

(d) The Task Force, through the Secretary of Commerce, shall also coordinate with the Corporation for Travel Promotion (currently doing business as Brand USA, a nonprofit corporation established by the Travel Promotion Act of 2009 to promote travel to the United States) and the Tourism Policy Council, established by the United States National Tourism Organization Act of 1996. The Secretary of Commerce shall serve as the liaison between the Task Force and the United States Travel and Tourism Advisory Board (Board) chartered by the Secretary and shall consider the Board's advice in his or her role with the Task Force.

(e) The Tourism Policy Council coordinates policies concerning travel promotion and ensures consistency and cooperation among agencies, as set forth in the United States National Tourism Organization Act of 1996. The Task Force shall consult with the Tourism Policy Council where appropriate to facilitate the development of the National Travel and Tourism Strategy.

SEC. 4. *General Provisions.* (a) This order shall be implemented consistent with applicable law, and subject to the availability of appropriations.

(b) Nothing in this order shall be construed to impair or otherwise affect:

(i) the authority granted by law to an executive department, agency, or the head thereof; or

(ii) the functions of the Director of the Office of Management and Budget relating to budgetary, administrative, or legislative proposals.

(c) This order is not intended to, and does not, create any right or benefit, substantive or procedural, enforceable at law or in equity by any party against the United States, its departments, agencies, or entities[,] its officers, employees, or agents, or any other person.

SUBCHAPTER II—DUTIES

§ 2122. Powers and duties of Secretary of Commerce

In order to carry out the national tourism policy established in section 2121(b) of this title and by the United States National Tourism Organization Act of 1996, the Secretary of Commerce (hereafter in this chapter referred to as the "Secretary") shall develop and implement a comprehensive plan to perform critical tourism functions which, in the determination of the Secretary, are not being carried out by the United States National Tourism Organization or other private sector entities or State governments. Such plan may include programs to—

(1) collect and publish comprehensive international travel and tourism statistics and other marketing information;

(2) design, implement, and publish international travel and tourism forecasting models;

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

(4) work with the United States National Tourism Organization, the Tourism Policy Council, State tourism agencies, and Federal agencies in—

(A) coordinating the Federal implementation of a national travel and tourism policy;

(B) representing the United States' international travel and tourism interests to foreign governments; and

(C) maintaining United States participation in international travel and tourism trade shows and fairs until such activities can be transferred to such Organization and other private sector entities.

(Pub. L. 87-63, title II, §201, formerly §2, June 29, 1961, 75 Stat. 129; Pub. L. 93-623, §6, Jan. 3, 1975, 88 Stat. 2105; renumbered and amended Pub. L. 97-63, §3(b), (e)(1), Oct. 16, 1981, 95 Stat. 1012, 1013; Pub. L. 102-372, §6(a), Sept. 30, 1992, 106 Stat. 1175; Pub. L. 104-288, §10, Oct. 11, 1996, 110 Stat. 3407.)

Editorial Notes

REFERENCES IN TEXT

The United States National Tourism Organization Act of 1996, referred to in text, is Pub. L. 104-288, Oct. 11, 1996, 110 Stat. 3407, as amended. For complete classification of this Act to the Code, see Short Title of 1996 Amendment note set out under section 2121 of this title and Tables.

AMENDMENTS

1996—Pub. L. 104-288 amended section generally to narrow tourism-related duties of Secretary of Commerce, in view of creation of United States National Tourism Organization, with Secretary to focus on critical promotion functions which, in determination of Secretary, are not being carried out by new Organization or other private sector or State entities.

1992—Par. (2). Pub. L. 102-372, §6(3), added par. (2). Former par. (2) redesignated (3).

Par. (3). Pub. L. 102-372, §6(a)(1), (2), redesignated former par. (2) as (3) and substituted "receptive, linguistic, informational, currency exchange, meal, and package tour services required by the international market" for "tourist facilities, low cost unit tours, and other arrangements within the United States for meeting the requirements of foreign visitors". Former par. (3) redesignated (4).

Pars. (4) to (6). Pub. L. 102-372, §6(a)(1), redesignated former pars. (3) to (5) as (4) to (6), respectively. Former par. (6) redesignated (7).

Par. (7). Pub. L. 102-372, §6(1), (4), redesignated former par. (6) as (7) and substituted "and the use of other United States providers of travel products and services; and" for period at end.

Par. (8). Pub. L. 102-372, §6(5), added par. (8).

1981—Pub. L. 97-63, §3(b), substituted "In order to carry out the national tourism policy established by section 2121(b) of this title" for "In order to carry out the purpose of this chapter".

1975—Par. (6). Pub. L. 93-623 added par. (6).

Statutory Notes and Related Subsidiaries

EFFECTIVE DATE OF 1981 AMENDMENT

Amendment by Pub. L. 97-63 effective Oct. 1, 1981, see section 6 of Pub. L. 97-63, set out as a note under section 2121 of this title.

UNITED STATES TRAVEL AND TOURISM PROMOTION

Pub. L. 108-7, div. B, title II, §210, Feb. 20, 2003, 117 Stat. 78, provided that:

"(a) The Secretary of Commerce is authorized to award grants and make direct lump sum payments in support of an international advertising and promotional campaign developed in consultation with the private sector to encourage individuals to travel to the United States consisting of radio, television, and print advertising and marketing programs.

"(b) The United States Travel and Tourism Promotion Advisory Board (hereinafter 'Board') is established to recommend the appropriate coordinated activities to the Secretary for funding.

"(c) The Secretary shall appoint the Board within 30 days of enactment [Feb. 20, 2003] and shall include tourism-related entities he deems appropriate.

"(d) The Secretary shall consult with the Board and State and regional tourism officials on the disbursement of funds.

“(e) There is authorized to be appropriated \$50,000,000, to remain available until expended, and \$50,000,000 is appropriated to implement this section.”

SURVEY OF INTERNATIONAL AIR TRAVELERS

Pub. L. 102-372, § 3, Sept. 30, 1992, 106 Stat. 1171, provided that: “The Secretary of Commerce, to the extent available resources permit, shall improve the survey of international air travelers conducted to provide the data needed to estimate the Nation’s balance of payments in international travel by—

“(1) expanding the survey to cover travel to and from the Middle East, Africa, South America, and the Caribbean and enhancing coverage for Mexico, Oceania, the Far East, and Europe; and

“(2) improving the methodology for conducting on-board surveys by (A) enhancing communications, training, and liaison activities in cooperation with participating air carriers, (B) providing for the continuation of needed data bases, and (C) utilizing improved sampling procedures.

The Secretary of Commerce shall seek to increase the reporting frequency of the data provided by Statistics Canada and the Bank of Mexico on international travel trade between the United States and both Canada and Mexico. The Secretary shall improve the quarterly statistical report on United States international travel receipts and payments published in the Bureau of Economic Analysis document known as ‘The Survey of Current Services’ and heighten its visibility.”

REPORT ON TOURISM AND TRAVEL ACTIVITIES

Pub. L. 102-372, § 18, Sept. 30, 1992, 106 Stat. 1182, directed Secretary of Commerce, within 18 months after Sept. 30, 1992, to report to Congress on (1) status of actions required by section 3 of Pub. L. 102-372 and desirability and feasibility of publishing international travel receipts and payments on a monthly basis, (2) Secretary’s actions under 22 U.S.C. 2122(8) regarding the inbound and outbound tourism trade between United States and emerging democracies of Eastern Europe and the former Soviet Union, (3) activities of Department of Commerce and other Federal agencies to increase tourism opportunities for, and encourage travel by, disabled persons, and (4) efforts undertaken under 22 U.S.C. 2123c to improve visitor facilitation and effect on United States travel and tourism as a result of those improvements.

§ 2123. Office of Travel Promotion

(a) Office established

There is established within the Department of Commerce an office to be known as the Office of Travel Promotion.

(b) Director

(1) Appointment

The Office shall be headed by a Director who shall be appointed by the Secretary.

(2) Qualifications

The Director shall be a citizen of the United States and have experience in a field directly 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 2009¹ 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.)

Editorial Notes

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(m), 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 de-

¹ See References in Text note below.