

104TH CONGRESS  
2D SESSION

# S. 1827

To prohibit foreign travel by outgoing political appointees and Members of Congress, and for other purposes.

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IN THE SENATE OF THE UNITED STATES

JUNE 4, 1996

Mr. LAUTENBERG introduced the following bill; which was read twice and referred to the Committee on Governmental Affairs

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## A BILL

To prohibit foreign travel by outgoing political appointees and Members of Congress, 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. LIMITATION OF FOREIGN TRAVEL BY CERTAIN**  
4                   **POLITICAL APPOINTEES DURING POST PRES-**  
5                   **IDENTIAL ELECTION PERIOD.**

6       (a) IN GENERAL.—Subchapter I of chapter 57 of title  
7 5, United States Code, is amended by adding at the end  
8 thereof the following new section:

1 **“§ 5710. Limitation of travel of political appointees**  
2 **during certain post Presidential election**  
3 **periods**

4 “(a) For purposes of this section the term—

5 “(1) ‘political appointee’ means any individual  
6 who serves—

7 “(A) in a Senior Executive Service position  
8 and is not a career appointee as defined under  
9 section 3132(a)(4);

10 “(B) in a position under the Executive  
11 Schedule pursuant to subchapter II of chapter  
12 53; or

13 “(C) in a position of a confidential or pol-  
14 icy-determining character under schedule C of  
15 subpart C of part 213 of title 5 of the Code of  
16 Federal Regulations; and

17 “(2) ‘post Presidential election period’ means  
18 any period beginning on the date immediately follow-  
19 ing the date of the first Tuesday following the first  
20 Monday in November on which the general election  
21 of the President occurs, and ending on the January  
22 20 following such an election.

23 “(b) Subject to the provisions of subsection (c), travel  
24 by a political appointee may not be paid for under the  
25 provisions of this subchapter or any other provision of law,  
26 if such travel—

1 “(1) is outside of the United States; and

2 “(2) occurs during a post Presidential election  
3 period after which the incumbent President shall not  
4 return for another term of office as President.

5 “(c)(1) The provisions of subsection (b) shall not  
6 apply to travel by the Secretary of State, the Secretary  
7 of Defense, the United States Trade Representative, or  
8 political appointees who are accompanying these individ-  
9 uals on affected travel.

10 “(2) The President may waive the provisions of sub-  
11 section (b) with regard to any travel if the President  
12 makes a written determination that such travel—

13 “(A) cannot reasonably be postponed until after  
14 the post Presidential election period; and

15 “(B) is essential to protect or promote vital na-  
16 tional interests.”.

17 (b) **TECHNICAL AND CONFORMING AMENDMENTS.—**  
18 The table of sections for chapter 57 of title 5, United  
19 States Code, is amended by inserting after the item relat-  
20 ing to section 5709 the following:

“5710. Limitation of travel of political appointees during certain post Presi-  
dential election periods.”.

21 **SEC. 2. LIMITATION OF FOREIGN TRAVEL BY CERTAIN**  
22 **MEMBERS OF CONGRESS DURING ELECTION**  
23 **PERIODS.**

24 (a) **LIMITATION.—**

1           (1) IN GENERAL.—Except as provided in sub-  
2           section (b), no funds may be expended for travel by  
3           a Member of Congress if such travel—

4                   (A) is outside of the United States; and

5                   (B) occurs after the date that is 180 days  
6           prior to the end of the term of service or date  
7           of retirement of the Member of Congress.

8           (2) DATE OF RETIREMENT.—For purposes of  
9           this subsection, the date of retirement is the date on  
10          which the Member is to retire as a Member of Con-  
11          gress, pursuant to a public announcement by or on  
12          behalf of the Member.

13          (b) WAIVER.—

14               (1) IN GENERAL.—The Speaker of the House of  
15          Representatives, with respect to Members of the  
16          House of Representatives, and the President pro  
17          tempore of the Senate, with respect to Members of  
18          the Senate, may waive the prohibition on travel  
19          under this section if the travel is determined to be  
20          in the interest of the House of Representatives or  
21          the Senate, respectively, and the United States.

22               (2) STATEMENT.—

23                   (A) IN GENERAL.—Except as provided in  
24          subparagraph (B) and if a waiver is granted  
25          under this subsection, a statement of the waiver

1 shall be printed in the Congressional Record as  
2 soon as practicable and shall include a detailed  
3 description of the travel involved, the purpose of  
4 travel, and an estimate of the costs of the trav-  
5 el.

6 (B) EXCEPTION.—If the Speaker of the  
7 House of Representatives or the President pro  
8 tempore of the Senate determines that publica-  
9 tion of such a statement would jeopardize na-  
10 tional security, or otherwise compromise vital  
11 national interests, no statement is required.

12 (c) DEFINITION.—For purposes of this section the  
13 term “Member of Congress” includes any Delegate or  
14 Resident Commissioner to the Congress.

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