HELSINKI COMMISSION.—

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

16 (A) by striking subparagraph (I);

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

19 (C) by redesignating subparagraph (J) as
20 subparagraph (I); and

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

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

24 “(K) the China Review Commission;

1 “(L) the Congressional-Executive China
2 Commission; or

3 “(M) the Helsinki Commission.”.

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

12 (3) DEFINITIONS OF COMMISSIONS.—Section
13 101 (2 U.S.C. 1301) is amended by adding at the
14 end the following:

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

22 “(14) CONGRESSIONAL-EXECUTIVE CHINA COM-
23 MISSION.—The term ‘Congressional-Executive China
24 Commission’ means the Congressional-Executive
25 Commission on the People’s Republic of China es-

1 tablished under title III of the U.S.–China Relations
2 Act of 2000 (Public Law 106–286; 22 U.S.C. 6911
3 et seq.).

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

11 (b) LEGAL ASSISTANCE AND REPRESENTATION.—

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

14 (A) by redesignating section 509 as section
15 512; and

16 (B) by inserting after section 508 the fol-
17 lowing:

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

19 “Legal assistance and representation under this Act,
20 including assistance and representation with respect to the
21 proposal or acceptance of the disposition of a claim under
22 this Act, shall be provided to the China Review Commis-
23 sion, the Congressional-Executive China Commission, and
24 the Helsinki Commission—

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

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

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

23 (A) by redesignating the item relating to
24 section 509 as relating to section 512; and

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

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

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

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

11 **SEC. 306. TRAINING AND EDUCATION PROGRAMS OF**
12 **OTHER EMPLOYING OFFICES.**

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

17 **“SEC. 510. TRAINING AND EDUCATION PROGRAMS OF EM-**
18 **PLOYING OFFICES.**

19 “(a) REQUIRING OFFICES TO DEVELOP AND IMPLE-
20 MENT PROGRAMS.—Each employing office shall develop
21 and implement a program to train and educate covered
22 employees of the office in the rights and protections pro-
23 vided under this Act, including the procedures available
24 under this Act to consider alleged violations of this Act.

25 “(b) REPORT TO COMMITTEES.—

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

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

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

18 (b) CLERICAL AMENDMENT.—The table of contents
19 is amended by inserting after the item relating to section
20 509, as inserted by section 305(b), the following new item:

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

21 **SEC. 307. SUPPORT FOR OUT-OF-AREA COVERED EMPLOY-**
22 **EES.**

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

1 **“SEC. 511. SUPPORT FOR OUT-OF-AREA COVERED EMPLOY-**
2 **EES.**

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

10 “(b) OFFICE OF CONGRESSIONAL WORKPLACE
11 RIGHTS.—The Office shall—

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

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

22 “(c) EMPLOYING OFFICES.—It is the sense of Con-
23 gress that each employing office with out-of-area covered
24 employees should use its best efforts to facilitate equitable
25 access to the resources and services provided under this
26 Act for those employees.”.

1 (b) CLERICAL AMENDMENT.—The table of contents
2 is amended by inserting after the item relating to section
3 510, as inserted by section 306(b), the following new item:

“Sec. 511. Support for out-of-area employees.”.

4 **SEC. 308. RENAMING OFFICE OF COMPLIANCE AS OFFICE**
5 **OF CONGRESSIONAL WORKPLACE RIGHTS.**

6 (a) RENAMING.—Section 301 (2 U.S.C. 1381) is
7 amended—

8 (1) in the heading, by striking “**OFFICE OF**
9 **COMPLIANCE**” and inserting “**OFFICE OF CON-**
10 **GRESSIONAL WORKPLACE RIGHTS**”; and

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

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

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

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

23 (3) In section 101(3)(H) (2 U.S.C.
24 1301(3)(H)), by striking “Office of Compliance”

1 and inserting “Office of Congressional Workplace
2 Rights”.

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

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

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

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

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

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

22 (10) In section 220(e)(2)(G) (2 U.S.C.
23 1351(e)(2)(G)), by striking “Office of Compliance”
24 and inserting “Office of Congressional Workplace
25 Rights”.

1 (11) In the heading of title III, by striking
2 **“OFFICE OF COMPLIANCE”** and inserting
3 **“OFFICE OF CONGRESSIONAL WORK-**
4 **PLACE RIGHTS”**.

5 (12) In section 304(e)(4) (2 U.S.C.
6 1384(e)(4)), by striking “Office of Compliance” and
7 inserting “Office of Congressional Workplace
8 Rights”.

9 (13) In section 304(e)(5) (2 U.S.C.
10 1384(e)(5)), by striking “Office of Compliance” and
11 inserting “Office of Congressional Workplace
12 Rights”.

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

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

“TITLE III—OFFICE OF CONGRESSIONAL WORKPLACE RIGHTS”;

17 and

18 (2) by amending the item relating to section
19 301 to read as follows:

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

20 (d) REFERENCES IN OTHER LAWS, RULES, AND
21 REGULATIONS.—Any reference to the Office of Compli-
22 ance in any law, rule, regulation, or other official paper
23 in effect as of the effective date specified in section 401(a)

1 shall be considered to refer and apply to the Office of Con-
2 gressional Workplace Rights.

3 **TITLE IV—EFFECTIVE DATE**

4 **SEC. 401. EFFECTIVE DATE.**

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

9 (b) NO EFFECT ON PENDING PROCEEDINGS.—Noth-
10 ing in this Act or the amendments made by this Act may
11 be construed to affect any proceeding or payment of an
12 award or settlement relating to a claim under title IV of
13 the Congressional Accountability Act of 1995 (2 U.S.C.
14 1401 et seq.) which is pending as of the date of the enact-
15 ment of this Act. If, as of that date, an employee has
16 begun any of the proceedings under that title that were
17 available to the employee prior to that date, the employee
18 may complete, or initiate and complete, all such pro-
19 ceedings, and such proceedings shall remain in effect with
20 respect to, and provide the exclusive proceedings for, the
21 claim involved until the completion of all such proceedings.