AMENDMENT TO RULES COMMITTEE PRINT 116-7
OFFERED BY MR. GALLAGHER OF WISCONSIN

Strike all after the enacting clause and insert the following:

1 SECTION 1. SHORT TITLE; TABLE OF CONTENTS.
2  (a) SHORT TITLE.—This Act may be cited as the
3 “For the People Act of 2019”.
4  (b) TABLE OF CONTENTS.—The table of contents of
5 this Act is as follows:

Sec. 1. Short title; table of contents.

TITLE I—SERVE THE PEOPLE, NOT THE SWAMP

Sec. 101. Short title.
Sec. 102. House and Senate approval of regular appropriation bills.
Sec. 103. 5-year ban on lobbying by individuals appointed to Executive Schedule positions and Members of Congress.
Sec. 104. Termination of retirement coverage of Members of Congress under Federal Employees’ Retirement System.

TITLE II—ETHICS PLEDGE FOR SENIOR EXECUTIVE BRANCH EMPLOYEES

Sec. 201. Ethics pledge requirement for senior Executive branch employees.

TITLE III—LOBBYING BAN

Sec. 301. Short title.
Sec. 302. Prohibiting certain individuals from acting as agents of foreign principals.

TITLE IV—NO CODELS DURING SHUTDOWNS

Sec. 401. Short title.
Sec. 402. Prohibition.
TITLE I—SERVE THE PEOPLE, NOT THE SWAMP

SEC. 101. SHORT TITLE.

This title may be cited as the “Serve the People, Not the Swamp Act”.

SEC. 102. HOUSE AND SENATE APPROVAL OF REGULAR APPROPRIATION BILLS.

Section 312 of the Congressional Budget Act of 1974 is amended by adding at the end the following new subsections:

“(g) HOUSE AND SENATE APPROVAL OF REGULAR APPROPRIATION BILLS.—

“(1) POINT OF ORDER IN THE HOUSE OF REPRESENTATIVES AGAINST ADJOURNING IN AUGUST UNTIL HOUSE PASSAGE OF ALL APPROPRIATION BILLS.—It shall not be in order in the House of Representatives to consider any resolution providing for an adjournment period of more than three calendar days during the month of August until the House of Representatives has approved annual appropriation bills providing new budget authority under the jurisdiction of all the subcommittees of the Committee on Appropriations of the House of Representatives for the fiscal year beginning on October 1 of such year.
“(2) POINTS OF ORDER IN THE HOUSE OF REPRESENTATIVES AND SENATE AGAINST ADJOURNING UNTIL HOUSE AND SENATE PASSAGE OF ALL APPROPRIATION BILLS.—Beginning on October 1 of a session of Congress and during the duration of that session, it shall not be in order in the House of Representatives or the Senate to consider any resolution providing for an adjournment period of more than three calendar days for the duration of that session until the annual appropriation bills providing new budget authority under the jurisdiction of all the subcommittees of the Committees on Appropriations of the House of Representatives and the Senate for the fiscal year beginning on October 1 of such year have been presented to the President under section 7 of article I of the Constitution.

“(h) NO CONGRESSIONAL RECESSES.—Neither the Senate nor the House of Representatives may recess or stand adjourned for a period of longer than 24 hours during any calendar year unless and until Congress has agreed to a concurrent resolution on the budget for the fiscal year beginning on October 1 of that calendar year which concurrent resolution projects a balanced budget for the Government by the last fiscal year covered by that concurrent resolution.”.
SEC. 103. 5-YEAR BAN ON LOBBYING BY INDIVIDUALS APPOINTED TO EXECUTIVE SCHEDULE POSITIONS AND MEMBERS OF CONGRESS.

(a) INDIVIDUALS APPOINTED TO EXECUTIVE SCHEDULE POSITIONS.—

(1) IN GENERAL.—Section 207(d) of title 18, United States Code, is amended to read as follows:

“(d) RESTRICTIONS ON VERY SENIOR PERSONNEL OF THE EXECUTIVE BRANCH AND INDEPENDENT AGENCIES.—

“(1) VICE PRESIDENT.—

“(A) RESTRICTIONS.—In addition to the restrictions set forth in subsections (a) and (b), any person who serves in the position of Vice President of the United States and who, within 2 years after the termination of that person’s service in that position, knowingly makes, with the intent to influence, any communication to or appearance before any person described in subparagraph (B), on behalf of any other person (except the United States), in connection with any matter on which such person seeks official action by any officer or employee of the executive branch of the United States, shall be punished as provided in section 216 of this title.
“(B) Persons who may not be contacted.—A person described in this subparagraph is—

“(i) any officer or employee of any department or agency in which the Vice President served within a period of 1 year before the Vice President’s service or employment with the United States Government terminated; and

“(ii) any person appointed to a position in the executive branch which is listed in section 5312, 5313, 5314, 5315, or 5316 of title 5.

“(2) Five-year restriction on individuals in Executive Schedule and equivalent positions.—

“(A) In general.—Except as provided in subparagraphs (B) and (C), and in addition to the restrictions set forth in subsections (a) and (b), any individual employed in a position in the executive branch for which the rate of pay is the rate of pay payable for any level of the Executive Schedule under subchapter II of chapter 53 of title 5 who, within 5 years after the termination of his or her service or employment in
such position, knowingly makes, with the intent
to influence, any communication to or appear-
ance before any officer or employee of any de-
partment or agency in the executive branch, on
behalf of any other person (except the United
States), in connection with any matter on which
such person seeks official action by any officer
or employee of such department or agency, shall
be punished as provided in section 216 of this
title.

“(B) Special government employees.—Subparagraph (A) shall not apply to a
special Government employee who serves less
than 60 days in the 1-year period before his or
her service or employment as such employee
terminates.

“(C) Waiver.—

“(i) Authority.—Except as provided
in clause (ii), at the request of a depart-
ment or agency, the Director of the Office
of Government Ethics may waive the re-
strictions under subparagraph (A) with re-
spect to a position, or a category of posi-
tions, if the Director determines that—
“(I) the imposition of the restrictions with respect to the position, or category of positions, would create an undue hardship on the department or agency in obtaining qualified personnel to fill the position, or category of positions; and

“(II) granting the waiver would not create the potential for use of undue influence or unfair advantage.

“(ii) EXCLUDED POSITIONS.—The Director of the Office of Government Ethics may not waive the restrictions under subparagraph (A) with respect to—

“(I) a position in the executive branch (including any independent agency) for which the rate of pay is the rate of pay payable for level I of the Executive Schedule; or

“(II) a position in the Executive Office of the President for which the rate of pay is the rate of pay for level II of the Executive Schedule.”.
(2) TECHNICAL AND CONFORMING AMENDMENTS.—Section 207 of title 18, United States Code, is amended—

(A) in subsection (c)(2)—

(i) in subparagraph (A)—

(I) by striking clauses (i) and (iii);

(II) by redesignating clauses (ii), (iv), and (v) as clauses (i), (ii), and (iii), respectively; and

(III) in clause (i), as so redesignated—

(aa) by striking “which is not referred to in clause (i)” the first place it appears and inserting “for which the rate of pay is not specified in or fixed according to subchapter II of chapter 53 of title 5”; and

(bb) by striking “, or, for a period of 2 years” and all that follows through the end of clause (i) and inserting a comma; and

(ii) in subparagraph (C), in the matter preceding clause (i), by striking “clause
(ii) or (iv)” and inserting “clause (i) or (ii)”;

(B) in subsection (h)(2), by striking the second sentence.

(b) Members of Congress.—Section 207(e)(1) of title 18, United States Code, is amended—

(1) in subparagraph (A), by striking “2 years” and inserting “5 years”; and

(2) in subparagraph (B)(i), by striking “Any person who is a Member of the House of Represent-atives or an elected officer of the House of Rep-reseatives and who, within 1 year after that person leaves office,” and inserting “Any person who is a Member of the House of Representatives and who, within 5 years after that person leaves office, or any person who is an elected officer of the House of Rep-reseatives and who, within 1 year after that person leaves office,”.

(c) Effective Date.—The amendments made by this section shall apply with respect to any individual who, on or after the date of the enactment of this Act, leaves a position to which section 207 of title 18, United States Code, applies (as amended by this Act).
SEC. 104. TERMINATION OF RETIREMENT COVERAGE OF MEMBERS OF CONGRESS UNDER FEDERAL EMPLOYEES’ RETIREMENT SYSTEM.

(a) IN GENERAL.—Subchapter II of chapter 84 of title 5, United States Code, is amended by inserting after section 8425 the following:

“§ 8425a. Termination of further retirement coverage of Members of Congress

“(a) IN GENERAL.—Notwithstanding any other provision of this chapter, effective as of the date of enactment of this section—

“(1) subject to subsection (f), in the case of an individual who first becomes a Member before such date of enactment—

“(A) such Member shall not be subject to this chapter for any further period of time after such date of enactment; and

“(B) no further Government contributions or deductions from basic pay may be made with respect to such Member for deposit in the Treasury of the United States to the credit of the Fund; and

“(2) in the case of an individual who first becomes a Member on or after such date of enactment—
“(A) such Member shall not be subject to this chapter; and

“(B) no Government contributions or deductions from basic pay may be made with respect to such Member for deposit in the Treasury of the United States to the credit of the Fund.

“(b) Prior Rights Not Affected.—Nothing in subsection (a) shall be considered to nullify, modify, or otherwise affect any right, entitlement, or benefit under this chapter with respect to any Member covering any period prior to the date of enactment of this section.

“(c) Right to Participate in Thrift Savings Plan Not Affected.—Nothing in subsection (a) or (b) shall affect the eligibility of a Member to participate in the Thrift Savings Plan in accordance with otherwise applicable provisions of law.

“(d) Regulations.—

“(1) In general.—Any regulations necessary to carry out this section may—

“(A) except with respect to matters under subparagraph (B), be prescribed by the Director of the Office of Personnel Management; and

“(B) with respect to matters relating to the Thrift Savings Plan, be prescribed by the
Executive Director (as defined by section 8401(13)).

“(2) REFUNDS.—Notwithstanding subsection (b), the regulations under paragraph (1)(A) shall, in the case of a Member who has not completed at least 5 years of civilian service as of the date of enactment of this section, provide that the lump-sum credit shall be payable to such Member to the same extent and in the same manner as if such Member satisfied paragraphs (1) through (4) of section 8424(a) as of such date of enactment.

“(e) EXCLUSIONS.—For purposes of this section, the term ‘Member’ does not include the Vice President.

“(f) OPT-IN FOR MEMBERS.—Not later than 90 days after the date of enactment of this section, a Member covered by this chapter as of such date may elect, by giving notice in writing to the official by whom such Member is paid, to remain subject to this chapter.”.

(b) CLERICAL AMENDMENT.—The table of sections at the beginning of chapter 84 of title 5, United States Code, is amended by inserting after the item relating to section 8425 the following:

“8425a. Termination of further retirement coverage of Members of Congress.”.
TITLE II—ETHICS PLEDGE FOR SENIOR EXECUTIVE BRANCH EMPLOYEES

SEC. 201. ETHICS PLEDGE REQUIREMENT FOR SENIOR EXECUTIVE BRANCH EMPLOYEES.

The Ethics in Government Act of 1978 (5 U.S.C. App. 101 et seq.) is amended by inserting after title I the following new title:

“TITLE II—ETHICS PLEDGE

SEC. 201. DEFINITIONS.

“For the purposes of this title, the following definitions apply:

“(1) The term ‘executive agency’ has the meaning given that term in section 105 of title 5, United States Code, and includes the Executive Office of the President, the United States Postal Service, and Postal Regulatory Commission, but does not include the Government Accountability Office.

“(2) The term ‘appointee’ means any full-time, non-career Presidential or Vice-Presidential appointee, noncareer appointee in the Senior Executive Service (or other SES-type system), or appointee to a position that has been excepted from the competitive service by reason of being of a confidential or policymaking character (Schedule C and other posi-
tions excepted under comparable criteria) in an executive agency, but does not include any individual appointed as a member of the Senior Foreign Service or solely as a uniformed service commissioned officer.

“(3) The term ‘gift’—

“(A) has the meaning given that term in section 2635.203(b) of title 5, Code of Federal Regulations;

“(B) includes gifts that are solicited or accepted indirectly as defined at section 2635.203(f) of such title; and

“(C) does not include those items excluded by sections 2635.204(b), (c), (e)(1)–(3) and (j)–(l) of such title.


“(5) The term ‘registered lobbyist or lobbying organization’ means a lobbyist or an organization filing a registration pursuant to section 4(a) of the Lobbying Disclosure Act of 1995 (2 U.S.C. 1603(a)), and in the case of an organization filing
such a registration, ‘registered lobbyist’ includes each of the lobbyists identified therein.

“(6) The term ‘lobby’ and ‘lobbied’ mean to act or have acted as a registered lobbyist.

“(7) The term ‘particular matter’ has the meaning given that term in section 207 of title 18, United States Code, and section 2635.402(b)(3) of title 5, Code of Federal Regulations.

“(8) The term ‘particular matter involving specific parties’ has the meaning set forth in section 2641.201(h) of title 5, Code of Federal Regulations, except that it shall include any meeting or other communication relating to the performance of one’s official duties with a former employer or former client, unless the communication applies to a particular matter of general applicability and participation in the meeting or other event is open to all interested parties.

“(9) The term ‘former employer’ is any person for whom the appointee has within the 2 years prior to the date of his or her appointment served as an employee, officer, director, trustee, or general partner, except that ‘former employer’ does not include any executive agency or other entity of the Federal Government, State or local government, the District
of Columbia, Native American tribe, or any United States territory or possession.

“(10) The term ‘former client’ is any person for whom the appointee served personally as agent, attorney, or consultant within the 2 years prior to the date of his or her appointment, but excluding instances where the service provided was limited to a speech or similar appearance. It does not include clients of the appointee’s former employer to whom the appointee did not personally provide services.

“(11) The term ‘directly and substantially related to my former employer or former clients’ means matters in which the appointee’s former employer or a former client is a party or represents a party.

“(12) The term ‘participate’ means to participate personally and substantially.

“(13) The term ‘post-employment restrictions’ includes the provisions and exceptions in section 207(e) of title 18, United States Code, and the implementing regulations.


“(15) The term ‘Administration’ means all terms of office of the incumbent President serving at
the time of the appointment of an appointee covered by this title.

“(16) The term ‘pledge’ means the ethics pledge set forth in section 202 of this title.

“(17) All references to provisions of law and regulations shall refer to such provisions as in effect on the date of enactment of this title.

“SEC. 202. ETHICS PLEDGE.

“Each appointee in every executive agency appointed on or after the date of enactment of this section shall sign, and upon signing shall be contractually committed to, the following pledge upon becoming an appointee:

“‘As a condition, and in consideration, of my employment in the United States Government in a position invested with the public trust, I commit myself to the following obligations, which I understand are binding on me and are enforceable under law:

“‘(1) Lobbyist Gift Ban. I will not accept gifts from registered lobbyists or lobbying organizations for the duration of my service as an appointee.

“‘(2) Revolving Door Ban—All Appointees Entering Government. I will not for a period of 2 years from the date of my appointment participate in any particular matter involving specific parties that is directly and substantially related to my former em-
ployer or former clients, including regulations and contracts.

“(3) Revolving Door Ban—Lobbyists Entering Government. If I was a registered lobbyist within the 2 years before the date of my appointment, in addition to abiding by the limitations of paragraph 2, I will not for a period of 2 years after the date of my appointment:

‘‘(A) participate in any particular matter on which I lobbied within the 2 years before the date of my appointment;

‘‘(B) participate in the specific issue area in which that particular matter falls; or

‘‘(C) seek or accept employment with any executive agency that I lobbied within the 2 years before the date of my appointment.

“(4) Revolving Door Ban—Appointees Leaving Government. If, upon my departure from the Government, I am covered by the post-employment restrictions on communicating with employees of my former executive agency set forth in section 207(c) of title 18, United States Code, I agree that I will abide by those restrictions for a period of 2 years following the end of my appointment.
(5) Revolving Door Ban—Appointees Leaving Government to Lobby. In addition to abiding by the limitations of paragraph 4, I also agree, upon leaving Government service, not to lobby any covered executive branch official or non-career Senior Executive Service appointee for the remainder of the Administration.

(6) Employment Qualification Commitment. I agree that any hiring or other employment decisions I make will be based on the candidate’s qualifications, competence, and experience.

(7) Assent to Enforcement. I acknowledge that title II of the Ethics in Government Act of 1978, which I have read before signing this document, defines certain of the terms applicable to the foregoing obligations and sets forth the methods for enforcing them. I expressly accept the provisions of that title as a part of this agreement and as binding on me. I understand that the terms of this pledge are in addition to any statutory or other legal restrictions applicable to me by virtue of Federal Government service.

SEC. 203. WAIVER.

(a) The Director of the Office of Management and Budget, in consultation with the Counsel to the President,
may grant to any current or former appointee a written
waiver of any restrictions contained in the pledge signed
by such appointee if, and to the extent that, the Director
certifies (in writing) that—

“(1) the literal application of the restriction is
inconsistent with the purposes of the restriction; or

“(2) it is in the public interest to grant the
waiver.

“(b) Any waiver under this section shall take effect
when the certification is signed by the Director.

“(c) For purposes of subsection (a)(2), the public in-
terest shall include exigent circumstances relating to na-
tional security or to the economy. De minimis contact with
an executive agency shall be cause for a waiver of the re-
strictions contained in paragraph 3 of the pledge.

“SEC. 204. ADMINISTRATION.

“(a) The head of each executive agency shall, in con-
sultation with the Director of the Office of Government
Ethics, establish such rules or procedures (conforming as
nearly as practicable to the agency’s general ethics rules
and procedures, including those relating to designated
agency ethics officers) as are necessary or appropriate to
ensure—
“(1) that every appointee in the agency signs the pledge upon assuming the appointed office or otherwise becoming an appointee;

“(2) that compliance with paragraph 3 of the pledge is addressed in a written ethics agreement with each appointee to whom it applies, which agreement shall also be approved by the Counsel to the President prior to the appointee commencing work;

“(3) that spousal employment issues and other conflicts not expressly addressed by the pledge are addressed in ethics agreements with appointees or, where no such agreements are required, through ethics counseling; and

“(4) compliance with this title within the agency.

“(b) With respect to the Executive Office of the President, the duties set forth in subsection (a) shall be the responsibility of the Counsel to the President.

“(c) The Director of the Office of Government Ethics shall—

“(1) ensure that the pledge and a copy of this title are made available for use by agencies in fulfilling their duties under subsection (a);

“(2) in consultation with the Attorney General or the Counsel to the President, when appropriate,
assist designated agency ethics officers in providing advice to current or former appointees regarding the application of the pledge; and

“(3) in consultation with the Attorney General and the Counsel to the President, adopt such rules or procedures as are necessary or appropriate—

“(A) to carry out the responsibilities assigned by this subsection;

“(B) to apply the lobbyist gift ban set forth in paragraph 1 of the pledge to all executive branch employees;

“(C) to authorize limited exceptions to the lobbyist gift ban for circumstances that do not implicate the purposes of the ban;

“(D) to make clear that no person shall have violated the lobbyist gift ban if the person properly disposes of a gift as provided by section 2635.205 of title 5, Code of Federal Regulations;

“(E) to ensure that existing rules and procedures for Government employees engaged in negotiations for future employment with private businesses that are affected by their official actions do not affect the integrity of the Government’s programs and operations; and
“(F) to ensure, in consultation with the Director of the Office of Personnel Management, that the requirement set forth in paragraph 6 of the pledge is honored by every employee of the executive branch;

“(4) in consultation with the Director of the Office of Management and Budget, report to the President on whether full compliance is being achieved with existing laws and regulations governing executive branch procurement lobbying disclosure and on steps the executive branch can take to expand to the fullest extent practicable disclosure of such executive branch procurement lobbying and of lobbying for presidential pardons, and to include in the report both immediate action the executive branch can take and, if necessary, recommendations for legislation; and

“(5) provide an annual public report on the administration of the pledge and this title.

“(d) The Director of the Office of Government Ethics shall, in consultation with the Attorney General, the Counsel to the President, and the Director of the Office of Personnel Management, report to the President on steps the executive branch can take to expand to the fullest extent practicable the revolving door ban set forth in paragraph
of the pledge to all executive branch employees who are involved in the procurement process such that they may not for 2 years after leaving Government service lobby any Government official regarding a Government contract that was under their official responsibility in the last 2 years of their Government service, and to include in the report both immediate action the executive branch can take and, if necessary, recommendations for legislation.

“(e) All pledges signed by appointees, and all waiver certifications with respect thereto, shall be filed with the head of the appointee’s agency for permanent retention in the appointee’s official personnel folder or equivalent folder.

“SEC. 205. ENFORCEMENT.

“(a) The contractual, fiduciary, and ethical commitments in the pledge are solely enforceable by the United States pursuant to this section by any legally available means, including debarment proceedings within any affected executive agency or judicial civil proceedings for declaratory, injunctive, or monetary relief.

“(b) Any former appointee who is determined, after notice and hearing, by the duly designated authority within any agency, to have violated his or her pledge may be barred from lobbying any officer or employee of that agency for up to 5 years in addition to the time period covered
by the pledge. The head of every executive agency shall, in consultation with the Director of the Office of Government Ethics, establish procedures to implement this subsection, which procedures shall include providing for fact-finding and investigation of possible violations of this title and for referrals to the Attorney General for consideration pursuant to subsection (e).

“(c) The Attorney General is authorized—

“(1) upon receiving information regarding the possible breach of any commitment in a signed pledge, to request any appropriate Federal investigative authority to conduct such investigations as may be appropriate; and

“(2) upon determining that there is a reasonable basis to believe that a breach of a commitment has occurred or will occur or continue, if not enjoined, to commence a civil action against the former employee in any United States District Court with jurisdiction to consider the matter.

“(d) In any such civil action, the Attorney General is authorized to request any and all relief authorized by law, including—

“(1) such temporary restraining orders and preliminary and permanent injunctions as may be appropriate to restrain future, recurring, or continuing
conduct by the former employee in breach of the commitments in the pledge he or she signed under this title; and

“(2) establishment of a constructive trust for the benefit of the United States, requiring an accounting and payment to the United States Treasury of all money and other things of value received by, or payable to, the former employee arising out of any breach or attempted breach of such pledge.”.

**TITLE III—LOBBYING BAN**

**SEC. 301. SHORT TITLE.**

This title may be cited as the “Congressional and Executive Foreign Lobbying Ban Act”.

**SEC. 302. PROHIBITING CERTAIN INDIVIDUALS FROM ACTING AS AGENTS OF FOREIGN PRINCIPALS.**

(a) Former Members of Congress; General or Flag Officers of Armed Forces.—

(1) Prohibiting registration as agent.— The Foreign Agents Registration Act of 1938, as amended (22 U.S.C. 611 et seq.) is amended—

(A) by redesignating sections 12 through 14 as sections 13 through 15; and

(B) by inserting after section 11 the following new section:
“SEC. 12. PROHIBITING REGISTRATION OF CERTAIN INDIVIDUALS.

“(a) Prohibition.—No individual may register under this Act or otherwise serve as the agent of a foreign principal if the individual at any time served as a Member of Congress, as a senior political appointee, or as a general or flag officer of the armed forces.

“(b) Definitions.—In this section—

“(1) the term ‘Member of Congress’ means a Senator or Representative in, or Delegate or Resident Commissioner to, the Congress; and

“(2) the term ‘senior political appointee’—

“(A) means—

“(i) any individual occupying a full-time senior position and who is appointed by the President or the Vice President;

“(ii) any noncareer appointee in the Senior Executive Service (or other SES-type system); and

“(iii) any appointee to a position, at or above the level of a noncareer member of the Senior Executive Service, that has been excepted from the competitive service by reason of being of a confidential or policymaking character (schedule C and other
positions excepted under comparable criteria) in an executive agency; and

“(B) does not include any individual appointed as a member of the Senior Foreign Service or, except for a general or flag officer of the armed forces, solely as a uniformed service commissioned officer.”.

(2) OTHER REPRESENTATION OF FOREIGN ENTITIES.—Section 207(f)(1) of title 18, United States Code, is amended by inserting after “within 1 year” the following: “(or, in the case of a person who is subject to any of such restrictions and who is a Member of Congress, a senior political appointee (as that term is defined in section 12 of the Foreign Agents Registration Act of 1938, as amended (22 U.S.C. 611 et seq.)), or a general or flag officer of the armed forces, at any time)”.

(b) EFFECTIVE DATE.—The amendments made by subsection (a) shall apply with respect to any individual whose service as a Member of Congress or as a general or flag officer of the armed forces terminates on or after the date of the enactment of this Act.
TITLE IV—NO CODELS DURING SHUTDOWNS

SEC. 401. SHORT TITLE.
This title may be cited as the “No CODELs During Shutdowns Act”.

SEC. 402. PROHIBITION.
(a) PROHIBITION.—An executive agency may not expend any funds for the purpose of supporting official travel undertaken by more than one Member of Congress during any period in which there is a lapse in appropriations for any instrumentality of the Federal Government.

(b) EXCEPTION.—An executive agency may expend funds for the purpose described under subsection (a) if the President, in consultation with the Speaker of the House of Representatives and the Majority leader of the Senate, waives the prohibition under such subsection for such purpose.

(c) EXECUTIVE AGENCY DEFINED.—The term “executive agency” has the meaning given that term in section 133 of title 41, United States Code.