



February 23, 2015

Disclosure of International Travel by Congress

International travel by Members of Congress and their staffs is an issue of long-standing interest among the public, media outlets, and Members. Questions regarding the purposes, destinations, and costs of international travel by Congress frequently arise, as do questions about the ability to identify and monitor the costs and benefits of such travel. Travel in connection with official duties may be paid for with appropriated funds, or, in limited circumstances, be funded by a foreign government or private source, pursuant to House or Senate rules, or statute.

There is no requirement mandating the disclosure of all international travel by Members of Congress or their staffs in a manner that provides complete, comparable records of trips taken, travelers, or costs. Depending on the source of funding, disclosure of international travel occurs in one of two ways. International travel paid for with appropriated funds is subject to limited disclosure, if foreign currency is used in conjunction with travel. International and domestic travel that is sponsored by a foreign government or private entity is subject to disclosure, including destinations, attendees, costs, itineraries, and identification of who is paying, pursuant to the requirements of House or Senate ethics rules. An overview of rules, regulations, and statutes governing congressional international travel paid by a foreign government and private entities is available from the House or Senate Ethics Committees' websites. This report focuses on the disclosure of travel paid for with appropriated funds.

Congressional International Travel Using Appropriated Funds

22 U.S.C. 1754 provides that foreign currency "shall be made available to Members and employees of the Congress for their local currency expenses" when traveling overseas on official duties. The law provides authority to the Secretary of the Treasury to "purchase such local currencies as may be necessary for such purposes, using any funds in the Treasury not otherwise appropriated...." This language establishes a permanent appropriation that provides funds to meet some of the expenses of congressional international travel.

Members or staff may be authorized to travel abroad on official duty using appropriated funds by the Speaker of the House, President Pro Tempore of the Senate, the Majority and Minority Leaders of the Senate, and committee chairs in both chambers. 22 U.S.C. 1754 requires those who authorize foreign travel to prepare a quarterly consolidated report itemizing the amounts and U.S. dollar equivalent of the foreign currencies spent on official overseas travel by Members and staff. The law requires disclosures that state the purposes of foreign currency expenditures for travel for each traveler in four categories, including: per diem

(defraying the costs of meals and lodging); transportation; other purposes; and the total of each category by traveler.

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Disclosures developed in compliance with 22 U.S.C. 1754 are published in the *Congressional Record*. They appear to represent the largest, publicly available component of official congressional international travel expenditures paid for with appropriated funds. The resulting information, however, may be of limited utility because it covers a narrow range of expenditures for international travel by Congress. Among the expenses that are not included in the foreign currency disclosures are the following:

- Expenses borne by legislative branch entities in support of congressional travel. Entities might include House or Senate leadership, officers, officials, or committees, the Office of Attending Physician, and the United States Capitol Police.
- Expenses borne by executive branch agencies in support of congressional travel. Entities might include the Department of State (State), which frequently organizes congressional international travel, provides support staff, and may host congressional travelers in its overseas facilities. Similar support is sometimes provided to congressional travelers by the Department of Defense (DOD) which may provide military airlift as well as other transportation and logistical support during trips.
- Arguably, any costs for international travel by Congress using appropriated funds paid in U.S. dollars.

In addition to the challenges that may result by limiting disclosure to the use of foreign currency, the explanatory capacity of the disclosures may be further reduced for the following reasons:

- Some disclosures list expenditures grouped by individual trips, while others list expenditures by individual travelers.
- Some disclosures provide expenditures by individual disbursements, but do not provide total per diem, transportation, and other expenditures.
- Some disclosures do not clearly identify the entity for which they were filed, destinations visited, or currencies expended, if any.

Taken together, these factors might raise questions for proponents of greater transparency about the

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comprehensiveness of reported destinations, participants, or expenditures. They might argue that incomplete information from disclosures may reduce their suitability and reliability as indicators of typical measures of travel, including the number of trips taken; number of congressional travelers; destinations, and the number times a destination was visited; purposes of travel; benefits of travel; or the extent of expenditures for congressional travel.

Legislation, 114th Congress

In the 114th Congress, one measure related to disclosure of international travel by Congress has been introduced. H.R. 147, the Congressional Foreign Travel Cost Disclosure Act, was introduced January 6, 2015, by Representative Walter B. Jones, Jr., of North Carolina. The measure would require DOD to determine and disclose its transportation costs for congressional trips outside of the United States. The costs must be disclosed to the Member or congressional staff who travels; the House or Senate Armed Services Committees, and on a DOD public website. Disclosure would not be required for trips with the sole purpose of visiting U.S. military installations or U.S. military personnel in a war zone. H.R. 147 was referred to the House Committee on Armed Services on January 6, 2015. No further action has been taken as of the time of this writing.

Discussion

No single source identifies all international travel undertaken by the House or Senate, and there is no means to identify the number of trips taken, destinations visited, travelers, total costs, or costs paid for by funds appropriated to legislative and executive branch entities. If Congress chooses to revisit current practices, whether through legislation or by other, administrative actions, it might consider the following options: maintain the status quo; require more detailed disclosure by Members of Congress and their staff who travel to international destinations; and require detailed disclosure by all government entities that support congressional travel.

Increased disclosure could clarify the purposes and intended outcomes of congressional international travel. Activities related to congressional international travel for which there is little publicly available information may include advance planning in support of such travel, means by which Members and staff are chosen to travel, reasons destinations are chosen, and reasons for stops at intermediate points on the way to a final destination.

Some foreign currency disclosures filed by congressional entities refer to travel support provided by some executive branch agencies, including DOD and State, but do not disclose expenditures. Some proponents of fuller disclosure of the costs of congressional international travel argue that requiring disclosure by executive agencies of the activities they undertake to support congressional international travel could lead to a more detailed picture of the overall costs of that travel when combined with expenditures by Congress.

Generally, more detailed disclosure of congressional international travel could increase the transparency of congressional activities. The costs of administering the disclosure process, however, could result in increased administrative effort, time, and cost. This might make such travel more expensive, or make the actual costs seem higher, if the costs of planning and legislative and executive agency support are included. Any change to current disclosure requirements could subject Congress to greater scrutiny by the media and general public. Raising the profile of congressional travel among the media and public might curtail the incidence of congressional international travel if the response is unfavorable.

On the other hand, increased disclosure might afford the opportunity to more fully inform the public about the necessities and benefits of congressional international travel. To the extent that those educational efforts lead to a positive public response and greater support for travel, more detailed disclosure might increase the incidence of such travel.

Any change to current congressional travel disclosure practices arguably could affect the ability of legislators and staff to make informed decisions in their official duties. If Congress were to proceed..., it could take into consideration the balance between the potential consequences of those changes versus enhanced transparency, and a more detailed understanding of the ways in which congressional international travel informs Congress and the national interest.

Enhanced transparency could raise security concerns if patterns of congressional international travel are easily available, and their analysis reveals consistent patterns of travel. This could increase the cost of travel to destinations that pose greater risks to Members of Congress or their staffs, or curtail such travel.

Any change to current congressional travel disclosure practices arguably could affect the ability of legislators and staff to make informed decisions in their official duties. If Congress were to proceed in this area, it could take into consideration the balance between the potential consequences of those changes versus enhanced transparency, and a more detailed understanding of the ways in which congressional international travel informs Congress and the national interest.

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