

111TH CONGRESS
2D SESSION

H. R. 5957

To require that any local currencies used to provide per diems to Members and employees of Congress for official foreign travel for a fiscal year be obtained by Congress and paid for using funds appropriated for salaries and expenses of Congress for the fiscal year, to enhance the disclosure of information on official foreign travel of Members, officers, and employees of the House of Representatives, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

JULY 29, 2010

Mr. JOHNSON of Illinois introduced the following bill; which was referred to the Committee on House Administration, and in addition to the Committee on Rules, 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

A BILL

To require that any local currencies used to provide per diems to Members and employees of Congress for official foreign travel for a fiscal year be obtained by Congress and paid for using funds appropriated for salaries and expenses of Congress for the fiscal year, to enhance the disclosure of information on official foreign travel of Members, officers, and employees of the 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; FINDINGS.**

2 (a) SHORT TITLE.—This Act may be cited as the
3 “Congressional Foreign Travel Reform Act of 2010”.

4 (b) FINDINGS.—Congress finds the following:

5 (1) The 56-year-old Mutual Security Act gov-
6 erns the current procedures and reporting require-
7 ments associated with the expending of foreign cur-
8 rencies for foreign travel by members of Congress
9 and their staffs.

10 (2) A recent Congressional Research Service
11 (CRS) memorandum finds that “there are no re-
12 quirements regarding the disclosure of international
13 travel by Members of Congress or their staffs that
14 contain records of all international travel that might
15 be taken.”.

16 (3) This memorandum also finds that—

17 (A) the current travel disclosure require-
18 ments “may be of limited utility” when trying
19 to assess the amount Congress spends on for-
20 eign travel;

21 (B) some foreign travel disclosures “. . .
22 identify annual expenditures for an entity, rath-
23 er than quarterly,” as is required by the law;

24 (C) some disclosures contain “. . . typo-
25 graphical and mathematics errors”;

1 (D) the current disclosure requirements for
2 Congressional foreign travel “. . . might raise
3 questions about the accuracy of reported des-
4 tinations, participants or expenditures”; and

5 (E) the current reporting requirements for
6 Congressional foreign travel “. . . may reduce
7 the suitability and reliability” of the following
8 data: “number of trips taken, number of con-
9 gressional travelers, destinations and the num-
10 ber of times a destination was visited, purposes
11 of travel, benefits of travel and the extent of ex-
12 penditures for congressional travel.”.

13 (4) In April 2010 Roll Call reported that these
14 travel “. . . accommodations are made by the State
15 Department and billed back to a government ac-
16 count that automatically refills itself and has no
17 spending limit attached.”.

18 (5) In March 2010 the Wall Street Journal re-
19 ported that while congressional rules require any un-
20 used per diem received for congressional travel must
21 be paid back, this rule is rarely followed.

22 (6) The “Questions and Answers” section of
23 the Official Foreign Travel Guide for the U.S. Con-
24 gress advises Members of Congress that they “. . .

1 may keep any ‘excess’ funds” from a per diem allow-
 2 ance.

3 (7) The CRS memorandum finds that from the
 4 only public available records on Congressional for-
 5 eign travel, the House of Representatives went from
 6 spending \$1,557,162 on foreign travel in 1994 to
 7 \$9,303,709 in 2009, and that the amount the House
 8 has spent on travel has nearly doubled since 2006.
 9 Furthermore, these amounts do not take into ac-
 10 count the use of military aircraft.

11 (8) In June 2010 Roll Call reported that
 12 “Members of Congress routinely fail to report mil-
 13 lions of dollars’ worth of costs . . . on foreign
 14 trips”, and that the “total spent on foreign travel
 15 has skyrocketed in the past decade.”

16 **SEC. 2. REQUIRING CONGRESS TO OBTAIN AND PAY FOR**
 17 **LOCAL CURRENCIES USED TO PROVIDE PER**
 18 **DIEMS TO MEMBERS AND EMPLOYEES OF**
 19 **CONGRESS ON OFFICIAL FOREIGN TRAVEL.**

20 (a) OBTAINING AND PAYING FOR LOCAL CURRENCY
 21 PER DIEMS FOR MEMBERS AND EMPLOYEES ON OFFI-
 22 CIAL FOREIGN TRAVEL.—

23 (1) IN GENERAL.—The House of Representa-
 24 tives and Senate may obtain local currencies of for-
 25 eign nations for the purpose of providing a per diem

1 allowance to a Member, officer, or employee of the
2 House of Representatives or Senate who is on offi-
3 cial foreign travel, if the individual obtains an au-
4 thorization under paragraph (2) to receive such an
5 allowance.

6 (2) AUTHORIZATION DESCRIBED.—An indi-
7 vidual wishing to receive a per diem allowance under
8 paragraph (1) shall obtain an authorization—

9 (A) from the Speaker of the House of Rep-
10 resentatives, in the case of a Member, officer,
11 or employee of the House;

12 (B) from the chairman of a standing or se-
13 lect committee of the House of Representatives,
14 in the case of a member or employee of that
15 committee;

16 (C) from the President of the Senate, the
17 President pro tempore of the Senate, the major-
18 ity leader of the Senate, or the minority leader
19 of the Senate, in the case of a Member, officer,
20 or employee of the Senate;

21 (D) from the chairman of a standing, se-
22 lect, or special committee of the Senate, in the
23 case of a member or employee of that com-
24 mittee or of an employee of a member of that
25 committee; and

1 (E) from the chairman of a joint com-
2 mittee of the Congress, in the case of a member
3 or employee of that committee.

4 (3) LIMIT ON AMOUNT.—The amount of local
5 currency provided for the use of an individual under
6 this subsection may not exceed—

7 (A) the equivalent of \$75 per day per per-
8 son; or

9 (B) the maximum per diem allowance es-
10 tablished under the authority of subchapter I of
11 chapter 57 of title 5, United States Code, for
12 employees of the United States Government
13 while traveling in a foreign country,
14 whichever is greater, exclusive of the actual cost of
15 transportation.

16 (4) REPAYMENT OF UNUSED AMOUNTS.—Any
17 individual to whom the House of Representatives or
18 the Senate provides a per diem under this subsection
19 shall return to the House of Representatives or the
20 Senate (as the case may be) any per diem provided
21 to the Member or employee which remains unex-
22 pended as of the conclusion of the travel. Any
23 amount returned in accordance with the previous
24 sentence shall be transferred to the Secretary of the

1 Treasury, who shall use such amount for the pur-
2 poses of deficit reduction.

3 (5) AUTHORIZATION OF APPROPRIATIONS.—

4 There are authorized to be appropriated such sums
5 as may be necessary for obtaining local currencies
6 under this subsection, of which—

7 (A) the amounts necessary for obtaining
8 local currencies for the use of any individual
9 whose pay is disbursed by the Chief Adminis-
10 trative Officer of the House of Representatives
11 shall be appropriated from the applicable ac-
12 counts of the House of Representatives; and

13 (B) the amounts necessary for obtaining
14 local currencies for the use of any individual
15 whose pay is disbursed by the Secretary of the
16 Senate shall be appropriated from the contin-
17 gent fund of the Senate.

18 (6) DEFINITIONS.—In this subsection—

19 (A) any reference to a “Member” of the
20 House of Representatives includes a Delegate
21 or Resident Commissioner to the Congress; and

22 (B) the term “official foreign travel”
23 means any travel outside of the United States
24 for which the costs (including the costs of
25 transportation, lodging, meals, and related ex-

penses) may be covered by appropriated funds, including official funds of the House of Representatives or Senate, under law or the Rules of the House of Representatives or the Standing Rules of the Senate.

(b) CONFORMING AMENDMENTS.—

(1) REPEAL EXISTING AUTHORITY.—Section 502(b) of the Mutual Security Act of 1954 (22 U.S.C. 1754(b)) is amended by striking paragraph (1).

(2) MAINTENANCE OF EXISTING REPORTING REQUIREMENTS.—Section 502(b)(3)(A) of such Act (22 U.S.C. 1754(b)(3)(A)) is amended by striking “an authorization under paragraph (1)” and inserting “an authorization under section 2(b) of the Congressional Foreign Travel Reform Act of 2010.”.

(c) EFFECTIVE DATE.—This section and the amendments made by this section shall apply with respect to fiscal year 2011 and each succeeding fiscal year.

SEC. 3. ENHANCED DISCLOSURE AND OTHER RESTRICTIONS RELATING TO MEMBER TRAVEL UNDER RULES OF HOUSE OF REPRESENTATIVES.

(a) REPORTING REQUIREMENTS FOR OFFICIAL FOREIGN TRAVEL BY HOUSE MEMBERS AND EMPLOYEES.—

1 (1) STATEMENT REQUIRED PRIOR TO UNDER-
2 TAKING TRAVEL.—A Member or employee of the
3 House of Representatives may not undertake any of-
4 ficial foreign travel unless, not later than 14 days
5 prior to the date on which the travel begins, the
6 Member or employee prepares and makes available
7 for public inspection in accordance with subsection
8 (b) a statement containing the following information:

9 (A) A statement of worthiness regarding
10 the purpose of the travel, including a descrip-
11 tion of how the travel relates to the Member's
12 or employee's official duties.

13 (B) A tentative itinerary for each day of
14 the travel, including a list of the locations the
15 Member or employee intends to visit and any
16 individuals with whom the Member or employee
17 intends to meet.

18 (C) The names of any other individuals
19 who are accompanying the Member or employee
20 during the travel, without regard to whether
21 such individuals are Members or employees of
22 the House.

23 (D) The amount of the per diem the Mem-
24 ber or employee requested to be provided for
25 the travel, and whether the amount is greater

1 than the standard per diem provided under
2 chapter 57 of title 5, United States Code.

3 (E) A description of the aircraft to be used
4 for transportation for the travel, and the Mem-
5 ber's or employee's best estimate of the costs of
6 using such aircraft.

7 (2) STATEMENT REQUIRED AFTER COMPLETION
8 OF TRAVEL.—Not later than 14 days after com-
9 pleting any official foreign travel, the Member or
10 employee who undertook the travel shall prepare and
11 make available for public inspection in accordance
12 with subsection (b) a statement containing the fol-
13 lowing information:

14 (A) A statement detailing the value, wor-
15 thiness, and educational benefit to the Member
16 or employee of the travel.

17 (B) The actual itinerary for the travel, in-
18 cluding a comprehensive statement of travel
19 times, meetings, and other activities carried out
20 during the travel.

21 (C) The actual cost of the travel, itemized
22 by the costs of—

23 (i) transportation (including the iden-
24 tification of the providers of the transpor-
25 tation);

- 1 (ii) lodging (including the identifica-
2 tion of the providers of the lodging); and
3 (iii) meals (including the identification
4 of the providers of the meals).

5 (D) How much, if any, of the per diem
6 provided for the travel was unspent.

7 (3) EXCEPTION FOR INFORMATION AFFECTING
8 NATIONAL SECURITY.—A Member or employee may
9 exclude from a statement prepared under this sub-
10 section any information which is classified or the
11 disclosure of which would adversely affect national
12 security, so long as the Member includes documenta-
13 tion in support of the exclusion in the statement pre-
14 pared under this subsection.

15 (b) PUBLICATION REQUIREMENTS FOR REPORTS.—
16 Each statement required to be prepared under subsection
17 (a) with respect to official foreign travel of a Member or
18 employee of the House of Representatives shall be made
19 available for public inspection as follows:

20 (1) The statement shall be submitted for publi-
21 cation in the Congressional Record.

22 (2) The statement shall be posted on the official
23 public website of the Clerk of the House of Rep-
24 resentatives.

1 (3) The statement shall be posted on the official
2 public website of the authorizing office.

3 (4) In the case of a statement submitted with
4 respect to travel of a Member, the statement shall
5 be posted on the official public website of the Mem-
6 ber.

7 (5) In the case of a statement submitted with
8 respect to travel of an employee, the statement shall
9 be posted on the official public website of the em-
10 ployee's employing office.

11 (c) PROHIBITING VACATION STOPOVERS DURING
12 TRAVEL.—A Member or employee of the House of Rep-
13 resentatives may not undertake a vacation stopover for an-
14 nual leave at any point during official foreign travel.

15 (d) RESTRICTIONS ON TRAVEL BY EMPLOYEES.—

16 (1) TRAVEL BY EMPLOYEES OF MEMBERS.—An
17 employee of the House of Representatives whose em-
18 ploying office is the office of a Member may not un-
19 dertake any official foreign travel unless—

20 (A) the authorizing office for the travel is
21 the office of the Member;

22 (B) the travel is undertaken by the em-
23 ployee to accompany the Member on the Mem-
24 ber's own official foreign travel; and

1 (C) no other employee of the office accom-
2 panies the Member on such travel.

3 (2) TRAVEL BY EMPLOYEES OF COMMITTEES.—

4 An employee of the House of Representatives whose
5 employing office is the office of a committee of the
6 House of Representatives may not undertake any of-
7 ficial foreign travel unless—

8 (A) the authorizing office for the travel is
9 the office of the committee;

10 (B) the travel is undertaken by the em-
11 ployee to accompany a Member who serves on
12 the committee on the Member's own official for-
13 eign travel; and

14 (C) the number of employees accom-
15 panying the Members of the committee on such
16 travel does not exceed the number of Members
17 of the committee who are participating in such
18 travel.

19 (3) EXCEPTION FOR CERTAIN TRAVEL.—This
20 subsection does not apply with respect to travel to
21 a military installation or travel to a theater of oper-
22 ations of the Armed Forces.

23 (e) REQUIRING EFFORTS TO REDUCE EXPENSES;
24 RETURN OF UNSPENT PER DIEM.—Each Member and

1 employee of the House of Representatives who undertakes
2 official foreign travel shall—

3 (1) take such actions as may be necessary to re-
4 duce the costs incurred for such travel; and

5 (2) return any per diem provided to the Mem-
6 ber or employee which remains unexpended as of the
7 conclusion of the travel.

8 (f) REGULATIONS.—This section shall be carried out
9 in accordance with regulations promulgated by the Com-
10 mittee on House Administration of the House of Rep-
11 resentatives.

12 (g) DEFINITIONS.—In this section, the following defi-
13 nitions apply:

14 (1) The term “authorizing office” means, with
15 respect to a Member or employee of the House of
16 Representatives, the office which is authorized under
17 law or the Rules of the House of Representatives to
18 approve the use of appropriated funds, including of-
19 ficial funds of the House of Representatives, for offi-
20 cial travel outside of the United States by the Mem-
21 ber or employee.

22 (2) The term “Member of the House of Rep-
23 resentatives” includes a Delegate or Resident Com-
24 missioner to the Congress.

1 (3) The term “official foreign travel” means
2 any travel outside of the United States for which the
3 costs (including the costs of transportation, lodging,
4 meals, and related expenses) may be covered by ap-
5 propriated funds, including official funds of the
6 House of Representatives, under law or the Rules of
7 the House of Representatives.

8 (h) STATEMENT OF RULEMAKING AUTHORITY OF
9 HOUSE OF REPRESENTATIVES.—This section is enacted
10 by Congress as an exercise of the rulemaking power of
11 the House of Representatives and shall be considered a
12 part of the rules of the House of Representatives, with
13 full recognition of the constitutional right of the House
14 to change this section at any time, in the same manner
15 and to the same extent as in the case of any other rule
16 of the House.

○