

Foreign Relations, the House of Representatives Committee on Energy and Commerce, the House of Representatives Committee on Homeland Security, and the House of Representatives Committee on Foreign Affairs describing the Office's work with the Corporation, the Secretary of State and the Secretary of Homeland Security to carry out subsection (c)(2).

(Pub. L. 87-63, title II, §202, as added Pub. L. 111-145, §9(g), Mar. 4, 2010, 124 Stat. 63.)

#### REFERENCES IN TEXT

Subsection (b) of section 11 of the Travel Promotion Act of 2009, referred to in subsec. (c)(1), probably should be a reference to subsection (b) of the Travel Promotion Act of 2009, which is classified to section 2131(b) of this title.

#### PRIOR PROVISIONS

A prior section 2123, Pub. L. 87-63, title II, §202, formerly §3, June 29, 1961, 75 Stat. 130; Pub. L. 91-477, §§1, 2, Oct. 21, 1970, 84 Stat. 1071, 1072; renumbered and amended Pub. L. 97-63, §3(c), (d), (e)(1), Oct. 16, 1981, 95 Stat. 1012, 1013; Pub. L. 102-372, §§4(n), 6(b), (c), 7, 8(b), Sept. 30, 1992, 106 Stat. 1174, 1176, 1178, enumerated duties of Secretary of Commerce in carrying out national tourism policy, prior to repeal by Pub. L. 104-288, §9(a), Oct. 11, 1996, 110 Stat. 3407.

### § 2123a. Research program

#### (a) In general

The Office of Travel and Tourism Industries shall expand and continue its research and development activities in connection with the promotion of international travel to the United States, including—

- (1) expanding access to the official Mexican travel surveys data to provide the States with traveler characteristics and visitation estimates for targeted marketing programs;
- (2) expanding the number of inbound air travelers sampled by the Commerce Department's Survey of International Travelers to reach a 1 percent sample size and revising the design and format of questionnaires to accommodate a new survey instrument, improve response rates to at least double the number of States and cities with reliable international visitor estimates and improve market coverage;
- (3) developing estimates of international travel exports (expenditures) on a State-by-State basis to enable each State to compare its comparative position to national totals and other States;
- (4) evaluate the success of the Corporation in achieving its objectives and carrying out the purposes of section 2131 of this title; and
- (5) research to support the annual reports required by section 2123(d) of this title.

#### (b) Authorization of appropriations

There are authorized to be appropriated to the Secretary of Commerce for fiscal years 2010 through 2014 such sums as may be necessary to carry out this section.

(Pub. L. 87-63, title II, §203, as added Pub. L. 111-145, §9(h), Mar. 4, 2010, 124 Stat. 64.)

#### PRIOR PROVISIONS

A prior section 2123a, Pub. L. 87-63, title II, §203, as added Pub. L. 102-372, §8(a), Sept. 30, 1992, 106 Stat. 1177,

provided for program of financial assistance to cooperative tourism marketing programs, prior to repeal by Pub. L. 104-288, §9(a), Oct. 11, 1996, 110 Stat. 3407.

Another prior section 2123a, Pub. L. 87-63, title II, §203, formerly §5, June 29, 1961, 75 Stat. 130; renumbered title II, §203, and amended Pub. L. 97-63, §3(e), Oct. 16, 1981, 95 Stat. 1013, directed Secretary to submit annual reports to President and Congress on activities under this chapter, prior to repeal by Pub. L. 102-372, §8(a), Sept. 30, 1992, 106 Stat. 1177. Section was formerly classified to section 2125 of this title prior to its renumbering by Pub. L. 97-63.

### §§ 2123b to 2123d. Repealed. Pub. L. 104-288, §9(a), Oct. 11, 1996, 110 Stat. 3407

Section 2123b, Pub. L. 87-63, title II, §204, as added Pub. L. 102-372, §9, Sept. 30, 1992, 106 Stat. 1178, provided for program to identify and eliminate tourism trade barriers.

A prior section 2123b, Pub. L. 87-63, title II, §204, as added Pub. L. 97-63, §3(f), Oct. 16, 1981, 95 Stat. 1013, related to a regional tourism promotional and marketing program, prior to repeal by Pub. L. 102-372, §8(a), Sept. 30, 1992, 106 Stat. 1177.

Section 2123c, Pub. L. 87-63, title II, §205, as added Pub. L. 102-372, §10, Sept. 30, 1992, 106 Stat. 1178, directed Secretary of Commerce to take appropriate steps to prevent unnecessary delays when foreign tourists enter United States.

Section 2123d, Pub. L. 87-63, title II, §206, as added Pub. L. 102-372, §11, Sept. 30, 1992, 106 Stat. 1179, provided for measurement and evaluation of performance of United States Travel and Tourism Administration.

## SUBCHAPTER III—ADMINISTRATION

### § 2124. Tourism Policy Council

#### (a) Establishment

In order to ensure that the United States' national interest in tourism is fully considered in Federal decision making, there is established a coordinating council to be known as the Tourism Policy Council (hereafter in this chapter referred to as the "Council").

#### (b) Membership

The Council shall consist of the following individuals:

- (1) The Secretary of Commerce, who shall serve as the Chairman of the Council.
- (2) The Under Secretary of Commerce for International Trade.
- (3) The Director of the Office of Management and Budget.
- (4) The Secretary of State.
- (5) The Secretary of the Interior.
- (6) The Secretary of Labor.
- (7) The Secretary of Transportation.
- (8) The Commissioner of the United States Customs Service.

(9) The President of the United States National Tourism Organization.

(10) The Commissioner of the Immigration and Naturalization Service.

(11) Representatives of other Federal agencies which have affected interests at each meeting as deemed appropriate and invited by the Chairman.

#### (c) No additional compensation for Council members

Members of the Council shall serve without additional compensation.

#### (d) Council meetings

The Council shall conduct its first meeting not later than 6 months after October 11, 1996.

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

**(e) Involvement of Federal agencies and departments**

(1) The Council shall coordinate national policies and programs relating to international travel and tourism, recreation, and national heritage resources, which involve Federal agencies;

(2) The Council may request directly from any Federal department or agency such personnel, information, services, or facilities as deemed necessary by the Chairman and to the extent permitted by law and within the limits of available funds.

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

**(f) Closed meetings**

Where necessary to prevent the public disclosure of non-public information which may be presented by a Council member, the Council may hold, at the discretion of the Chairman, a closed meeting which may exclude any individual who is not an officer or employee of the United States.

**(g) Annual report**

The Council shall submit an annual report for the preceding fiscal year to the President for transmittal to the Congress on or before December 31 of each year. The report shall include—

(1) a comprehensive and detailed report of the activities and accomplishments of the Council;

(2) the results of Council efforts to coordinate the policies and programs of member's agencies that have a significant effect on international travel and tourism, recreation, and national heritage resources, including progress toward resolving interagency conflicts and development of cooperative program activity;

(3) an analysis of problems referred to the Council by State and local governments, the tourism industry, the United States National Tourism Organization, the Secretary of Commerce, along with a detailed summary of any action taken or anticipated to resolve such problems; and

(4) any recommendation as deemed appropriate by the Council.

**(h) Applicability of Federal Advisory Committee Act**

The membership of the President of the United States National Tourism Organization on the Council shall not in itself make the Federal Advisory Committee Act applicable to the Council.

(Pub. L. 87-63, title III, §301, as added Pub. L. 104-288, §11, Oct. 11, 1996, 110 Stat. 3408.)

REFERENCES IN TEXT

The Federal Advisory Committee Act, referred to in subsec. (h), is Pub. L. 92-463, Oct. 6, 1972, 86 Stat. 770, as

amended, which is set out in the Appendix to Title 5, Government Organization and Employees.

PRIOR PROVISIONS

A prior section 2124, Pub. L. 87-63, title III, §301, formerly §4, June 29, 1961, 75 Stat. 130; Pub. L. 88-426, title III, §305(29), Aug. 14, 1964, 78 Stat. 426; Pub. L. 91-477, §3(a), Oct. 21, 1970, 84 Stat. 1072; renumbered and amended Pub. L. 97-63, §4(a)(1)-(3), (b), (c)(2), Oct. 16, 1981, 95 Stat. 1014, 1015; Pub. L. 102-372, §§12-14, Sept. 30, 1992, 106 Stat. 1180, related to establishment of United States Travel and Tourism Administration, prior to repeal by Pub. L. 104-288, §9(a), Oct. 11, 1996, 110 Stat. 3407.

TRANSFER OF FUNCTIONS

For transfer of functions, personnel, assets, and liabilities of the United States Customs Service of the Department of the Treasury, including functions of the Secretary of the Treasury relating thereto, to the Secretary of Homeland Security, and for treatment of related references, see sections 203(1), 551(d), 552(d), and 557 of Title 6, Domestic Security, and the Department of Homeland Security Reorganization Plan of November 25, 2002, as modified, set out as a note under section 542 of Title 6.

ABOLITION OF IMMIGRATION AND NATURALIZATION SERVICE AND TRANSFER OF FUNCTIONS

For abolition of Immigration and Naturalization Service, transfer of functions, and treatment of related references, see note set out under section 1551 of Title 8, Aliens and Nationality.

**§§ 2124a, 2124b. Repealed. Pub. L. 104-288, §§ 9(a), 11, Oct. 11, 1996, 110 Stat. 3407, 3408**

Section 2124a, Pub. L. 87-63, title III, §302, as added Pub. L. 97-63, §4(c)(2), Oct. 16, 1981, 95 Stat. 1015; amended Pub. L. 102-372, §15, Sept. 30, 1992, 106 Stat. 1181, provided for establishment of Tourism Policy Council. See section 2124 of this title.

Section 2124b, Pub. L. 87-63, title III, §303, as added Pub. L. 97-63, §4(c)(2), Oct. 16, 1981, 95 Stat. 1017; amended Pub. L. 102-372, §16, Sept. 30, 1992, 106 Stat. 1181, provided for establishment of Travel and Tourism Advisory Board.

**§ 2124c. Rural Tourism Development Foundation**

**(a) Establishment of Foundation**

In order to assist in the development and promotion of rural tourism, there is established a charitable and nonprofit corporation to be known as the Rural Tourism Development Foundation (hereafter in this section referred to as the "Foundation").

**(b) Functions**

The functions of the Foundation shall be the planning, development, and implementation of projects and programs which have the potential to increase travel and tourism export revenues by attracting foreign visitors to rural America. Initially, such projects and programs shall include—

(1) participation in the development and distribution of educational and promotional materials pertaining to both private and public attractions located in rural areas of the United States, including Federal parks and recreational lands, which can be used by foreign visitors;

(2) development of educational resources to assist in private and public rural tourism development; and