

103D CONGRESS
1ST SESSION

S. 826

To prohibit foreign travel by political appointees and Members of Congress during certain post election periods, and for other purposes.

IN THE SENATE OF THE UNITED STATES

APRIL 27 (legislative day, APRIL 19), 1993

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

A BILL

To prohibit foreign travel by political appointees and Members of Congress during certain post election periods, 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 in 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, or the United States Trade Representative.

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

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

13 “(B) is essential to protect—

14 “(i) vital national security interests; or

15 “(ii) other vital national interests related
16 to—

17 “(I) foreign policy;

18 “(II) trade; or

19 “(III) the economy.”.

20 (b) TECHNICAL AND CONFORMING AMENDMENTS.—

21 The table of sections for chapter 57 of title 5, United
22 States Code, is amended by inserting after the item relat-
23 ing to section 5709 the following:

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

1 **SEC. 2. LIMITATION OF FOREIGN TRAVEL BY CERTAIN**
2 **MEMBERS OF CONGRESS DURING POST**
3 **ELECTION PERIODS.**

4 (a) LIMITATION.—No funds may be expended for
5 travel by a Member of Congress if—

6 (1) such travel is outside of the United States;

7 (2) such travel occurs after the date on which
8 an election for the office held by such Member oc-
9 curs; and

10 (3) such Member will not serve as a Member of
11 Congress in the session following such election.

12 (b) 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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