

115TH CONGRESS
1ST SESSION

H. R. 4615

To amend the Congressional Accountability Act of 1995 to require Members of Congress to reimburse the Treasury for amounts paid as awards and settlements resulting from violations of such Act consisting of acts of sexual harassment which were committed personally by the Members, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

DECEMBER 11, 2017

Ms. SINEMA (for herself and Mr. DESANTIS) introduced the following bill;
which was referred to the Committee on House Administration

A BILL

To amend the Congressional Accountability Act of 1995 to require Members of Congress to reimburse the Treasury for amounts paid as awards and settlements resulting from violations of such Act consisting of acts of sexual harassment which were committed personally by the Members, 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.**

4 This Act may be cited as the “Garnishing for Uneth-

5 ical Actions to Restore Dignity Act” or the “GUARD

6 Act”.

1 **SEC. 2. PERSONAL LIABILITY OF MEMBERS OF CONGRESS**
2 **TO REIMBURSE TREASURY FOR AMOUNTS**
3 **PAID AS SETTLEMENTS AND AWARDS UNDER**
4 **CONGRESSIONAL ACCOUNTABILITY ACT OF**
5 **1995 FOR ACTS OF SEXUAL HARASSMENT.**

6 (a) MANDATING REIMBURSEMENT OF AMOUNTS
7 PAID.—

8 (1) IN GENERAL.—Section 415 of the Congres-
9 sional Accountability Act of 1995 (2 U.S.C. 1415)
10 is amended by adding at the end the following new
11 subsection:

12 “(d) PERSONAL LIABILITY OF MEMBERS OF CON-
13 GRESS FOR PAYMENT OF SETTLEMENTS AND AWARDS
14 FOR SEXUAL HARASSMENT.—

15 “(1) IN GENERAL.—If a payment is made from
16 the account described in subsection (a) for an award
17 or settlement resulting from a violation of part A of
18 title II consisting of an act of sexual harassment
19 which was committed personally by a Member of the
20 House of Representatives or a Senator, the Member
21 or Senator shall reimburse the account for the
22 amount of the award or settlement.

23 “(2) WITHHOLDING AMOUNTS FROM SALARY.—
24 If a Member or Senator is subject to paragraph (1),
25 the applicable payroll administrator shall withhold
26 from the Member’s or Senator’s compensation and

1 transfer to the account described in subsection (a)
2 such amounts as may be necessary to reimburse the
3 account, in accordance with such timetable and pro-
4 cedures as may be established by—

5 “(A) the Committee on House Administra-
6 tion of the House of Representatives, in the
7 case of a Member of the House; or

8 “(B) the Committee on Rules and Admin-
9 istration of the Senate, in the case of a Sen-
10 ator.

11 “(3) APPLICABLE PAYROLL ADMINISTRATOR
12 DEFINED.—In this section, the term ‘applicable pay-
13 roll administrator’ means—

14 “(A) in the case of a Member of the House
15 of Representatives, the Chief Administrative Of-
16 ficer of the House of Representatives, or an em-
17 ployee of the Office of the Chief Administrative
18 Officer who is designated by the Chief Adminis-
19 trative Officer to carry out this subsection; or

20 “(B) in the case of a Senator, the Sec-
21 retary of the Senate, or an employee of the Of-
22 fice of the Secretary of the Senate who is des-
23 ignated by the Secretary to carry out this sub-
24 section.”.

1 (2) EFFECTIVE DATE.—The amendments made
2 by paragraph (1) shall apply with respect to pay-
3 ments made before, on, or after the date of the en-
4 actment of this Act.

5 (b) PUBLICATION OF INFORMATION ON MEMBERS
6 SUBJECT TO WITHHOLDING.—

7 (1) MEMBERS OF THE HOUSE.—Section 106(b)
8 of the House of Representatives Administrative Re-
9 form Technical Corrections Act (2 U.S.C. 5535(b))
10 is amended—

11 (A) by striking “and” at the end of para-
12 graph (5);

13 (B) by redesignating paragraph (6) as
14 paragraph (7); and

15 (C) by inserting after paragraph (5) the
16 following new paragraph:

17 “(6) if during the period covered by the report,
18 the Chief Administrative Officer withheld amounts
19 from a Member’s compensation under section 415(d)
20 of the Congressional Accountability Act of 1995 as
21 reimbursement for an award or settlement paid
22 under such Act, the identification of the Member
23 and the amount withheld; and”.

24 (2) SENATORS.—Section 105(a) of the Legisla-
25 tive Branch Appropriations Act, 1965 (2 U.S.C.

1 4108(a)) is amended by adding at the end the fol-
2 lowing new paragraph:

3 “(7) If during the period covered by a report under
4 paragraph (1), the Secretary of the Senate withheld
5 amounts from a Senator’s compensation under section
6 415(d) of the Congressional Accountability Act of 1995
7 as reimbursement for an award or settlement paid under
8 such Act, the Secretary shall include in the report the
9 identification of the Senator and the amount withheld.”.

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