

103^D CONGRESS
1ST SESSION

H. R. 1545

To make applicable to the Congress certain laws relating to the terms and conditions of employment, the health and safety of employees, and the rights and responsibilities of employers and employees; and to repeal and prohibit certain privileges and gratuities for Members of the United States House of Representatives, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

MARCH 31, 1993

Mr. NUSSLE (for himself, Mr. BARTLETT of Maryland, Mr. INGLIS of South Carolina, and Mr. LIGHTFOOT) introduced the following bill; which was referred jointly to the Committees on House Administration, Ways and Means, Education and Labor, the Judiciary, and Government Operations

A BILL

To make applicable to the Congress certain laws relating to the terms and conditions of employment, the health and safety of employees, and the rights and responsibilities of employers and employees; and to repeal and prohibit certain privileges and gratuities for Members of the United States House of Representatives, 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,*

1 **SECTION 1. SHORT TITLE.**

2 This Act may be cited as the “Citizen Representative
3 Reform Act Stop Special Treatment Provision”.

4 **TITLE I—CONGRESSIONAL EXEMPTIONS**

5 **SEC. 101. APPLICATION.**

6 (a) **GENERAL RULE.**—Notwithstanding any other
7 provision of law, the laws specified in subsection (b) shall,
8 to the extent that they relate to the terms and conditions
9 of employment (including hiring, promotion or demotion,
10 salary, benefits, work assignments or reassignments, over-
11 time, and termination), the health and safety of employ-
12 ees, and the rights and responsibilities of employers and
13 employees, apply to the Congress in the same manner and
14 to the same extent as they apply—

15 (1) in the case of a private person, to such a
16 person; and

17 (2) in the case of an Executive agency (as de-
18 fined by section 105 of title 5, United States Code),
19 to such an agency.

20 (b) **LAWS MADE APPLICABLE TO CONGRESS BY THIS**
21 **ACT.**—The laws referred to in subsection (a) are the fol-
22 lowing:

23 (1) Social Security Act (42 U.S.C. 301 et seq.).

24 (2) National Labor Relations Act (29 U.S.C.
25 151 et seq.).

1 (3) Fair Labor Standards Act of 1938 (29
2 U.S.C. 201 et seq.).

3 (4) Civil Rights Act of 1964.

4 (5) Age Discrimination in Employment Act of
5 1967 (29 U.S.C. 621 et seq.).

6 (6) Occupational Safety and Health Act of
7 1970 (29 U.S.C. 651 et seq.).

8 (7) Title IX of the Education Amendments of
9 1972.

10 (8) Rehabilitation Act of 1973 (29 U.S.C. 701
11 et seq.).

12 (9) Privacy Act of 1974 (5 U.S.C. 552a, 552a
13 note).

14 (10) Age Discrimination Act of 1975 (42
15 U.S.C. 6101 et seq.).

16 (11) Ethics in Government Act of 1978.

17 (12) Americans with Disabilities Act of 1990.

18 (c) APPLICATION OF THE FREEDOM OF INFORMA-
19 TION ACT.—The Congress, and the instrumentalities of
20 Congress, shall be subject to section 552 of title 5, United
21 States Code (commonly referred to as the “Freedom of
22 Information Act”) to the same extent that Executive agen-
23 cies (as defined by section 105 of title 5, United States
24 Code) are subject to such section 552.

1 (d) APPLICATION OF INDEPENDENT COUNSEL PRO-
2 VISIONS.—Chapter 40 of title 28, United States Code (re-
3 lating to independent counsel), shall apply to the Con-
4 gress, such that the individuals referred to in subsection
5 (e)(1), (2), (3), (6), and (7) of this Act shall be deemed
6 to be included in section 519(b) of title 28, United States
7 Code.

8 (e) INDIVIDUALS COVERED BY ACT.—This Act shall
9 apply to the following individuals:

10 (1) A Senator or Representative in, or Resident
11 Commissioner or Delegate to, the Congress (here-
12 after in this Act referred to as “Members”).

13 (2) An employee of either House of Congress,
14 of a committee of either House, or a joint committee
15 of the two Houses.

16 (3) An elected officer of either House who is
17 not a Member.

18 (4) The Legislative Counsel of either House
19 and an employee of the Legislative Counsel.

20 (5) A member of the Capitol Police.

21 (6) An employee of a Member if the pay of the
22 employee is paid by the Secretary of the Senate or
23 the Clerk of the House of Representatives.

24 (7) An employee of the instrumentalities of
25 Congress, including the Congressional Research

1 Service, the Office of Technology Assessment, the
2 General Accounting Office, the Office of the Archi-
3 tect of the Capitol, the Botanic Gardens, the Gov-
4 ernment Printing Office, the Library of Congress,
5 the Congressional Budget Office, and the Copyright
6 Royalty Tribunal.

7 (f) EMPLOYEES IN THE DISTRICT OR STATE OFFICE
8 OF A MEMBER.—For the purposes of determining whether
9 the individuals employed in the district or State office of
10 a Member are subject to the laws set forth in section 2,
11 the district or State office shall be treated as if it were
12 an affiliated branch of a private employer under the laws
13 in section 2.

14 (g) PLACE OF RESIDENCE AND POLITICAL AFFILI-
15 ATION.—Notwithstanding the laws set forth in section 2,
16 a Member may consider the political affiliation and place
17 of residence of an individual seeking employment on the
18 personal staff of that Member.

19 (h) CONFORMING AMENDMENT.—Section 509 of the
20 Americans with Disabilities Act of 1990 (104 Stat. 373)
21 is repealed.

22 (i) APPLICATION OF SMALL BUSINESS EXEMPTION
23 TO MEMBERS.—To the extent that a law referred to in
24 section 2 contains an exemption for a small business, such
25 an exemption shall apply to a Member if the aggregate

1 number of employees of the Member and employees attrib-
2 utable to the Member does not exceed the number of em-
3 ployees necessary to qualify as a small business under the
4 exemption. For the purposes of this subsection, the num-
5 ber of employees attributable to a Member equals the re-
6 sult of the sum of the employees specified in subsection
7 (e)(2), (3), (4), (6) and (7) who work in the District of
8 Columbia and are employed by the House in which that
9 Member sits, divided by the number of Members of that
10 House.

11 **SEC. 102. RIGHT OF APPEAL.**

12 If any individual referred to in section 2(e) is ag-
13 grieved by an action taken pursuant to this Act, such indi-
14 vidual may seek review of that action in a Federal district
15 court of competent jurisdiction and shall have the same
16 rights and remedies provided to private persons under the
17 laws referred to in section 2.

18 TITLE II—CONGRESSIONAL PERKS

19 **SEC. 201. PAYMENT FOR MEDICAL CARE FOR MEMBERS OF**
20 **CONGRESS.**

21 (a) PAYMENT.—All Members of the House of Rep-
22 resentatives and Senators shall pay full market value for
23 all medical services, medical tests, and medications pro-
24 vided by the Office of the Attending Physician.

1 (b) ESTABLISHMENT OF FUND.—There is estab-
2 lished in the Treasury of the United States a revolving
3 fund within the contingent fund of the House of Rep-
4 resentatives to be known as the Office of the Attending
5 Physician Revolving Fund (hereafter in this section re-
6 ferred to as the “revolving fund”).

7 (c) DEPOSITS AND EXPENDITURES.—

8 (1) All moneys received by the Office of the At-
9 tending Physician from payments made under sub-
10 section (a) or from any other source shall be depos-
11 ited to the fund credit of the revolving fund. Moneys
12 in the revolving fund shall be available without fiscal
13 year limitation for disbursement by the Sergeant at
14 Arms and Doorkeeper of the House of Representa-
15 tives for necessary supplies and expenses of the
16 Office of the Attending Physician.

17 (2) On or before December 31 of each year, the
18 House Administrator of the House of Representa-
19 tives shall withdraw from the revolving fund and de-
20 posit in the Treasury of the United States as mis-
21 cellaneous receipts all moneys in excess of \$5,000 in
22 the revolving fund at the close of the preceding fiscal
23 year.

1 (3) Disbursements from the revolving fund shall
2 be made upon vouchers signed by the Sergeant at
3 Arms.

4 **SEC. 202. ELIMINATION OF HOUSE BARBER SHOPS AND**
5 **BEAUTY SALONS.**

6 (a) Notwithstanding any other provision of law, all
7 beauty shops and barber shops located on the premises
8 of any property belonging to the House of Representatives
9 shall be closed ninety days after the date of enactment
10 of this Act.

11 **SEC. 203. EXPRESSING A SENSE OF CONGRESS THAT PAY-**
12 **MENT SHOULD BE MADE FOR PARKING AT**
13 **NATIONAL AIRPORT FOR MEMBERS OF CON-**
14 **GRESS.**

15 It is the sense of the House of Representatives that
16 Members of Congress should be charged rates comparable
17 to those in other parking facilities at Washington National
18 Airport, and that records of such expenses be made acces-
19 sible to the public.

20 **SEC. 204. ESTABLISH MARKET RATES FOR HEALTH FACILI-**
21 **TIES FOR MEMBERS OF CONGRESS.**

22 (a) PAYMENT.—All Members of the House of Rep-
23 resentatives shall pay full market value for the use of the
24 health facilities located on the premises of the Capitol or
25 any House office building.

1 (b) DEPOSIT.—The House Administrator shall sub-
2 mit amounts paid under subsection (a) for deposit in the
3 general fund of the Treasury.

4 **SEC. 205. EXPRESSING A SENSE OF CONGRESS THAT MEM-**
5 **BERS OF CONGRESS SHOULD PAY THE EN-**
6 **TIRE EXPENSE ASSOCIATED WITH THEIR**
7 **HEALTH INSURANCE.**

8 It is the sense of the House of Representatives that
9 the Federal Government shall not bear any of the cost of
10 health insurance for Members of the House of Representa-
11 tives.

12 **SEC. 206. STUDY TO IDENTIFY THE ALL BENEFITS THAT AC-**
13 **CRUE TO MEMBERS OF THE HOUSE OF REP-**
14 **RESENTATIVES.**

15 (a) STUDY.—The General Accounting Office shall
16 conduct a study to identify all benefits that accrue to
17 Members of the House of Representatives and shall deter-
18 mine the market value or a close approximation of each
19 of those benefits and the extent to which tax dollars are
20 used to pay for each service.

21 (b) REPORT TO CONGRESS.—Before the end of the
22 six month period beginning on the date of enactment of
23 this Act, the General Accounting Office shall submit a re-
24 port to the Congress on the findings and conclusions made
25 with respect to the study under subsection (a).

1 TITLE III—MISCELLANEOUS

2 **SEC. 301. PROMULGATION OF IMPLEMENTING REGULA-**
3 **TIONS.**

4 Not later than a one hundred and eighty-day period
5 beginning on the date of enactment of this Act, the House
6 of Representatives and the Senate shall each promulgate
7 rules and regulations to carry out this Act, including spe-
8 cifically implementing each of the laws set forth in section
9 101. Such rules and regulations shall be consistent with
10 Federal law.

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