

115TH CONGRESS
2D SESSION

H. R. 6640

To provide that a former Member of Congress receiving compensation as a lobbyist shall be ineligible to receive certain Federal retirement benefits or to use certain congressional benefits and services, to require each Member of Congress to post on the Member's official public website a hyperlink to the most recent annual financial disclosure report filed by the Member under the Ethics in Government Act of 1978, to prohibit the use of appropriated funds to pay for the costs of travel by the spouse of a Member of Congress who accompanies the Member on official travel, to restrict the use of travel promotional awards by Members of Congress who receive such awards in connection with official air travel, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

JULY 27, 2018

Mr. SCHNEIDER introduced the following bill; which was referred to the Committee on House Administration, and in addition to the Committees on Oversight and Government Reform, Rules, and Transportation and Infrastructure, 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

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in Government Act of 1978, to prohibit the use of appropriated funds to pay for the costs of travel by the spouse of a Member of Congress who accompanies the Member on official travel, to restrict the use of travel promotional awards by Members of Congress who receive such awards in connection with official air travel, 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 “Prohibiting Perks and
 5 Privileges Act”.

6 **SEC. 2. INELIGIBILITY OF FORMER MEMBERS RECEIVING**
 7 **COMPENSATION AS LOBBYISTS FOR CERTAIN**
 8 **BENEFITS AND SERVICES.**

9 (a) FORFEITURE OF BENEFITS.—

10 (1) IN GENERAL.—Notwithstanding any other
 11 provision of law, a former Member of Congress may
 12 not be paid any covered benefit if such former Mem-
 13 ber is—

14 (A) a registered lobbyist; or

15 (B) receives compensation as a direct re-
 16 sult of lobbying activities.

17 (2) COVERED BENEFITS.—For purposes of this
 18 subsection, the term “covered benefits”, as used
 19 with respect to a former Member of Congress, means
 20 any payment or other benefit which is payable, by

1 virtue of service performed by such former Member,
2 under any of the following:

3 (A) The Civil Service Retirement System,
4 including the Thrift Savings Plan.

5 (B) The Federal Employees Retirement
6 System, including the Thrift Savings Plan.

7 (C) The Federal Employees Health Bene-
8 fits Program, including enhanced dental bene-
9 fits and enhanced vision benefits under chapters
10 89A and 89B, respectively, of title 5, United
11 States Code.

12 (3) RULES OF CONSTRUCTION.—Nothing in
13 this subsection shall be considered to prevent the
14 payment of—

15 (A) any lump-sum credit, as defined by
16 section 8331(8) or 8401(19) of title 5, United
17 States Code, to which a former Member of Con-
18 gress subject to paragraph (1) is entitled;

19 (B) any contributions in the account of a
20 former Member of Congress subject to para-
21 graph (1) in the Thrift Savings Fund which, as
22 of the date on which paragraph (1) applies to
23 a former Member, are nonforfeitable; or

24 (C) any annuity payments with respect to
25 an annuity of a former Member of Congress

1 subject to paragraph (1) to a former spouse or
2 survivor who is entitled to such payments.

3 (4) REGULATIONS.—Any regulations necessary
4 to carry out this subsection may be prescribed by—

5 (A) except as provided in subparagraph
6 (B), the Director of the Office of Personnel
7 Management; and

8 (B) to the extent that this subsection re-
9 lates to the Thrift Savings Plan, by the Execu-
10 tive Director (as defined by section 8401(13) of
11 title 5, United States Code).

12 (b) PROHIBITION ON ACCESS TO CERTAIN CONGRES-
13 SIONAL BENEFITS AND SERVICES.—

14 (1) IN GENERAL.—Notwithstanding any other
15 provision of law, a former Member of Congress may
16 not use any of the congressional benefits and serv-
17 ices described in paragraph (2) (except to the extent
18 such benefits and services are made available to
19 members of the public) at any time during which
20 such former Member is—

21 (A) a registered lobbyist; or

22 (B) receives compensation as a direct re-
23 sult of lobbying activities.

1 (2) BENEFITS AND SERVICES DESCRIBED.—

2 The congressional benefits and services described in
3 this paragraph are as follows:

4 (A) Access to the Hall of the House or the
5 Hall of the Senate.

6 (B) Access to athletic facilities and other
7 facilities available for the use of Members of
8 Congress.

9 (C) Access to the Members' Dining Room
10 located in the House of Representatives wing of
11 the United States Capitol or the Senators' Din-
12 ing Room located in the Senate wing of the
13 United States Capitol.

14 (D) Access to material from the House
15 document room or the Senate document room.

16 (E) Use of the collections in the House
17 Legislative Resource Center or the Senate Li-
18 brary without borrowing privileges.

19 (c) DEFINITIONS.—For purposes of this subsection—

20 (1) the terms “agency”, “client”, “covered exec-
21 utive branch official”, “covered legislative branch of-
22 ficial”, “lobbyist”, “lobbying activities”, and “lob-
23 bying contact”, have the meaning given such terms
24 in section 3 of the Lobbying Disclosure Act of 1995
25 (2 U.S.C. 1602);

1 (2) the term “former Member of Congress”
2 means any Member of Congress who becomes a
3 former Member of Congress after the date of enact-
4 ment of this Act;

5 (3) the term “Member of Congress” has the
6 meaning given such term in section 2106 of title 5,
7 United States Code; and

8 (4) the term “registered lobbyist” means a lob-
9 byist registered or required to register, or on whose
10 behalf a registration is filed or required to be filed,
11 under section 4 of the Lobbying Disclosure Act of
12 1995 (2 U.S.C. 1603).

13 **SEC. 3. POSTING LINKS TO FINANCIAL DISCLOSURE RE-**
14 **PORTS OF MEMBERS OF CONGRESS ON MEM-**
15 **BER WEBSITES.**

16 (a) REQUIREMENT TO POST LINKS TO REPORTS.—
17 Upon filing the report required under section 101(d) of
18 the Ethics in Government Act of 1978 (5 U.S.C. App.
19 101(d)), each Member of Congress shall, in consultation
20 with the Clerk of the House of Representatives (in the
21 case of a Representative in, or Delegate or Resident Com-
22 missioner to, the Congress) or the Secretary of the Senate
23 (in the case of a Senator), post a hyperlink to the report
24 on the official public website of the office of the Member.

1 (b) EFFECTIVE DATE.—This section shall apply with
2 respect to reports filed on or after the expiration of the
3 60-day period which begins on or after the date of the
4 enactment of this Act.

5 **SEC. 4. PROHIBITING USE OF APPROPRIATED FUNDS FOR**
6 **TRAVEL OF SPOUSES ACCOMPANYING MEM-**
7 **BERS OF CONGRESS ON OFFICIAL TRAVEL.**

8 (a) PROHIBITION.—No appropriated funds, including
9 official funds of the House of Representatives, official
10 funds of the Senate, or funds available under any Federal
11 law, rule, or regulation, may be used to pay for the costs
12 of travel by the spouse of a Member of Congress in accom-
13 panying the Member on official travel.

14 (b) CERTIFICATION.—If the spouse of a Member of
15 Congress accompanies the Member on official travel, the
16 head of the office whose funds are to be used to pay for
17 the costs of such travel shall certify prior to the travel
18 that no additional costs will be incurred by the government
19 as the result of the spouse accompanying the Member on
20 such travel.

21 (c) RULE OF CONSTRUCTION.—Nothing in this sec-
22 tion may be construed to prohibit the spouse of a Member
23 of Congress who accompanies the Member on official trav-
24 el from paying for the costs of the spouse's travel.

1 (d) OFFICIAL TRAVEL DEFINED.—In this section,
2 the term “official travel” means any travel for which the
3 costs (including the costs of transportation, lodging,
4 meals, and related expenses) may be covered by appro-
5 priated funds, including official funds of the House of
6 Representatives, official funds of the Senate, or funds
7 available under any Federal law, rule, or regulation.

8 (e) EFFECTIVE DATE.—This section shall apply with
9 respect to travel undertaken on or after the date of the
10 enactment of this Act.

11 **SEC. 5. RESTRICTING USE BY MEMBERS OF CONGRESS OF**
12 **TRAVEL PROMOTIONAL AWARDS RECEIVED**
13 **IN CONNECTION WITH OFFICIAL AIR TRAVEL.**

14 (a) RESTRICTIONS ON USE BY MEMBERS OF THE
15 HOUSE OF REPRESENTATIVES.—Clause 5 of rule XXV of
16 the Rules of the House of Representatives is amended by
17 adding at the end the following new paragraph:

18 “(j)(1) Except as provided in subparagraph (2), if a
19 Member, Delegate, or Resident Commissioner receives a
20 travel promotional award in connection with any official
21 air travel undertaken by the Member, Delegate, or Resi-
22 dent Commissioner, the Member, Delegate, or Resident
23 Commissioner may use the award only in connection with
24 other official air travel undertaken by such Member, Dele-
25 gate, or Resident Commissioner.

1 “(2) Notwithstanding subparagraph (1), a Member,
2 Delegate, or Resident Commissioner may donate a travel
3 promotional award described in such subparagraph to an
4 organization described in section 501(c) of the Internal
5 Revenue Code of 1986 and exempt from taxation under
6 section 501(a) of such Code.

7 “(3) In this paragraph—

8 “(A) the term ‘official air travel’ means travel
9 by commercial aircraft for which the costs are paid
10 with Federal funds, including the Members’ Rep-
11 resentational Allowance; and

12 “(B) the term ‘travel promotional award’ in-
13 cludes free travel, travel discounts, upgrade certifi-
14 cates, coupons, frequent flyer miles, access to carrier
15 club facilities, and other similar travel promotional
16 items, as determined in accordance with regulations
17 of the Committee on House Administration.”.

18 (b) RESTRICTIONS ON USE BY SENATORS.—Rule
19 XXXV of the Standing Rules of the Senate is amended—

20 (1) by redesignating paragraphs 5 and 6 as
21 paragraphs 6 and 7; and

22 (2) by inserting after paragraph 4 the following
23 new paragraph:

24 “5(a) Except as provided in subparagraph (b), if a
25 Member receives a travel promotional award in connection

1 with any official air travel undertaken by the Member, the
 2 Member may use the award only in connection with other
 3 official air travel undertaken by such Member.

4 “(b) Notwithstanding subparagraph (a), a Member
 5 may donate a travel promotional award described in such
 6 subparagraph to an organization described in section
 7 501(c)(3) of the Internal Revenue Code of 1986 and ex-
 8 empt from taxation under section 501(a) of such Code.

9 “(c) In this subparagraph—

10 “(A) the term ‘official air travel’ means travel
 11 by commercial aircraft for which the costs are paid
 12 with Federal funds, including the Senators’ Official
 13 Personnel and Office Expense Account; and

14 “(B) the term ‘travel promotional award’ in-
 15 cludes free travel, travel discounts, upgrade certifi-
 16 cates, coupons, frequent flyer miles, access to carrier
 17 club facilities, and other similar travel promotional
 18 items, as determined in accordance with regulations
 19 of the Committee on Rules and Administration.”.

20 (c) SENSE OF CONGRESS REGARDING TRANSFER-
 21 ABILITY OF TRAVEL PROMOTIONAL AWARDS.—It is the
 22 sense of Congress that commercial airlines should permit
 23 individuals who receive travel promotional awards, includ-
 24 ing frequent flyer miles, in connection with travel on the
 25 airlines to transfer such awards to nonprofit organizations

1 under section 501(c)(3) of the Internal Revenue Code of
2 1986.

3 (d) EXERCISE OF RULEMAKING AUTHORITY.—This
4 section is enacted by Congress—

5 (1) as an exercise of the rulemaking power of
6 the Senate and House of Representatives, respec-
7 tively, and as such it is deemed a part of the rules
8 of each House, respectively, and it supersedes other
9 rules only to the extent that it is inconsistent with
10 such rules; and

11 (2) with full recognition of the constitutional
12 right of either House to change the rules (so far as
13 relating to that House) at any time, in the same
14 manner, and to the same extent as in the case of
15 any other rule of that House.

16 **SEC. 6. MEMBER OF CONGRESS DEFINED.**

17 Except as otherwise provided, in this Act the term
18 “Member of Congress” means a Senator or Representative
19 in, or Delegate or Resident Commissioner to, the Con-
20 gress.

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