

TITLE 2 - THE CONGRESS

CHAPTER 4 - OFFICERS AND EMPLOYEES OF SENATE AND HOUSE OF REPRESENTATIVES

§ 601. Coverage of House and agencies of legislative branch

(a) Coverage of House

(1) In general

Notwithstanding any provision of title VII of the Civil Rights Act of 1964 (42 U.S.C. 2000e et seq.) or of other law, the purposes of such title shall, subject to paragraph (2), apply in their entirety to the House of Representatives.

(2) Employment in House

(A) Application

The rights and protections under title VII of the Civil Rights Act of 1964 (42 U.S.C. 2000e et seq.) shall, subject to subparagraph (B), apply with respect to any employee in an employment position in the House of Representatives and any employing authority of the House of Representatives.

(B) Administration

(i) In general

In the administration of this paragraph, the remedies and procedures made applicable pursuant to the resolution described in clause (ii) shall apply exclusively.

(ii) Resolution

The resolution referred to in clause (i) is the Fair Employment Practices Resolution (House Resolution 558 of the One Hundredth Congress, as agreed to October 4, 1988), as incorporated into the Rules of the House of Representatives of the One Hundred Second Congress as Rule LI,¹ or any other provision that continues in effect the provisions of such resolution.

(C) Exercise of rulemaking power

The provisions of subparagraph (B) are enacted by the House of Representatives as an exercise of the rulemaking power of the House of Representatives, with full recognition of the right of the House to change its rules, in the same manner, and to the same extent as in the case of any other rule of the House.

(b) Instrumentalities of Congress

(1) In general

The rights and protections under this title¹ and title VII of the Civil Rights Act of 1964 (42 U.S.C. 2000e et seq.) shall, subject to paragraph (2), apply with respect to the conduct of each instrumentality of the Congress.

(2) Establishment of remedies and procedures by instrumentalities

The chief official of each instrumentality of the Congress shall establish remedies and procedures to be utilized with respect to the rights and protections provided pursuant to paragraph (1). Such remedies and procedures shall apply exclusively, except for the employees who are defined as Senate employees, in section 2000e-16a (c)(1)¹ of title 42.

(3) Report to Congress

The chief official of each instrumentality of the Congress shall, after establishing remedies and procedures for purposes of paragraph (2), submit to the Congress a report describing the remedies and procedures.

NB: This unofficial compilation of the U.S. Code is current as of Jan. 4, 2010 (see <http://www.law.cornell.edu/uscode/uscript.html>).

(4) Definition of instrumentalities

For purposes of this section, instrumentalities of the Congress include the following: the Architect of the Capitol, the Congressional Budget Office, the Government Accountability Office, the Government Printing Office, the Office of Technology Assessment, and the United States Botanic Garden.

(5) Construction

Nothing in this section shall alter the enforcement procedures for individuals protected under section 717 of title VII for the Civil Rights Act of 1964 (42 U.S.C. 2000e–16).

Footnotes

¹ See References in Text note below.

(Pub. L. 102–166, title I, § 117, Nov. 21, 1991, 105 Stat. 1080; Pub. L. 108–271, § 8(b), July 7, 2004, 118 Stat. 814.)

References in Text

The Civil Rights Act of 1964, referred to in subsecs. (a)(1), (2)(A) and (b)(1), is Pub. L. 88–352, July 2, 1964, 78 Stat. 252, as amended. Title VII of the Act is classified generally to subchapter VI (§ 2000e et seq.) of chapter 21 of Title 42, The Public Health and Welfare. For complete classification of this Act to the Code, see Short Title note set out under section 2000a of Title 42 and Tables.

Rule LI of the Rules of the House of Representatives, referred to in subsec. (a)(2)(B)(ii), was amended generally for the One Hundred Third Congress and, as so amended, contained provisions relating to fair employment practices. Rule LI was continued without change for the One Hundred Fourth Congress. Rule LI was repealed by H. Res. No. 5, § 23(a), One Hundred Fifth Congress, Jan. 7, 1997. See section 1301 et seq. of this title.

This title, referred to in subsec. (b)(1), is title I of Pub. L. 102–166, Nov. 21, 1991, 105 Stat. 1071, which enacted this section and section 1981a of Title 42, The Public Health and Welfare, amended section 626 of Title 29, Labor, and sections 1981, 1988, 2000e, 2000e–1, 2000e–2, 2000e–4, 2000e–5, 2000e–16, 12111, and 12112 of Title 42, and enacted provisions set out as notes under sections 1981, 2000e, and 2000e–4 of Title 42. For complete classification of title I to the Code, see Tables.

Section 2000e–16a of title 42, referred to in subsec. (b)(2), was amended generally by Pub. L. 104–1, title V, § 504(a)(1), Jan. 23, 1995, 109 Stat. 40, and as so amended, subsec. (c) of section 2000e–16a of title 42 no longer contains paragraphs and no longer defines the term “Senate employee”. See section 1301 (8) of this title.

Amendments

2004—Subsec. (b)(4). Pub. L. 108–271 substituted “Government Accountability Office” for “General Accounting Office”.

Effective Date

Section effective Nov. 21, 1991, except as otherwise provided, see section 402(a) of Pub. L. 102–166, set out as an Effective Date of 1991 Amendment note under section 1981 of Title 42, The Public Health and Welfare.