

112TH CONGRESS
1ST SESSION

S. 429

To improve the reporting requirements relating to foreign travel by members of Congress and the use of foreign currency.

IN THE SENATE OF THE UNITED STATES

MARCH 1, 2011

Mrs. MCCASKILL introduced the following bill; which was read twice and referred to the Committee on Homeland Security and Governmental Affairs

A BILL

To improve the reporting requirements relating to foreign travel by members of Congress and the use of foreign currency.

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 “Cleaning Up Congress
5 by Providing Accountability for Congressional Foreign
6 Travel Act”.

7 **SEC. 2. USE OF FOREIGN CURRENCY.**

8 Section 502(b) of the Mutual Security Act of 1954
9 (22 U.S.C. 1754(b)) is amended to read as follows:

1 “(b) AVAILABILITY TO MEMBERS AND EMPLOYEES
2 OF CONGRESS AND REPORTS.—

3 “(1) LOCAL CURRENCIES FOR MEMBER AND
4 EMPLOYEE FOREIGN TRAVEL.—

5 “(A) IN GENERAL.—There are authorized
6 to be appropriated such sums as may be nec-
7 essary to purchase local currencies for the pur-
8 poses of congressional member and employee
9 foreign travel, which—

10 “(i) the amounts necessary for obtain-
11 ing local currencies for the use of any indi-
12 vidual whose pay is disbursed by the Chief
13 Administrative Officer of the House of
14 Representatives shall be appropriated from
15 the applicable accounts of the House of
16 Representatives; and

17 “(ii) the amounts necessary for ob-
18 taining local currencies for the use of any
19 individual whose pay is disbursed by the
20 Secretary of the Senate shall be appro-
21 priated from the contingent fund of the
22 Senate.

23 “(B) AVAILABILITY.—The amounts de-
24 scribed in clauses (i) and (ii) of subparagraph
25 (A) shall be made available to Members and

1 employees of the Congress for their local cur-
2 rency expenses when authorized as provided in
3 subparagraph (C).

4 “(C) AUTHORIZATIONS.—The authoriza-
5 tion required for purposes of subparagraph (A)
6 may be provided by—

7 “(i) the Speaker of the House of Rep-
8 resentatives, in the case of a Member or
9 employee of the House of Representatives;

10 “(ii) the chairman of a standing or se-
11 lect committee of the House of Representa-
12 tives, in the case of a member or employee
13 of that committee;

14 “(iii) the President of the Senate, the
15 President pro tempore of the Senate, the
16 majority leader of the Senate, or the mi-
17 nority leader of the Senate, in the case of
18 a Member or employee of the Senate;

19 “(iv) the chairman of a standing, se-
20 lect, or special committee of the Senate in
21 the case of a member or employee of that
22 committee or of an employee of a member
23 of that committee; and

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

4 “(D) REVIEW PROCEDURE.—The following
5 information shall be required and reviewed by
6 the authorizing officials under subparagraph
7 (C) before approval or denial of any foreign
8 travel authorization or appropriated dollar ex-
9 penditures in connection with travel outside of
10 the United States by any Member or employee:

11 “(i) An explanation of purpose, the
12 itinerary of travel, and the related cost es-
13 timates (per diem, lodging, meals, trans-
14 portation and other purposes), including
15 the dollar equivalency of any Federal Gov-
16 ernment entity transportation mode
17 planned.

18 “(ii) Before using any Federal Gov-
19 ernment transportation mode, a Member
20 or employee shall perform a cost analysis
21 comparison against a commercially avail-
22 able transportation equivalent to determine
23 the most cost effective travel mode. This
24 analysis shall institute all Federal Govern-
25 ment transportation mode and commer-

1 cially available transportation equivalent
2 cost analysis comparisons. If the Federal
3 Government transportation cost is greater
4 than the commercially available transpor-
5 tation equivalent, a waiver shall be ap-
6 proved by the authorizing officials under
7 subparagraph (C) permitting the Federal
8 transportation mode, and an explanation
9 and cost differential shall be reported in
10 the consolidated report for committees and
11 joint committees required under paragraph
12 (2)(A) and the Member or employee report
13 required under paragraph (3)(A).

14 “(iii) The names of any other individ-
15 uals who are accompanying the Member or
16 employee during the travel, without regard
17 to whether such individuals are Members
18 or employees of Congress and the purpose
19 for their travel.

20 “(iv) Whether the amount of per diem
21 requested is greater than the standard per
22 diem provided under chapter 57 of title 5,
23 United States Code.

24 “(v) A Member or employee who uses
25 commercial air carriers for transportation

1 on official foreign travel business shall use
2 coach or economy class accommodations
3 for flights under 14 hours unless a waiver
4 is obtained. A waiver for business class ac-
5 commodated may be obtained by the au-
6 thorizing officials under subparagraph (C)
7 for flights under 14 hours and the reasons
8 for the waiver shall be reported in the con-
9 solidated report for committees and joint
10 committees required under paragraph
11 (2)(A) and the Member or employee report
12 required under paragraph (3)(A).

13 “(E) COST REDUCTION.—Each Member or
14 employee to whom the House of Representatives
15 or the Senate provides a per diem under this
16 subsection shall take such actions as may be
17 necessary to reduce costs incurred for such
18 travel and shall return to the House of Rep-
19 resentatives or the Senate (as the case may be)
20 any per diem provided to the Member or em-
21 ployee which remains unexpended as of the con-
22 clusion of the travel. Any amount returned in
23 accordance with the preceding sentence shall be
24 transferred to the Secretary of the Treasury,

1 who shall use such amount for the purposes of
2 deficit reduction.

3 “(F) TRAVEL RESTRICTIONS FOR MEM-
4 BERS AND EMPLOYEES; EXCEPTIONS; WAIV-
5 ERS.—

6 “(i) ELECTION PERIOD.—Unless au-
7 thorized by the Senate (or by the President
8 of the United States after an adjournment
9 sine die) or the House of Representatives
10 (or by the Speaker of the House after an
11 adjournment sine die), no funds from the
12 United States Government (including for-
13 eign currencies made available under sub-
14 paragraph (B)) shall be received by any
15 Member of the Senate or House of Rep-
16 resentatives whose term will expire at the
17 end of a Congress after—

18 “(I) the date of the primary elec-
19 tion in which his successor is elected;
20 or

21 “(II) in the case of a Member
22 who is not a candidate in such pri-
23 mary election, the earlier of the date
24 of such primary election or the ad-

1 jourment sine die of the second reg-
2 ular session of that Congress.

3 “(ii) APPLICATION.—The travel re-
4 strictions provided by subparagraph (A)
5 with respect to a Member of the Senate or
6 House of Representatives whose term will
7 expire at the end of a Congress shall apply
8 to travel by—

9 “(I) any employee of the Mem-
10 ber;

11 “(II) any elected Officer of the
12 Senate or House of Representatives
13 whose employment will terminate at
14 the end of a Congress; and

15 “(III) any employee of a com-
16 mittee whose employment will termi-
17 nate at the end of a Congress.

18 “(iii) EXCEPTION FOR CERTAIN TRAV-
19 EL.—This subsection does not apply with
20 respect to travel to a military installation
21 or travel to a theater of operations of the
22 Armed Forces.

23 “(iv) WAIVER.—A Member or an em-
24 ployee may also obtain a waiver by the au-
25 thorizing officials under subparagraph (C)

1 for travel restrictions under clauses (i) and
2 (ii). The reasons for the waiver shall be re-
3 ported in the consolidated report for com-
4 mittees and joint committees required
5 under paragraph (2)(A) and the Member
6 or employee report required under para-
7 graph (3)(A).

8 “(2) COMMITTEE QUARTERLY REPORT.—

9 “(A) IN GENERAL.—On a quarterly basis,
10 the chairman of each committee of the House
11 of Representatives or the Senate and of each
12 joint committee of the Congress shall—

13 “(i) prepare a consolidated report
14 which—

15 “(I) provides the purpose and
16 destination of the foreign travel taken
17 by Members or employees of the com-
18 mittee, to include the duration and
19 purpose of any intermediary stops or
20 layovers;

21 “(II) itemizes the actual amounts
22 and dollar equivalent values of each
23 foreign currency expended and the
24 amounts of dollar expenditures from
25 appropriated funds in connection with

1 travel outside the United States, in-
2 cluding transportation, lodging, meals
3 (breakfast, lunch, dinner), and other
4 purposes, including the providers of
5 the transportation, lodging, and
6 meals, and any unspent per diem;

7 “(III) lists any itinerary changes
8 from the approved itinerary under
9 paragraph (1)(D)(i) and reasons for
10 such change;

11 “(IV) lists the names of any
12 other individuals who are accom-
13 panying the Member or employee dur-
14 ing the travel, without regard to
15 whether such individuals are Members
16 or employees of Congress;

17 “(V) lists any lodging, per diem,
18 transportation, or other purpose cost
19 estimate changes in excess of 10 per-
20 cent of the original amounts approved
21 by the authorizing officials and rea-
22 sons for such change;

23 “(VI) itemizes any Federal gov-
24 ernment transportation mode and re-
25 lated dollar equivalent expenses in-

1 curred for the travel duration, includ-
2 ing any intermediary stops to the des-
3 tination;

4 “(VII) lists any waivers for above
5 coach or economy class accommoda-
6 tions approved under paragraph
7 (1)(D)(i), and waivers for employee
8 restrictions approved under paragraph
9 (1)(F); and

10 “(VIII) shows the total itemized
11 expenditures, by such committee and
12 by each member or employee of such
13 committee (including in the case of a
14 committee of the Senate, each em-
15 ployee of a member of the committee
16 who received an authorization under
17 paragraph (1) from the chairman of
18 the committee); and

19 “(ii) forward such consolidated report
20 to the Clerk of the House of Representa-
21 tives (if the committee is a committee of
22 the House of Representatives or a joint
23 committee whose funds are disbursed by
24 the Chief Administrative Officer of the
25 House) or to the Secretary of the Senate

1 (if the committee is a committee of the
2 Senate or a joint committee whose funds
3 are disbursed by the Secretary of the Sen-
4 ate).

5 “(B) AVAILABILITY.—Each consolidated
6 report required by this paragraph shall be made
7 available for public inspection on the official
8 public Web sites of the Clerk of the House of
9 Representatives and the Secretary of the Senate
10 on the official public Web sites and shall be
11 published in the Congressional Record within
12 10 legislative days after the report is forwarded
13 pursuant to this paragraph. In the case of the
14 Select Committee on Intelligence of the Senate
15 and the Permanent Select Committee on Intel-
16 ligence of the House of Representatives, such
17 consolidated report may, in the discretion of the
18 chairman of the committee, omit such informa-
19 tion as would identify the foreign countries in
20 which members and employees of that com-
21 mittee traveled.

22 “(3) MEMBER OR EMPLOYEE TRAVEL RE-
23 PORTS.—

24 “(A) IN GENERAL.—Each Member or em-
25 ployee who receives an authorization from the

1 appropriate authorizing official for the purposes
2 of travel outside of the United States under
3 paragraph (1)(B), shall within 7 business days
4 after the completion of the travel involved, sub-
5 mit a report setting forth the information speci-
6 fied in paragraph (2) along with all associated
7 documentation and reimbursable expense re-
8 cepts to the authorizing officials under para-
9 graph (1)(C).

10 “(B) APPROVAL PROCESS.—The author-
11 izing official shall approve or deny reimbursable
12 expenses submitted under subparagraph (A)
13 within 7 business days after receipt of the re-
14 port and supporting documentation and reim-
15 bursable receipts from the Member or employee.
16 The authorizing official shall keep record of the
17 report, supporting documentation, and reim-
18 bursable receipts for not less than 6 years and
19 3 months.

20 “(C) SUBMISSION TO CLERK OR SEC-
21 RETARY.—

22 “(i) IN GENERAL.—After the author-
23 izing official approves the submission re-
24 quired under subparagraph (A), the Mem-
25 ber or employee shall submit a report with-

1 in 7 business days after the information
2 specified in paragraph (2) to the Clerk of
3 the House of Representatives (in the case
4 of a Member of the House or an employee
5 whose salary is disbursed by the Chief Ad-
6 ministrative Officer of the House) or the
7 Secretary of the Senate (in the case of a
8 Member of the Senate or an employee
9 whose salary is disbursed by the Secretary
10 of the Senate). In the case of an authoriza-
11 tion for a group of Members or employees,
12 such reports shall be submitted for all
13 Members of the group by its chairman, or
14 if there is no designated chairman, by the
15 ranking Member or if the group does not
16 include a Member, by the senior employee
17 in the group.

18 “(ii) PUBLIC INSPECTION.—Each re-
19 port submitted pursuant to this subpara-
20 graph shall be made available for public in-
21 spection as follows:

22 “(I) The statement shall be sub-
23 mitted for publication in the Congres-
24 sional Record.

1 “(II) The statement shall be
2 posted on the official public Web site
3 of the authorizing office.

4 “(III) In the case of a statement
5 submitted with respect to travel of an
6 employee, the statement shall be post-
7 ed on the official public Web site of
8 the employee’s employing office.

9 “(IV) In the case of a statement
10 submitted with respect to travel of a
11 Member, the statement shall be post-
12 ed on the official public Web site of
13 the Member.

14 “(iii) CONSOLIDATED REPORT.—On a
15 quarterly basis, the Clerk of the House of
16 Representatives and the Secretary of the
17 Senate shall each prepare a consolidation
18 of the reports received by them under this
19 subparagraph with respect to expenditures
20 during the preceding quarter by each
21 Member and employee or by each group in
22 the case of expenditures made on behalf of
23 a group which are not allocable to indi-
24 vidual members of the group. Each such
25 consolidation shall be open to public in-

1 specification and shall be published in the Con-
2 gressional Record and be available on the
3 official public Web sites of the Clerk of the
4 House of Representatives and the Sec-
5 retary of the Senate within 10 legislative
6 days after the consolidation is completed.

7 “(4) EXCLUSION OF INFORMATION.—A Member
8 or employee may exclude from a statement prepared
9 under this subsection any information which is clas-
10 sified or the disclosure of which would adversely af-
11 fect national security if the Committee, Member, or
12 employee includes documentation in support of the
13 exclusion in the statement prepared under this sub-
14 section.

15 “(5) DEFINITIONS.—In this subsection—

16 “(A) any reference to a ‘Member’ of the
17 House of Representatives or Senate includes a
18 Delegate or Resident Commissioner to the Con-
19 gress;

20 “(B) the term ‘official foreign travel’
21 means any travel outside of the United States
22 for which the costs (including the costs of
23 transportation, lodging, meals, and related ex-
24 penses) may be covered by appropriated funds,
25 including official funds of the House of Rep-

1 representatives or Senate, under law or the Rules
2 of the House of Representatives or the Stand-
3 ing Rules of the Senate;

4 “(C) the term ‘authorizing official’ refers
5 to—

6 “(i) the Speaker of the House of Rep-
7 resentatives in the case of a Member or
8 employee of the House;

9 “(ii) the chairman of a standing or se-
10 lect committee of the House of Representa-
11 tives in the case of a member or employee
12 of that committee;

13 “(iii) the President of the Senate, the
14 President pro tempore of the Senate, the
15 majority leader of the Senate, or the mi-
16 nority leader of the Senate, in the case of
17 a Member or employee of the Senate;

18 “(iv) the chairman of a standing, se-
19 lect, or special committee of the Senate in
20 the case of a member or employee of that
21 committee or of an employee of a member
22 of that committee; and

23 “(v) the chairman of a joint com-
24 mittee of the Congress in the case of a

1 member or employee of that committee;
 2 and

3 “(D) the term ‘reimbursable expense’ re-
 4 fers to those amounts personally expended by
 5 the Member or employee for transportation, per
 6 diem, or other travel related expense in which
 7 they are entitled a refund at the limitations and
 8 expense categories specified in subchapter I of
 9 chapter 57 of title 5, United States Code.”.

10 **SEC. 3. STUDY AND REPORT ON EXPENDITURES FOR OFFI-**
 11 **CIAL FOREIGN TRAVEL.**

12 (a) STUDY.—The Comptroller General shall conduct
 13 a study of the amount of appropriated funds (including
 14 official funds of the House of Representatives and Senate,
 15 funds made available for the Secretary of Defense or the
 16 Secretary of State, and other funds available under any
 17 Federal law, rule, or regulation) for official travel outside
 18 of the United States by Members, officers, and employees
 19 of the House of Representatives and Senate, and shall in-
 20 clude in the study the following:

21 (1) For the period beginning with fiscal year
 22 1994 and ending with the most recent fiscal year for
 23 which relevant information is available, and for each
 24 fiscal year during such period, the amount of such
 25 funds spent on such travel, the number of trips

1 taken, and a list of the most frequently visited des-
2 tinations, broken down by travel by Members, travel
3 by employees, and travel for which payment was
4 made using funds of committees of the Senate and
5 the House of Representatives.

6 (2) The source of funds used to pay for such
7 travel, and any limits on the amount which may be
8 spent on such travel or on any component of such
9 travel, such as airfare and accommodations.

10 (3) The types of military aircraft which are
11 used to carry out such travel, the military personnel
12 required to operate such aircraft, and the aggregate
13 and hourly costs involved.

14 (b) REPORT.—Not later than 180 days after the date
15 of the enactment of this Act, the Comptroller General shall
16 submit to the President of the Senate, Speaker of the
17 House of Representatives, the Secretary of Defense, and
18 the Secretary of State a report on the study conducted
19 under subsection (a) which shall include such rec-
20 ommendations as the Comptroller General considers ap-
21 propriate for determining the funding level for official
22 travel outside of the United States by Members, officers,
23 and employees of the Senate and the House of Representa-
24 tives which will promote transparency and cost savings.

1 **SEC. 4. EFFECTIVE DATE.**

2 This Act shall apply to fiscal year 2012 and each suc-
3 ceeding fiscal year thereafter.

○