

related to the promotion of travel to and within the United States.

### (3) Duties

The Director shall be responsible for ensuring the office is carrying out its functions effectively and shall report to the Secretary.

### (c) Functions

The Office shall—

(1) serve as liaison to the Corporation for Travel Promotion established by subsection (b) of section 11 of the Travel Promotion Act of 2009<sup>1</sup> and support and encourage the development of programs to increase the number of international visitors to the United States for business, leisure, educational, medical, exchange, and other purposes;

(2) work with the Corporation, the Secretary of State and the Secretary of Homeland Security—

(A) to disseminate information more effectively to potential international visitors about documentation and procedures required for admission to the United States as a visitor;

(B) to ensure that arriving international visitors are generally welcomed with accurate information and in an inviting manner;

(C) to collect accurate data on the total number of international visitors that visit each State; and

(D) enhance the entry and departure experience for international visitors through the use of advertising, signage, and customer service; and

(3) support State, regional, and private sector initiatives to promote travel to and within the United States.

### (d) Reports to Congress

Within a year after March 4, 2010, and periodically thereafter as appropriate, the Secretary shall transmit a report to the Senate Committee on Commerce, Science, and Transportation, the Senate Committee on Homeland Security and Governmental Affairs, the Senate Committee on 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(i), formerly §9(g), Mar. 4, 2010, 124 Stat. 63; renumbered 9(i), Pub. L. 113-235, div. B, title VI, §606(1), Dec. 16, 2014, 128 Stat. 2219.)

#### 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(j), formerly §9(h), Mar. 4, 2010, 124 Stat. 64; renumbered 9(j), Pub. L. 113-235, div. B, title VI, §606(1), Dec. 16, 2014, 128 Stat. 2219.)

#### 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, re-

<sup>1</sup> See References in Text note below.

lated 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