

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.)

Editorial Notes

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.

Statutory Notes and Related Subsidiaries**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(l), 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. For establishment of U.S. Customs and Border Protection in the Department of Homeland Security, treated as if included in Pub. L. 107-296 as of Nov. 25, 2002, see section 211 of Title 6, as amended generally by Pub. L. 114-125, and section 802(b) of Pub. L. 114-125, set out as a note under section 211 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
- (3) participation in Federal agency outreach efforts to make such resources available to private enterprises, State and local governments, and other persons and entities interested in rural tourism development.

(c) Board of Directors**(1) Composition**

(A) The Foundation shall have a Board of Directors (hereafter in this section referred to as the "Board") that—

(i) during its first two years shall consist of nine voting members; and

(ii) thereafter shall consist of those nine members plus up to six additional voting members as determined in accordance with the bylaws of the Foundation.

(B)(i) The Secretary of Commerce shall, within six months after September 30, 1992, appoint the initial nine voting members of the Board and thereafter shall appoint the successors of each of three such members, as provided by such bylaws.

(ii) The voting members of the Board, other than those referred to in clause (i), shall be appointed in accordance with procedures established by such bylaws.

(C) The voting members of the Board shall be individuals who are not Federal officers or employees and who have demonstrated an interest in rural tourism development. Of such voting members, at least a majority shall have experience and expertise in tourism trade promotion, at least one shall have experience and expertise in resource conservation, at least one shall have experience and expertise in financial administration in a fiduciary capacity, at least one shall be a representative of an Indian tribe who has experience and expertise in rural tourism on an Indian reservation, at least one shall represent a regional or national organization or association with a major interest in rural tourism development or promotion, and at least one shall be a representative of a State who is responsible for tourism promotion.

(D) Voting members of the Board shall each serve a term of six years, except that—

(i) initial terms shall be staggered to assure continuity of administration;

(ii) if a person is appointed to fill a vacancy occurring prior to the expiration of the term of the person's predecessor, that person shall serve only for the remainder of the predecessor's term; and

(iii) any such appointment to fill a vacancy shall be made within sixty days after the vacancy occurs.

(2) Ex-officio members

The Secretary of Commerce and representatives of Federal agencies with responsibility for Federal recreational sites in rural areas (including the National Park Service, Bureau of Land Management, Forest Service, Corps of Engineers, Bureau of Indian Affairs, Tennessee Valley Authority, and such other Federal agencies as the Board determines appropriate) shall be nonvoting ex-officio members of the Board.

(3) Chair

The Chairman and Vice Chairman of the Board shall be elected by the voting members of the Board for terms of two years.

(4) Meetings

The Board shall meet at the call of the Chairman and there shall be at least two