

Suspend the Rules and Pass the Bill, H.R. 313, With An Amendment

(The amendment strikes all after the enacting clause and inserts a new text)

113TH CONGRESS
1ST SESSION

H. R. 313

To amend title 5, United States Code, to institute spending limits and transparency requirements for Federal conference and travel expenditures, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

JANUARY 18, 2013

Mrs. EMERSON introduced the following bill; which was referred to the Committee on Oversight and Government Reform

A BILL

To amend title 5, United States Code, to institute spending limits and transparency requirements for Federal conference and travel expenditures, 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 “Government Spending
5 Accountability Act of 2013” or the “GSA Act of 2013”.

1 **SEC. 2. LIMITS AND TRANSPARENCY FOR CONFERENCE**
2 **AND TRAVEL SPENDING.**

3 (a) AMENDMENT.—Chapter 57 of title 5, United
4 States Code, is amended by inserting after section 5711
5 the following:

6 **“§ 5712. Limits and transparency for conference and**
7 **travel spending**

8 “(a) CONFERENCE TRANSPARENCY AND SPENDING
9 LIMITS.—

10 “(1) PUBLIC AVAILABILITY OF CONFERENCE
11 MATERIALS.—Each agency shall post on the public
12 website of that agency detailed information on any
13 presentation made by any employee of that agency
14 at a conference (except to the extent the head of an
15 agency excludes such information for reasons of na-
16 tional security or information described under sec-
17 tion 552(b)) including—

18 “(A) the prepared text of any verbal pres-
19 entation made; and

20 “(B) any visual, digital, video, or audio
21 materials presented, including photographs,
22 slides, and audio-visual recordings.

23 “(2) LIMITS ON AMOUNT EXPENDED ON A CON-
24 FERENCE.—

25 “(A) IN GENERAL.—Except as provided
26 under subparagraph (B), an agency may not

1 expend more than \$500,000 to support a single
2 conference.

3 “(B) EXCEPTION.—The head of an agency
4 may waive the limitation under subparagraph
5 (A) for a specific conference after making a de-
6 termination that the expenditure is justified as
7 the most cost-effective option to achieve a com-
8 pelling purpose. The head of an agency shall
9 submit to the appropriate congressional com-
10 mittees a report on any waiver granted under
11 this subparagraph, including the justification
12 for such waiver.

13 “(C) RULE OF CONSTRUCTION.—Nothing
14 in this paragraph shall be construed to preclude
15 an agency from receiving financial support or
16 other assistance from a private entity to pay or
17 defray the costs of a conference the total cost
18 of which exceeds \$500,000.

19 “(b) INTERNATIONAL CONFERENCE RULE.—An
20 agency may not pay the travel expenses for more than 50
21 employees of that agency who are stationed in the United
22 States, for any international conference, unless the Sec-
23 retary of State determines that attendance for such em-
24 ployees is in the national interest, or the head of the agen-
25 cy determines that attendance for such employees is crit-

1 ical to the agency's mission. The Secretary of State and
2 the head of an agency shall submit to the appropriate con-
3 gressional committees a report on any waiver granted
4 under this subsection, including the justification for such
5 waiver.

6 “(c) REPORTING ON TRAVEL AND CONFERENCE EX-
7 PENSES REQUIRED.—At the beginning of each quarter of
8 each fiscal year, each agency shall post on the public
9 website of that agency a report on each conference that
10 costs more than \$10,000 for which the agency paid travel
11 expenses during the preceding 3 months that includes—

12 “(1) the itemized expenses paid by the agency,
13 including travel, lodging, and meal expenses, and
14 any other agency expenditures to otherwise support
15 the conference;

16 “(2) the primary sponsor of the conference;

17 “(3) the location of the conference;

18 “(4) the date of the conference;

19 “(5) a brief explanation of how the participa-
20 tion of employees from such agency at the con-
21 ference advanced the mission of the agency;

22 “(6) the title of any employee, or any individual
23 who is not a Federal employee, whose travel ex-
24 penses or other conference expenses were paid by the
25 agency;

1 “(7) the total number of individuals whose trav-
2 el expenses or other conference expenses were paid
3 by the agency; and

4 “(8) in the case of a conference for which that
5 agency was the primary sponsor, a statement that—

6 “(A) describes the cost to the agency of se-
7 lecting the specific conference venue;

8 “(B) describes why the location was se-
9 lected, including a justification for such selec-
10 tion;

11 “(C) demonstrates the cost efficiency of
12 the location;

13 “(D) provides a cost benefit analysis of
14 holding a conference rather than conducting a
15 teleconference; and

16 “(E) describes any financial support or
17 other assistance from a private entity used to
18 pay or defray the costs of the conference, and
19 for each case where such support or assistance
20 was used, the head of the agency shall include
21 a certification that there is no conflict of inter-
22 est resulting from such support or assistance.

23 “(d) **FORMAT AND PUBLICATION OF REPORTS.—**
24 Each report posted on the public website under subsection
25 (c) shall—

1 “(1) be in a searchable electronic format; and

2 “(2) remain on that website for at least 5 years
3 after the date of posting.

4 “(e) DEFINITIONS.—In this section:

5 “(1) AGENCY.—The term ‘agency’ has the
6 meaning given that term under section 5701, but
7 does not include the government of the District of
8 Columbia.

9 “(2) CONFERENCE.—The term ‘conference’
10 means a meeting, retreat, seminar, symposium, or
11 event that—

12 “(A) is held for consultation, education,
13 discussion, or training; and

14 “(B) is not held entirely at a Government
15 facility.

16 “(3) INTERNATIONAL CONFERENCE.—The term
17 ‘international conference’ means a conference occur-
18 ring outside the United States attended by rep-
19 resentatives of—

20 “(A) the Government of the United States;
21 and

22 “(B) any foreign government, international
23 organization, or foreign nongovernmental orga-
24 nization.”.

1 (b) TECHNICAL AND CONFORMING AMENDMENT.—
2 The table of sections for chapter 57 of title 5, United
3 States Code, is amended by inserting after the item relat-
4 ing to section 5711 the following:

“5712. Limits and transparency for conference and travel spending.”.

5 (c) ANNUAL TRAVEL EXPENSE LIMITS.—

6 (1) IN GENERAL.—In the case of each of fiscal
7 years 2014 through 2018, an agency (as defined
8 under section 5712(e) of title 5, United States Code,
9 as added by subsection (a)) may not make, or obli-
10 gate to make, expenditures for travel expenses, in an
11 aggregate amount greater than 70 percent of the ag-
12 gregate amount of such expenses for fiscal year
13 2010.

14 (2) EXEMPTIONS.—The agency may exclude
15 certain travel expenses from the limitation under
16 paragraph (1) only if the agency head determines
17 that inclusion of such expenses would undermine na-
18 tional security, international diplomacy, health and
19 safety inspections, law enforcement, or site visits re-
20 quired for oversight or investigatory purposes.

21 (3) REPORT TO CONGRESS.—In each of fiscal
22 years 2014 through 2018, the head of each agency
23 shall submit to the Committee on Oversight and
24 Government Reform of the House of Representatives
25 and the Committee on Homeland Security and Gov-

1 ernmental Affairs of the Senate a report con-
2 taining—

3 (A) the justification for any expenses ex-
4 cluded (under paragraph (2)) from the limita-
5 tion under paragraph (1); and

6 (B) the positive or negative impacts, if
7 any, of the limitation under paragraph (1) on
8 the agency's mission, cost-effectiveness, effi-
9 ciency, and ability to perform core functions.

10 (4) IDENTIFICATION OF TRAVEL EXPENSES.—

11 (A) RESPONSIBILITIES.—Not later than
12 September 30, 2013, and after consultation
13 with the Administrator of General Services and
14 the Director of the Administrative Office of the
15 United States Courts, the Director of the Office
16 of Management and Budget shall establish
17 guidelines for the determination of what ex-
18 penses constitute travel expenses for purposes
19 of this subsection. The guidelines shall identify
20 specific expenses, and classes of expenses, that
21 are to be treated as travel expenses.

22 (B) EXEMPTION FOR MILITARY TRAVEL.—
23 The guidelines required under subparagraph
24 (A) shall exclude military travel expenses in de-
25 termining what expenses constitute travel ex-

1 penses. Military travel expenses shall include
2 travel expenses involving military combat, the
3 training or deployment of uniformed military
4 personnel, and such other travel expenses as de-
5 termined by the Director of the Office of Man-
6 agement and Budget, in consultation with the
7 Administrator of General Services and the Di-
8 rector of the Administrative Office of the
9 United States Courts.