

tive service and may be paid without regard to the provisions of chapters 51 and 53 of this title relating to classification and General Schedule pay rates.

**(2) Services**

The Secretary of Commerce may accept the voluntary and uncompensated services of the Foundation, the Board, and the officers and employees of the Foundation in the performance of the functions authorized under this section, without regard to section 1342 of title 31 or the civil service classification laws, rules, or regulations.

**(3) Construction**

Neither an officer or employee hired under paragraph (1) nor an individual who provides services under paragraph (2) shall be considered a Federal employee for any purpose other than for purposes of chapter 81 of title 5, relating to compensation for work injuries, and chapter 171 of title 28, relating to tort claims.

**(j) Exemption from taxes; contributions**

The Foundation and any income or property received or owned by it, and all transactions relating to such income or property, shall be exempt from all Federal, State, and local taxation with respect thereto. The Foundation may, however, in the discretion of the Board, contribute toward the costs of local government in amounts not in excess of those which it would be obligated to pay such government if it were not exempt from taxation by virtue of this subsection or by virtue of its being a charitable and nonprofit corporation and may agree so to contribute with respect to property transferred to it and the income derived therefrom if such agreement is a condition of the transfer. Contributions, gifts, and other transfers made to or for the use of the Foundation shall be regarded as contributions, gifts, or transfers to or for the use of the United States.

**(k) Liability of United States**

The United States shall not be liable for any debts, defaults, acts, or omissions of the Foundation.

**(l) Annual report**

The Foundation shall, as soon as practicable after the end of each fiscal year, transmit to the Committee on Commerce, Science, and Transportation of the Senate and the Committee on Energy and Commerce of the House of Representatives an annual report of its proceedings and activities, including a full and complete statement of its receipts, expenditures, and investments.

**(m) Definitions**

As used in this section—

(1) the term “Indian reservation” has the meaning given the term “reservation” in section 1452(d) of title 25;

(2) the term “Indian tribe” has the meaning given that term in section 450b(e) of title 25;

(3) the term “local government” has the meaning given that term in section 3371(2) of title 5; and

(4) the term “rural tourism” has the meaning given that term by the Secretary of Com-

merce and shall include activities related to travel and tourism that occur on Federal recreational sites, on Indian reservations, and in the territories, possessions, and commonwealths of the United States.

(Pub. L. 102-372, § 4, Sept. 30, 1992, 106 Stat. 1171; Pub. L. 104-288, § 9(b), Oct. 11, 1996, 110 Stat. 3407.)

CODIFICATION

Section is comprised of section 4 of Pub. L. 102-372. Subsec. (n) of section 4 of Pub. L. 102-372 amended section 2123(a) of this title.

Section was enacted as part of the Tourism Policy and Export Promotion Act of 1992, and not as part of the International Travel Act of 1961 which comprises this chapter.

AMENDMENTS

1996—Subsec. (c)(1)(B)(i), (2). Pub. L. 104-288 substituted “Secretary of Commerce” for “Under Secretary of Commerce for Travel and Tourism”.

CHANGE OF NAME

Committee on Energy and Commerce of House of Representatives treated as referring to Committee on Commerce of House of Representatives by section 1(a) of Pub. L. 104-14, set out as a note preceding section 21 of Title 2. The Congress. Committee on Commerce of House of Representatives changed to Committee on Energy and Commerce of House of Representatives, and jurisdiction over matters relating to securities and exchanges and insurance generally transferred to Committee on Financial Services of House of Representatives by House Resolution No. 5, One Hundred Seventh Congress, Jan. 3, 2001.

**§ 2125. Transferred**

CODIFICATION

Section, Pub. L. 87-63, title II, § 203, formerly § 5, June 29, 1961, 75 Stat. 130, which related to annual reports to the President and Congress, was renumbered by Pub. L. 97-63, § 3(e), Oct. 16, 1981, 95 Stat. 1013, transferred to section 2123a of this title, and subsequently repealed by Pub. L. 102-372, § 8(a), Sept. 30, 1992, 106 Stat. 1177.

**§§ 2126 to 2129. Repealed. Pub. L. 104-288, § 9(a), Oct. 11, 1996, 110 Stat. 3407**

Section 2126, Pub. L. 87-63, title III, § 304, formerly § 6, June 29, 1961, 75 Stat. 130; Pub. L. 91-477, § 4, Oct. 21, 1970, 84 Stat. 1072; Pub. L. 93-193, § 1(a), Dec. 19, 1973, 87 Stat. 765; Pub. L. 94-55, § 1, July 9, 1975, 89 Stat. 262; Pub. L. 96-85, § 1, Oct. 10, 1979, 93 Stat. 655; renumbered and amended Pub. L. 97-63, § 5(a), Oct. 16, 1981, 95 Stat. 1018; Pub. L. 102-372, § 17, Sept. 30, 1992, 106 Stat. 1181, authorized appropriations to carry out this chapter.

Section 2127, Pub. L. 87-63, title III, § 305, formerly § 7, as added Pub. L. 91-477, § 5, Oct. 21, 1970, 84 Stat. 1072, and renumbered Pub. L. 97-63, § 5(b), Oct. 16, 1981, 95 Stat. 1018, defined terms used in this chapter.

Section 2128, Pub. L. 87-63, title III, § 306, as added Pub. L. 101-508, title X, § 10301(a), Nov. 5, 1990, 104 Stat. 1388-395, provided for United States Travel and Tourism Administration Facilitation fee to be collected from each airline and cruise ship line transporting passengers to United States.

A prior section 2128, Pub. L. 87-63, § 9, as added Pub. L. 96-85, § 2, Oct. 10, 1979, 93 Stat. 655, related to reduction in number of employees of United States Travel Service in District of Columbia offices, prior to repeal by Pub. L. 97-63, § 5(b), Oct. 16, 1981, 95 Stat. 1018, effective Oct. 1, 1981.

Section 2129, Pub. L. 87-63, title III, § 307, as added Pub. L. 101-508, title X, § 10301(b), Nov. 5, 1990, 104 Stat. 1388-396, provided for civil penalties for nonpayment of Travel and Tourism Administration Facilitation fee.

SUBCHAPTER IV—CORPORATION FOR  
TRAVEL PROMOTION

**§ 2131. Travel Promotion Act of 2009**

**(a) Short title**

This section may be cited as the “Travel Promotion Act of 2009”.

**(b) The Corporation for Travel Promotion**

**(1) Establishment**

The Corporation for Travel Promotion is established as a nonprofit corporation. The Corporation shall not be an agency or establishment of the United States Government. The Corporation shall be subject to the provisions of the District of Columbia Nonprofit Corporation Act (D.C. Code, section 29–1001 et seq.), to the extent that such provisions are consistent with this subsection, and shall have the powers conferred upon a nonprofit corporation by that Act to carry out its purposes and activities.

**(2) Board of directors**

**(A) In general**

The Corporation shall have a board of directors of 11 members with knowledge of international travel promotion and marketing, broadly representing various regions of the United States, who are United States citizens. Members of the board shall be appointed by the Secretary of Commerce (after consultation with the Secretary of Homeland Security and the Secretary of State), as follows:

- (i) 1 shall have appropriate expertise and experience in the hotel accommodations sector;
- (ii) 1 shall have appropriate expertise and experience in the restaurant sector;
- (iii) 1 shall have appropriate expertise and experience in the small business or retail sector or in associations representing that sector;
- (iv) 1 shall have appropriate expertise and experience in the travel distribution services sector;
- (v) 1 shall have appropriate expertise and experience in the attractions or recreations sector;
- (vi) 1 shall have appropriate expertise and experience as officials of a city convention and visitors’ bureau;
- (vii) 2 shall have appropriate expertise and experience as officials of a State tourism office;
- (viii) 1 shall have appropriate expertise and experience in the passenger air sector;
- (ix) 1 shall have appropriate expertise and experience in immigration law and policy, including visa requirements and United States entry procedures; and
- (x) 1 shall have appropriate expertise in the intercity passenger railroad business.

**(B) Incorporation**

The members of the initial board of directors shall serve as incorporators and shall take whatever actions are necessary to establish the Corporation under the District of Columbia Nonprofit Corporation Act (D.C. Code, section 29–301.01 et seq.).

**(C) Term of office**

The term of office of each member of the board appointed by the Secretary shall be 3 years, except that, of the members first appointed—

- (i) 3 shall be appointed for terms of 1 year;
- (ii) 4 shall be appointed for terms of 2 years; and
- (iii) 4 shall be appointed for terms of 3 years.

**(D) Removal for cause**

The Secretary of Commerce may remove any member of the board for good cause.

**(E) Vacancies**

Any vacancy in the board shall not affect its power, but shall be filled in the manner required by this subsection. Any member whose term has expired may serve until the member’s successor has taken office, or until the end of the calendar year in which the member’s term has expired, whichever is earlier. Any member appointed to fill a vacancy occurring prior to the expiration of the term for which that member’s predecessor was appointed shall be appointed for the remainder of the predecessor’s term. No member of the board shall be eligible to serve more than 2 consecutive full 3-year terms.

**(F) Election of Chairman and Vice Chairman**

Members of the board shall annually elect one of the members to be Chairman and elect 1 or 2 of the members as Vice Chairman or Vice Chairmen.

**(G) Status as Federal employees**

Notwithstanding any provision of law to the contrary, no member of the board may be considered to be a Federal employee of the United States by virtue of his or her service as a member of the board.

**(H) Compensation; expenses**

No member shall receive any compensation from the Federal government for serving on the Board. Each member of the Board shall be paid actual travel expenses and per diem in lieu of subsistence expenses when away from his or her usual place of residence, in accordance with section 5703 of title 5.

**(3) Officers and employees**

**(A) In general**

The Corporation shall have an executive director and such other officers as may be named and appointed by the board for terms and at rates of compensation fixed by the board. No individual other than a citizen of the United States may be an officer of the Corporation. The Corporation may hire and fix the compensation of such employees as may be necessary to carry out its purposes. No officer or employee of the Corporation may receive any salary or other compensation (except for compensation for services on boards of directors of other organizations that do not receive funds from the Corpora-