

111TH CONGRESS
1ST SESSION

S. 103

To require disclosure and payment of noncommercial air travel in the Senate.

IN THE SENATE OF THE UNITED STATES

JANUARY 6, 2009

Mr. VITTER introduced the following bill; which was read twice and referred
to the Committee on Rules and Administration

A BILL

To require disclosure and payment of noncommercial air
travel in the Senate.

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. DISCLOSURE AND PAYMENT OF NONCOMMER-**
4 **CIAL AIR TRAVEL.**

5 (a) RULES.—

6 (1) DISCLOSURE AND PAYMENT.—Paragraph 2
7 of rule XXXV of the Standing Rules of the Senate
8 is amended by adding at the end the following:

9 “(f) A Member, officer, or employee of the Senate
10 shall—

1 “(1) disclose a flight on an aircraft that is not
 2 licensed by the Federal Aviation Administration to
 3 operate for compensation or hire, excluding a flight
 4 on an aircraft owned, operated, or leased by a gov-
 5 ernmental entity, taken in connection with the duties
 6 of the Member, officer, or employee as an office-
 7 holder or Senate officer or employee;

8 “(2) reimburse the owner or lessee of the air-
 9 craft for the pro rata share of the fair market value
 10 of such flight (as determined by dividing the fair
 11 market value of the normal and usual charter fare
 12 or rental charge for a comparable plane of appro-
 13 priate size by the number of members, officers, or
 14 employees of the Congress on the flight); and

15 “(3) with respect to the flight, file a report with
 16 the Secretary of the Senate, including the date, des-
 17 tination, and owner or lessee of the aircraft, the pur-
 18 pose of the trip, and the persons on the trip, except
 19 for any person flying the aircraft.”.

20 (2) FAIR MARKET VALUE OF NONCOMMERCIAL
 21 AIR TRAVEL.—Paragraph 1(c)(1) of rule XXXV of
 22 the Standing Rules of the Senate is amended—

23 (A) by inserting (A) after (1); and

24 (B) by adding at the end the following:

1 “(B) Fair market value for a flight on an
2 aircraft that is not licensed by the Federal
3 Aviation Administration to operate for com-
4 pensation or hire shall be the fair market value
5 of the normal and usual charter fare or rental
6 charge for a comparable plane of appropriate
7 size.”.

8 (3) REIMBURSEMENT.—Paragraph 1 of rule
9 XXXVIII of the Standing Rules of the Senate is
10 amended by adding at the end the following:

11 “(c) Use of an aircraft that is not licensed by the
12 Federal Aviation Administration to operate for compensa-
13 tion or hire shall be valued for purposes of reimbursement
14 under this rule as provided in paragraph 2(g)(2) of rule
15 XXXV.”.

16 (b) FECA.—

17 (1) DISCLOSURE.—Section 304(b) of the Fed-
18 eral Election Campaign Act of 1971 (2 U.S.C.
19 434(b)) is amended—

20 (A) by striking “and” at the end of para-
21 graph (7);

22 (B) by striking the period at the end of
23 paragraph (8) and inserting “; and”; and

24 (C) by adding at the end the following new
25 paragraph:

1 “(9) in the case of a principal campaign com-
 2 mittee of a candidate (other than a candidate for
 3 election to the office of President or Vice President),
 4 any flight taken by the candidate (other than a
 5 flight designated to transport the President, Vice
 6 President, or a candidate for election to the office of
 7 President or Vice President) during the reporting
 8 period on an aircraft that is not licensed by the Fed-
 9 eral Aviation Administration to operate for com-
 10 pensation or hire, together with the following infor-
 11 mation:

12 “(A) The date of the flight.

13 “(B) The destination of the flight.

14 “(C) The owner or lessee of the aircraft.

15 “(D) The purpose of the flight.

16 “(E) The persons on the flight, except for
 17 any person flying the aircraft.”.

18 (2) EXCLUSION OF PAID FLIGHT FROM DEFINI-
 19 TION OF CONTRIBUTION.—Subparagraph (B) of sec-
 20 tion 301(8) of the Federal Election Campaign Act of
 21 1971 (2 U.S.C. 431(8)(B)) is amended—

22 (A) in clause (xiii), by striking “and” at
 23 the end;

24 (B) in clause (xiv), by striking the period
 25 at the end and inserting “; and”; and

1 (C) by adding at the end the following new
2 clause:

3 “(xv) any travel expense for a flight
4 taken by the candidate (other than a flight
5 designated to transport the President, Vice
6 President, or a candidate for election to
7 the office of President or Vice President)
8 on an aircraft that is not licensed by the
9 Federal Aviation Administration to operate
10 for compensation or hire: *Provided*, That
11 the candidate (or the authorized committee
12 of the candidate) pays to the owner, lessee,
13 or other individual who provides the air-
14 plane the pro rata share of the fair market
15 value of such flight (as determined by di-
16 viding the fair market value of the normal
17 and usual charter fare or rental charge for
18 a comparable plane of appropriate size by
19 the number of candidates on the flight) by
20 not later than 7 days after the date on
21 which the flight is taken.”.

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