

Union Calendar No. 458

104TH CONGRESS
2^D SESSION

H. R. 2579

[Report No. 104-839, Part I]

A BILL

To establish the National Tourism Board and the National Tourism Organization to promote international travel and tourism to the United States.

SEPTEMBER 25, 1996

Reported from the Committee on Commerce with an amendment

Referral to the Committee on International Relations extended for a period not later than September 25, 1996

The Committee on International Relations discharged; committed to the Committee of the Whole House on the State of the Union and ordered to be printed

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To establish the National Tourism Board and the National Tourism Organization to promote international travel and tourism to the United States.

IN THE HOUSE OF REPRESENTATIVES

NOVEMBER 2, 1995

Mr. ROTH (for himself, Mr. SKELTON, Mr. CLEMENT, Mr. PETRI, Mrs. MORELLA, Mr. FRAZER, Mr. GEJDENSON, Mrs. LINCOLN, Mr. ABERCROMBIE, Mr. OXLEY, Mrs. VUCANOVICH, Mr. ZELIFF, Mr. BOEHLERT, Mr. BURTON of Indiana, Mr. DOOLITTLE, Mr. DIXON, Mr. ROEMER, Mrs. SEASTRAND, Mr. MCCOLLUM, Mr. PICKETT, Mr. OBERSTAR, and Mr. FARR of California) introduced the following bill; which was referred to the Committee on Commerce, and in addition to the Committee on International Relations, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned

SEPTEMBER 25, 1996

Additional sponsors: Mr. HOUGHTON, Ms. DELAURO, Mr. UNDERWOOD, Ms. GREENE of Utah, Mr. BATEMAN, Ms. NORTON, Mr. GEKAS, Mr. BARCIA, Mr. RICHARDSON, Mr. FROST, Mr. FOLEY, Mr. TOWNS, Mr. PETEGEREN of Texas, Mr. RANGEL, Mr. BEREUTER, Mr. CRAMER, Mrs. MEYERS of Kansas, Mr. LUTHER, Mr. CANADY of Florida, Mr. FALEOMAVAEGA, Mr. MANTON, Mr. JOHNSON of South Dakota, Mr. BUNN of Oregon, Mr. KENNEDY of Rhode Island, Mr. DICKEY, Mr. DE LA GARZA, Mr. STUPAK, Ms. FURSE, Mr. LIPINSKI, Mr. JOHNSTON of Florida, Mr. HUTCHINSON, Mr. BREWSTER, Mr. COYNE, Mr. ROMERO-BARCELÓ, Mr. COSTELLO, Mr. BEVILL, Mr. TUCKER, Mr. HILLIARD, Mr. GENE GREEN of Texas, Mr. THOMPSON, Mr. JEFFERSON, Mr. GORDON, Mr. HINCHEY, Mr. BAKER of Louisiana, Mr. REED, Mr. CRAPO, Mr. CALLAHAN, Mr. ACKERMAN, Mr. TEJEDA, Mr. COOLEY of Oregon, Mr. DEUTSCH, Mr. HALL of Texas, Mr. FOX of Pennsylvania, Mr. THORNTON, Mr. LEWIS of Georgia, Ms. DUNN of Washington, Mr. CLINGER, Mr. HOBSON, Mr. RIGGS, Mr. CUNNINGHAM, Mrs. KELLY, Mr. CASTLE,

Mr. ENSIGN, Mr. BONO, Mr. BARTLETT of Maryland, Mr. DORNAN, Mr. YOUNG of Alaska, Mr. TAUZIN, Mr. BISHOP, Mr. ENGLISH of Pennsylvania, Mr. FAZIO of California, Ms. HARMAN, Mr. SCOTT, Mr. SOUDER, Mr. WAMP, Mr. PAYNE of New Jersey, Mr. MILLER of California, Mr. WAXMAN, Mrs. LOWEY, Mr. RAHALL, Mr. FRANK of Massachusetts, Mr. QUILLEN, Mr. EVANS, Mr. ENGEL, Mr. HAYWORTH, Mr. WOLF, Mr. BILBRAY, Mr. CRANE, Mrs. MINK of Hawaii, Mr. HANSEN, Mr. DELLUMS, Mr. FOGLIETTA, Mr. ORTON, Mr. LATOURETTE, Mr. FILNER, Mr. LARGENT, Mr. DURBIN, Ms. ESHOO, Mr. PAYNE of Virginia, Mr. SPRATT, Mr. BORSKI, Mr. HAYES, Mr. FLANAGAN, Mr. MORAN, Mr. WALSH, Mr. GILLMOR, Mr. LAHOOD, Mr. QUINN, Mr. POSHARD, Mr. EMERSON, Mr. SANFORD, Mr. LAFALCE, Mr. LUCAS of Oklahoma, Mr. LANTOS, Mr. PETERSON of Minnesota, Mr. BILIRAKIS, Mr. FATTAH, Mr. FRANKS of Connecticut, Mr. WELLER, Mr. BARRETT of Nebraska, Ms. JACKSON-LEE of Texas, Mr. BROWDER, Mr. BROWN of Ohio, Mr. PARKER, Mr. RAMSTAD, Mrs. JOHNSON of Connecticut, Mr. FRISA, Mr. LEWIS of Kentucky, Ms. WOOLSEY, Mr. LOBIONDO, Ms. PRYCE, Ms. LOFGREN, Mr. OLVER, Mr. DOYLE, Mr. PORTER, Mr. WELDON of Pennsylvania, Mrs. COLLINS of Illinois, Mr. CLYBURN, Mrs. KENNELLY, Mr. CAMPBELL, Mr. LEACH, Mr. WARD, Mr. BACHUS, Mr. WYNN, Mr. COBURN, Mr. METCALF, Mr. MCHALE, Mr. STUDDS, Mr. KINGSTON, Ms. KAPTUR, Mr. HOYER, Ms. PELOSI, Mr. MICA, Mr. JONES, Mr. MEEHAN, Mr. STENHOLM, Mr. BUNNING of Kentucky, Mr. DICKS, Mr. GILCHREST, Mr. KING, Mr. PALLONE, Mr. MCDERMOTT, Mr. TRAFICANT, Mr. HOLDEN, Mr. DEFazio, Mr. HALL of Ohio, Mr. SMITH of New Jersey, Mr. CARDIN, Mr. BRYANT of Tennessee, Mr. TORRES, Mr. MATSUI, Mr. SHAYS, Mr. KILDEE, Mrs. MALONEY, Mr. TAYLOR of North Carolina, Mr. JACKSON of Illinois, Ms. MCKINNEY, Mr. LONGLEY, Mr. SKAGGS, Mr. GUNDERSON, Mr. MONTGOMERY, Mr. HEFLEY, Mr. GIBBONS, Mr. SAWYER, Mr. BURR, Mr. WHITE, Mr. SPENCE, Mr. GRAHAM, Mr. RUSH, Mr. COLLINS of Georgia, Mr. TALENT, Mr. DAVIS, Mr. HAMILTON, Mr. LAUGHLIN, Mr. ZIMMER, Mr. TORKILDSEN, Mr. EHRLICH, Mr. MANZULLO, Mr. LINDER, Mr. EVERETT, Mr. TAYLOR of Mississippi, Mr. VISCLOSKY, Mr. KIM, Ms. ROYBAL-ALLARD, Mr. MCHUGH, Mr. FUNDERBURK, Ms. EDDIE BERNICE JOHNSON of Texas, Mr. NORWOOD, Mr. SCHAEFER, Mr. BLUTE, Mr. TANNER, Mr. GOODLATTE, Mr. SHAW, Mr. LATHAM, Mr. PASTOR, Mr. UPTON, Mr. MINGE, Mr. SCHIFF, Mr. HORN, Mr. BALDACCI, Ms. SLAUGHTER, Mr. POMEROY, Mr. SANDERS, Mrs. MEEK of Florida, Mr. SISISKY, Mr. VOLKMER, Mr. WISE, Mr. MARTINI, Mr. MOLLOHAN, Mr. MCINNIS, Mr. GUTKNECHT, Mr. NEAL of Massachusetts, Mrs. SCHROEDER, Mr. SKEEN, Mr. NADLER, Mr. BLUMENAUER, Mr. CUMMINGS, Mr. CALVERT, Mr. HOKE, Mr. FAWELL, Mr. LAZIO of New York, Mr. CAMP, and Mr. DEAL of Georgia

SEPTEMBER 25, 1996

Reported from the Committee on Commerce with an amendment

[Strike out all after the enacting clause and insert the part printed in *italic*]

SEPTEMBER 25, 1996

Referral to the Committee on International Relations extended for a period not later than September 25, 1996

SEPTEMBER 25, 1996

The Committee on International Relations discharged; committed to the Committee of The Whole House on the State of the Union and ordered to be printed

[For text of introduced bill, see copy of bill as introduced on November 2, 1995]

A BILL

To establish the National Tourism Board and the National Tourism Organization to promote international travel and tourism to the United States.

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 “United States National*
5 *Tourism Organization Act of 1996”.*

6 **SEC. 2. UNITED STATES NATIONAL TOURISM ORGANIZA-**
7 **TION.**

8 (a) *ESTABLISHMENT.*—*There is established with a*
9 *Federal charter the United States National Tourism Orga-*
10 *nization. The Organization shall be a private not-for-profit*
11 *organization. The Organization shall not be considered a*
12 *Federal agency.*

13 (b) *DUTIES.*—*The Organization shall—*

14 (1) *seek to, and work for, an increase in the*
15 *share of the United States in the global tourism mar-*
16 *ket;*

1 (2) *develop and implement a national travel and*
2 *tourism strategy;*

3 (3) *advise the President, the Congress, and the*
4 *domestic travel and tourism industry on the imple-*
5 *mentation of the national travel and tourism strategy*
6 *and on other matters affecting travel and tourism;*

7 (4) *operate travel and tourism promotion pro-*
8 *grams outside the United States in partnership with*
9 *the travel and tourism industry in the United States;*

10 (5) *conduct market research necessary for effec-*
11 *tive promotion of the travel and tourism market; and*

12 (6) *promote United States travel and tourism at*
13 *international trade shows.*

14 (c) *POWERS.—The Organization—*

15 (1) *may sue and be sued, make contracts, ac-*
16 *quire, hold, and dispose of real and personal property*
17 *as may be necessary for its corporate purposes;*

18 (2) *may provide financial assistance to any or-*
19 *ganization or association in furtherance of the pur-*
20 *pose of the corporation;*

21 (3) *may adopt and alter a corporate seal;*

22 (4) *may establish and maintain offices for the*
23 *conduct of the affairs of the Organization; and*

24 (5) *may conduct any and all acts necessary and*
25 *proper to carry out the purposes of this Act.*

1 (d) *FUNDING.*—*The Organization may accept finan-*
2 *cial contributions, and may accept gifts, legacies, and de-*
3 *vices in furtherance of the purposes of this Act. The Organi-*
4 *zation may also accept such contributions on behalf of the*
5 *Board to cover the expenses of the Board.*

6 (e) *POLITICAL ACTIVITIES PROHIBITED.*—*The Organi-*
7 *zation shall not engage in any activities designed in part*
8 *or in whole to promote a political party or the candidacy*
9 *of any person seeking or holding political office.*

10 **SEC. 3. UNITED STATES NATIONAL TOURISM ORGANIZA-**
11 **TION BOARD.**

12 (a) *ESTABLISHMENT.*—*There is established the United*
13 *States National Tourism Organization Board for the pur-*
14 *poses of governing and supervising the activities of the Or-*
15 *ganization.*

16 (b) *MEMBERS.*—*The Board members shall be initially*
17 *appointed or elected as follows:*

18 (1) *The Under Secretary of Commerce for Inter-*
19 *national Trade of the Department of Commerce shall*
20 *serve as a member ex officio;*

21 (2) *5 State Travel Directors elected by the Na-*
22 *tional Council of State Travel Directors;*

23 (3) *5 members elected by the International Asso-*
24 *ciation of Convention and Visitors Bureaus;*

1 (4) 3 members elected by the Air Transport Asso-
2 ciation;

3 (5) 1 member elected by the National Association
4 of Recreational Vehicle Parks and Campgrounds; 1
5 member elected by the Recreation Vehicle Industry As-
6 sociation;

7 (6) 2 members elected by the International Asso-
8 ciation of Amusement Parks and Attractions;

9 (7) 3 members appointed by major companies in
10 the travel payments industry;

11 (8) 5 members elected by the American Hotel
12 and Motel Association;

13 (9) 2 members elected by the American Car
14 Rental Association; 1 member elected by the American
15 Automobile Association; 1 member elected by the
16 American Bus Association; 1 member elected by Am-
17 trak;

18 (10) 1 member elected by the American Society
19 of Travel Agents and 1 member elected by the Associa-
20 tion of Retail Travel Agents;

21 (11) 1 member elected by the National Tour As-
22 sociation; 1 member elected by the United States Tour
23 Operators Association;

24 (12) 1 member elected by the Cruise Lines Inter-
25 national Association, 1 member elected by the Na-

1 *tional Restaurant Association, one member elected by*
2 *the National Park Hospitality Association, 1 member*
3 *elected by the Airports Council International; 1 mem-*
4 *ber elected by the Meeting Professionals International,*
5 *1 member elected by the American Sightseeing Inter-*
6 *national, and 4 members elected by the Travel Indus-*
7 *try Association of America;*

8 *(13) 1 member appointed by the Speaker of the*
9 *House;*

10 *(14) 1 member appointed by the Senate majority*
11 *leader;*

12 *(15) 1 member appointed as a representative of*
13 *the AFL–CIO; and*

14 *(16) 1 member appointed by the National Fed-*
15 *eration of Independent Businesses.*

16 *(c) CHAIR.—*

17 *(1) APPOINTMENT.—The Board shall elect a*
18 *Chair for a term of 2 years. If at any time after such*
19 *initial election there is a subsequent vacancy in the*
20 *office of the Chair, the President of the Organization*
21 *shall appoint an acting Chair until such time as the*
22 *Board reconvenes.*

23 *(2) REMOVAL.—Board members may only be re-*
24 *moved upon petition by the appointing official, with*

1 *such petition requiring a $\frac{2}{3}$ vote of the Board for the*
2 *removal to become effective.*

3 *(d) PRESIDENT.—The Board shall appoint and estab-*
4 *lish the compensation and duties of a President who shall*
5 *assist the Chair in organizing and carrying out the nec-*
6 *essary functions of the Board. The duties of the President*
7 *shall include serving as a member of the Trade Promotion*
8 *Coordinating Committee.*

9 *(e) MEETINGS.—The Board shall meet at the call of*
10 *the Chair, but not less frequently than semiannually. The*
11 *Board must meet within 3 months of appointment of all*
12 *members, but in any case no later than 6 months after en-*
13 *actment of this Act.*

14 *(f) COMPENSATION AND EXPENSES.—The Chair and*
15 *members of the Board shall serve without compensation but*
16 *may be compensated for expenses incurred in carrying out*
17 *the duties of the Board.*

18 *(g) DUTIES.—*

19 *(1) The Board shall adopt such further bylaws*
20 *and delegation of authority for itself and the Organi-*
21 *zation as it deems necessary and proper, which*
22 *shall—*

23 *(A) require at least a three-fifths majority*
24 *vote for amendment;*

1 (B) set forth the process for the number,
2 terms, and appointment or election of future
3 Board members, not inconsistent with the provi-
4 sions of this Act (other than subsection (b) of this
5 section);

6 (C) provide the authority for the hiring and
7 compensation of additional staff; and

8 (D) establish the procedures for calling
9 meetings and providing appropriate notice, in-
10 cluding procedures for closing meetings where
11 confidential information or strategy will be dis-
12 cussed.

13 (2) The Board shall designate a place of business
14 for the receipt of process, subject to the laws of the
15 State or district so designated, where such laws do not
16 conflict with the provisions of this Act.

17 (3) The Board shall present testimony and make
18 available reports on its findings and recommenda-
19 tions to the Congress and to legislatures of the States
20 on at least a biannual basis.

21 (4) Within one year of the date of its first meet-
22 ing, the Board shall report to the Senate Committee
23 on Commerce, Science, and Transportation and the
24 House Committee on Commerce on a plan for long-
25 term financing for the Organization, with a focus on

1 *contributions from the private sector and State and*
2 *local entities, and, if necessary, make recommenda-*
3 *tions to the Congress and the President for further*
4 *legislation.*

5 *(5) The Board may suspend or terminate the ex-*
6 *istence of the Organization if sufficient private sector*
7 *and local and State government funds are not identi-*
8 *fied or made available to continue the Organization's*
9 *operations.*

10 *(6) The Board shall appoint and set the terms*
11 *for liaisons to the Tourism Policy Council established*
12 *under section 302.*

13 **SEC. 4. UNITED STATES GOVERNMENT COOPERATION.**

14 *(a) The Secretary of State, Director of the United*
15 *States Information Agency, Secretary of Commerce, the*
16 *United States Trade Representative, and the Trade and De-*
17 *velopment Agency shall—*

18 *(1) give priority consideration to recommenda-*
19 *tions of the Organization; and*

20 *(2) cooperate with the Organization in carrying*
21 *out its duties.*

22 *(b) The Under Secretary for International Trade, the*
23 *Assistant Secretary for Trade Development, the United*
24 *States and Foreign Commercial Service, the Director of the*
25 *United States Information Agency, the United States Trade*

1 *Representative, and the Trade and Development Agency*
2 *shall report within 2 years of enactment of this Act, and*
3 *every 2 years thereafter to the Senate Committee on Com-*
4 *merce, Science, and Transportation and the House Com-*
5 *mittee on Commerce on any travel and tourism activities*
6 *carried out with the participation of the United States Fed-*
7 *eral Government.*

8 **SEC. 5. TRADE PROMOTION COORDINATING COMMITTEE.**

9 *Section 2312 of the Export Enhancement Act of 1988*
10 *(15 U.S.C. 4727) is amended—*

11 *(1) in subsection (c) by adding at the end there-*
12 *of:*

13 *“(6) give priority consideration to the rec-*
14 *ommendations of the United States National Tourism*
15 *Organization.”; and*

16 *(2) in paragraph (d)(1) by striking “and” in*
17 *“(L)”, by redesignating “(M)” as “(N)”, and by in-*
18 *serting the following:*

19 *“(M) the President of the United States Na-*
20 *tional Tourism Organization; and”.*

21 **SEC. 6. REPEAL OF UNITED STATES TRAVEL AND TOURISM**
22 **ADMINISTRATION AND RELATED PROVI-**
23 **SIONS.**

24 *Sections 202, 203, 204, 205, 206, 301, 303, 304, 305,*
25 *306, and 307 of the International Travel Act of 1961 (22*

1 *U.S.C 2123, 2123a–2123d, 2124, 2124b, 2124c, and 2125–*
2 *2129) are repealed.*

3 **SEC. 7. POWERS AND DUTIES OF SECRETARY OF COM-**
4 **MERCE.**

5 *Section 201 of the International Travel Act of 1961*
6 *(22 U.S.C. 2122) is amended to read as follows:*

7 *“SEC. 201. In order to carry out the national tourism*
8 *policy established in section 101(b) and by the United*
9 *States National Tourism Organization Act of 1996, the Sec-*
10 *retary of Commerce (hereafter in this Act referred to as the*
11 *‘Secretary’) shall develop and implement a comprehensive*
12 *plan to perform critical tourism promotion functions*
13 *which, in the determination of the Secretary, are not being*
14 *carried out by the United States National Tourism Organi-*
15 *zation or other private sector entities or State governments.*
16 *Such plan may include programs to—*

17 *“(1) collect and publish comprehensive inter-*
18 *national travel and tourism statistics and other mar-*
19 *keting information;*

20 *“(2) design, implement, and publish inter-*
21 *national travel and tourism forecasting models;*

22 *“(3) facilitate the reduction or elimination of*
23 *barriers to international travel and tourism; and*

1 “(4) work with the United States National Tour-
2 ism Organization, the Tourism Policy Council, State
3 tourism agencies, and Federal agencies in—

4 “(A) coordinating the Federal implementa-
5 tion of a national travel and tourism policy;

6 “(B) representing the United States’ inter-
7 national travel and tourism interests to foreign
8 governments; and

9 “(C) maintaining United States participa-
10 tion in international travel and tourism trade
11 shows and fairs until such activities can be
12 transferred to such Organization and other pri-
13 vate sector entities.”.

14 **SEC. 8. TOURISM POLICY COUNCIL.**

15 Section 302 of the International Travel Act of 1961
16 (22 U.S.C. 2124a) is repealed and the following is inserted:

17 “SEC. 301. (a) In order to ensure that the United
18 States’ national interest in tourism is fully considered in
19 Federal decision making, there is established a coordinating
20 council to be known as the Tourism Policy Council (here-
21 after in this Act referred to as the ‘Council’).

22 “(b) The Council shall consist of the following individ-
23 uals:

24 “(1) The Secretary of Commerce, who shall serve
25 as the Chairman of the Council.

1 “(2) *The Under Secretary of Commerce for Inter-*
2 *national Trade.*

3 “(3) *The Director of the Office of Management*
4 *and Budget.*

5 “(4) *The Secretary of State.*

6 “(5) *The Secretary of Interior.*

7 “(6) *The Secretary of Labor.*

8 “(7) *The Secretary of Transportation.*

9 “(8) *The Commissioner of the United States Cus-*
10 *toms Service.*

11 “(9) *The Commissioner of the Immigration and*
12 *Naturalization Service.*

13 “(10) *Representatives of other Federal agencies*
14 *which have affected interests at each meeting as*
15 *deemed appropriate and invited by the Chairman.*

16 “(c) *The Chairman is encouraged to consult with, and,*
17 *to the extent the Chairman determines is appropriate, in-*
18 *vite the direct participation in Council meetings of, the li-*
19 *aisons to the Council appointed under section 3(g) of the*
20 *United States National Tourism Organization Act of 1996.*

21 “(d) *Members of the Council shall serve without addi-*
22 *tional compensation.*

23 “(e) *The Council shall conduct its first meeting not*
24 *later than 90 days after the date of the enactment of the*
25 *United States National Tourism Organization Act of 1996.*

1 *Thereafter the Council shall meet not less than 2 times each*
2 *year.*

3 “(f)(1) *The Council shall coordinate national policies*
4 *and programs relating to international travel and tourism,*
5 *recreation, and national heritage resources, which involve*
6 *Federal agencies;*

7 “(2) *The Council may request directly from any Fed-*
8 *eral department or agency such personnel, information,*
9 *services, or facilities as deemed necessary by the Chairman*
10 *and to the extent permitted by law and within the limits*
11 *of available funds.*

12 “(3) *Federal departments and agencies may, in their*
13 *discretion, detail to temporary duty with the Council such*
14 *personnel as the Chairman may request for carrying out*
15 *the functions of the Council. Each such detail of personnel*
16 *shall be without loss of seniority, pay, or other employee*
17 *status.*

18 “(g) *Where necessary to prevent the public disclosure*
19 *of non-public information which may be presented by a*
20 *Council member, the Council may hold, at the discretion*
21 *of the Chairman, a closed meeting which may exclude any*
22 *individual who is not an officer or employee of the United*
23 *States.*

24 “(h) *The Council shall submit an annual report for*
25 *the preceding fiscal year to the President for transmittal*

1 *to the Congress on or before December 31 of each year. The*
2 *report shall include—*

3 “(1) *a comprehensive and detailed report of the*
4 *activities and accomplishments of the Council;*

5 “(2) *the results of Council efforts to coordinate*
6 *the policies and programs of member’s agencies that*
7 *have a significant effect on international travel and*
8 *tourism, recreation, and national heritage resources,*
9 *including progress towards resolving interagency con-*
10 *flicts and development of cooperative program activ-*
11 *ity;*

12 “(3) *an analysis of problems referred to the*
13 *Council by State and local governments, the tourism*
14 *industry, the United States National Tourism Orga-*
15 *nization, the Secretary of Commerce, along with a de-*
16 *tailed summary of any action taken or anticipated to*
17 *resolve such problems; and*

18 “(4) *any recommendation as deemed appropriate*
19 *by the Council.”.*

20 **SEC. 9. DEFINITIONS.**

21 *For purposes of this Act—*

22 (1) *the term “Organization” means the United*
23 *States National Tourism Organization established*
24 *under section 2; and*

1 (2) *the term “Board” means the United States*
2 *National Tourism Organization Board established*
3 *under section 3.*