

## HR 4924

Congressional Accountability Act of 1995 Reform Act

**Congress:** 115 (2017–2019, Ended)

**Chamber:** House

**Policy Area:** Congress

**Introduced:** Feb 5, 2018

**Current Status:** Received in the Senate and Read twice and referred to the Committee on Homeland Security and Governm

**Latest Action:** Received in the Senate and Read twice and referred to the Committee on Homeland Security and Governmental Affairs. (Feb 7, 2018)

**Official Text:** <https://www.congress.gov/bill/115th-congress/house-bill/4924>

### Sponsor

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**Name:** Rep. Harper, Gregg [R-MS-3]

**Party:** Republican • **State:** MS • **Chamber:** House

**Cosponsors** (38 total)

<b>Cosponsor</b>	<b>Party / State</b>	<b>Role</b>	<b>Date Joined</b>
Rep. Brady, Robert A. [D-PA-1]	D · PA		Feb 5, 2018
Rep. Brooks, Susan W. [R-IN-5]	R · IN		Feb 5, 2018
Rep. Byrne, Bradley [R-AL-1]	R · AL		Feb 5, 2018
Rep. Comstock, Barbara [R-VA-10]	R · VA		Feb 5, 2018
Rep. Davis, Rodney [R-IL-13]	R · IL		Feb 5, 2018
Rep. Deutch, Theodore E. [D-FL-22]	D · FL		Feb 5, 2018
Rep. Lofgren, Zoe [D-CA-19]	D · CA		Feb 5, 2018
Rep. Loudermilk, Barry [R-GA-11]	R · GA		Feb 5, 2018
Rep. Raskin, Jamie [D-MD-8]	D · MD		Feb 5, 2018
Rep. Smith, Adrian [R-NE-3]	R · NE		Feb 5, 2018
Rep. Speier, Jackie [D-CA-14]	D · CA		Feb 5, 2018
Rep. Walker, Mark [R-NC-6]	R · NC		Feb 5, 2018
Del. Norton, Eleanor Holmes [D-DC-At Large]	D · DC		Feb 6, 2018
Rep. Burgess, Michael C. [R-TX-26]	R · TX		Feb 6, 2018
Rep. Chabot, Steve [R-OH-1]	R · OH		Feb 6, 2018
Rep. Coffman, Mike [R-CO-6]	R · CO		Feb 6, 2018
Rep. Costello, Ryan A. [R-PA-6]	R · PA		Feb 6, 2018
Rep. Davis, Susan A. [D-CA-53]	D · CA		Feb 6, 2018
Rep. Dingell, Debbie [D-MI-12]	D · MI		Feb 6, 2018
Rep. Esty, Elizabeth H. [D-CT-5]	D · CT		Feb 6, 2018
Rep. Fitzpatrick, Brian K. [R-PA-8]	R · PA		Feb 6, 2018
Rep. Joyce, David P. [R-OH-14]	R · OH		Feb 6, 2018
Rep. Knight, Stephen [R-CA-25]	R · CA		Feb 6, 2018
Rep. Kuster, Ann M. [D-NH-2]	D · NH		Feb 6, 2018
Rep. Lance, Leonard [R-NJ-7]	R · NJ		Feb 6, 2018
Rep. Latta, Robert E. [R-OH-5]	R · OH		Feb 6, 2018
Rep. Loebsack, David [D-IA-2]	D · IA		Feb 6, 2018
Rep. Matsui, Doris O. [D-CA-6]	D · CA		Feb 6, 2018
Rep. Messer, Luke [R-IN-6]	R · IN		Feb 6, 2018
Rep. Moolenaar, John R. [R-MI-4]	R · MI		Feb 6, 2018
Rep. Moulton, Seth [D-MA-6]	D · MA		Feb 6, 2018
Rep. Perlmutter, Ed [D-CO-7]	D · CO		Feb 6, 2018
Rep. Peters, Scott H. [D-CA-52]	D · CA		Feb 6, 2018
Rep. Rouzer, David [R-NC-7]	R · NC		Feb 6, 2018
Rep. Ryan, Tim [D-OH-13]	D · OH		Feb 6, 2018
Rep. Smith, Christopher H. [R-NJ-4]	R · NJ		Feb 6, 2018
Rep. Stivers, Steve [R-OH-15]	R · OH		Feb 6, 2018
Rep. Wagner, Ann [R-MO-2]	R · MO		Feb 6, 2018

## Committee Activity

Committee	Chamber	Activity	Date
Committee on House Administration	House	Referred To	Feb 5, 2018
Homeland Security and Governmental Affairs Committee	Senate	Referred To	Feb 7, 2018
Oversight and Government Reform Committee	House	Referred To	Feb 5, 2018
Ways and Means Committee	House	Referred To	Feb 5, 2018

## Subjects & Policy Tags

### Policy Area:

Congress

## Related Bills

Bill	Relationship	Last Action
115 S 3749	Related bill	<b>Dec 21, 2018:</b> Became Public Law No: 115-397.
115 S 2952	Related bill	<b>May 29, 2018:</b> Held at the desk.
115 S 2401	Related bill	<b>Feb 7, 2018:</b> Read twice and referred to the Committee on Homeland Security and Governmental Affairs. (Sponsor introductory remarks on measure: CR S706)
115 HR 4822	Related bill	<b>Jan 18, 2018:</b> Referred to the Committee on House Administration, and in addition to the Committees on Ethics, Oversight and Government Reform, and Ways and Means, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.
115 HR 4393	Related bill	<b>Nov 14, 2017:</b> Referred to the House Committee on House Administration.
115 HR 652	Related bill	<b>Jan 24, 2017:</b> Referred to the House Committee on House Administration.

## **Congressional Accountability Act of 1995 Reform Act**

### **TITLE I--REFORM OF DISPUTE RESOLUTION PROCEDURES**

#### **Subtitle A--Reform of Procedures for Initiation, Investigation, and Resolution of Claims**

(Sec. 101) This bill amends the Congressional Accountability Act of 1995 (CAA) to revise administrative and judicial dispute resolution procedures for certain claims by employees alleging that employing offices have violated their CAA rights and protections, including protections against sexual harassment.

The bill eliminates the requirement that an employee participate in counseling and mediation before filing a claim with the Office of Compliance (OOC) alleging a violation. The OOC must investigate claims. If the OOC finds reasonable cause to believe there was a violation or is unable to make a determination, the OOC must conduct a hearing to consider the claim and render a decision.

Within 45 days after filing the claim, the employee may file a civil action in a U.S. district court. This action terminates the OOC investigation and prohibits subsequent formal hearings regarding the claim.

An employee may also file a civil action within 90 days after being notified by the OOC that the investigation found no reasonable cause to believe that the employing office committed a CAA violation.

After the OOC receives a claim from an employee of the Architect of the Capitol (AOC) or of the Capitol Police alleging a CAA violation, the OOC may recommend that the employee use AOC or Capitol Police grievance procedures for a specific period of time.

(Sec. 102) If the claim alleges that a Member of Congress committed a CAA discrimination or retaliation violation, the OOC must notify the Member of: (1) the possibility that the Member may be required to reimburse the Treasury for awards or settlements in connection with the claim; and (2) the right to intervene in related mediations, hearings, or civil actions.

The OOC must establish an electronic reporting and tracking system for initiating claim proceedings and keeping track of subsequent actions and proceedings.

An employee must file a claim within 180 days after the alleged violation.

(Sec. 103) The OOC is authorized to issue subpoenas without a party's request. Investigation results must be provided to the employee and the employing office. It is the sense of Congress that such subpoenas be issued only if other methods are insufficient to enable the OOC to conclude the investigation and provide the results within 120 days after the filing of the claim.

Any investigative reports concerning allegations of discrimination or retaliation by a Member of Congress must be reported to congressional ethics committees.

At any time during the investigation, the OOC may recommend that the employee and employing office pursue mediation regarding the claim.

(Sec. 104) At any time during the investigation, the employee and employing office may jointly file a request for mediation

with the OOC. At their request, the mediation may be extended for one additional 30-day period.

#### Subtitle B--Other Reforms

(Sec. 111) Current and former Members of Congress must reimburse the Treasury if an employee receives an award or settlement for the Member's alleged act of discrimination or retaliation. Such funds could be withheld from the Member's salary or retirement account if he or she doesn't meet specified payment deadlines.

(Sec. 112) Congressional ethics committees must receive the final disposition of claims alleging CAA violations by Members of Congress and senior staff of employing offices. The disposition must be:

- an order or agreement to pay an award or settlement, including an agreement reached pursuant to mediation;
- a final decision of an OOC hearing officer or of the OOC's Board; or
- a final decision in a civil action of a U.S. district court judge.

(Sec. 113) Upon an employee's request, the employing office may permit the employee to work remotely or grant the employee a paid leave of absence while a claim is pending. These provisions do not override a collective bargaining agreement.

(Sec. 114) All claims and investigations must be confidential.

(Sec. 115) Non-congressional legislative offices that violate CAA requirements must reimburse the Treasury for resulting award or settlement payments.

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

(Sec. 201) OOC reporting requirements are modified for claims, awards, and settlements. The OOC must publish specified information about claims, awards, and settlements on its public website.

(Sec. 202) Within one year and biennially thereafter, the OOC must survey employing offices regarding the workplace environment in such offices, including attitudes on sexual harassment. The Library of Congress (LOC) shall be considered an employing office.

(Sec. 203) The OOC shall establish a program for the permanent retention of its records, including those of CAA investigations, mediations, hearings, and other procedures.

(Sec. 204) The Government Accountability Office shall: (1) study, and make recommendations to improve, OOC management practices; and (2) audit, and make recommendations to improve, cybersecurity systems and practices.

#### TITLE III--MISCELLANEOUS REFORMS

(Sec. 301) CAA nondiscrimination requirements and remedies are extended to uncompensated legislative branch interns, detailees, and fellows.

(Sec. 302) The same requirements and remedies are provided to LOC employees, with a special rule allowing those employees to use LOC alternative grievance procedures.

(Sec. 303) The bill specifies that the CAA applies to the China Review Commission, the Congressional-Executive China Commission, the Helsinki Commission, the John C. Stennis Center for Public Service Training and Development, and

their employees.

(Sec. 304) Non-congressional CAA employing offices must develop programs to train and educate employees about their CAA rights and protections.

(Sec. 305) The bill renames the OOC the Office of Congressional Workplace Rights.

#### TITLE IV--EFFECTIVE DATE

(Sec. 401) The bill takes effect 180 days after enactment.

#### **Actions Timeline**

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- **Feb 7, 2018:** Received in the Senate and Read twice and referred to the Committee on Homeland Security and Governmental Affairs.
- **Feb 6, 2018:** Mr. Harper moved to suspend the rules and pass the bill.
- **Feb 6, 2018:** Considered under suspension of the rules. (consideration: CR H797-813)
- **Feb 6, 2018:** DEBATE - The House proceeded with forty minutes of debate on H.R. 4924.
- **Feb 6, 2018:** Passed/agreed to in House: On motion to suspend the rules and pass the bill Agreed to by voice vote.(text: CR H797-803)
- **Feb 6, 2018:** On motion to suspend the rules and pass the bill Agreed to by voice vote. (text: CR H797-803)
- **Feb 6, 2018:** Motion to reconsider laid on the table Agreed to without objection.
- **Feb 5, 2018:** Introduced in House
- **Feb 5, 2018:** Referred to the Committee on House Administration, and in addition to the Committees on Oversight and Government Reform, and Ways and Means, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

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