

# Calendar No. 514

110TH CONGRESS  
1ST SESSION

# S. 1661

[Report No. 110-233]

To communicate United States travel policies and improve marketing and other activities designed to increase travel in the United States from abroad.

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## IN THE SENATE OF THE UNITED STATES

JUNE 19, 2007

Mr. DORGAN (for himself, Mr. STEVENS, Mr. INOUE, Mr. SMITH, Mr. MARTINEZ, Mr. KERRY, Mr. ENSIGN, Mr. PRYOR, Mr. LAUTENBERG, Mrs. FEINSTEIN, Mrs. BOXER, Mr. COLEMAN, Mr. CONRAD, Mr. BIDEN, Mr. KENNEDY, Mr. COCHRAN, Mr. VITTER, Mr. DURBIN, Mr. AKAKA, Mr. DOMENICI, Mr. BINGAMAN, Ms. LANDRIEU, Mr. BAUCUS, Mr. ENZI, Mr. SCHUMER, Mrs. MURRAY, Ms. STABENOW, Mr. HATCH, Mr. SPECTER, and Mr. BOND) introduced the following bill; which was read twice and referred to the Committee on Commerce, Science, and Transportation

NOVEMBER 27 (legislative day, NOVEMBER 16), 2007

Reported under authority of the order of the Senate of November 16, 2007,  
by Mr. INOUE, with amendments

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## A BILL

To communicate United States travel policies and improve marketing and other activities designed to increase travel in the United States from abroad.

1       *Be it enacted by the Senate and House of Representa-*  
2       *tives of the United States of America in Congress assembled,*

1 **SECTION 1. SHORT TITLE; TABLE OF CONTENTS.**

2 (a) *SHORT TITLE*.—This Act may be cited as the  
3 “Travel Promotion Act of 2007.”.

4 (b) **TABLE OF CONTENTS**—The table of contents for  
5 this Act is as follows:

- Sec. 1. Short title; table of contents.
- Sec. 2. The Corporation for Travel Promotion.
- Sec. 3. Accountability measures.
- Sec. 4. Matching public and private funding.
- ~~Sec. 5. Travel promotion program funding.~~
- Sec. 5. *Electronic travel authorization system.*
- Sec. 6. Assessment authority.
- Sec. 7. Under Secretary of Commerce for Travel Promotion.
- Sec. 8. Research program.
- ~~Sec. 9. Definitions.~~
- Sec. 9. *Model ports of entry.*
- Sec. 10. *Definitions.*

6 **SEC. 2. THE CORPORATION FOR TRAVEL PROMOTION.**

7 (a) **ESTABLISHMENT**.—The Corporation for Travel  
8 Promotion is established as a nonprofit corporation. The  
9 Corporation shall not be an agency or establishment of  
10 the United States Government. The Corporation shall be  
11 subject to the provisions of the District of Columbia Non-  
12 profit Corporation Act (D.C. Code, section 29–1001 et  
13 seq.), to the extent that such provisions are consistent  
14 with this section, and shall have the powers conferred  
15 upon a nonprofit corporation by that Act to carry out its  
16 purposes and activities.

17 (b) **BOARD OF DIRECTORS**.—

18 (1) **IN GENERAL**.—The Corporation shall have  
19 a board of directors of ~~14~~ 15 members, appointed by  
20 the Secretary of Commerce, who are United States

1 citizens with professional expertise and experience in  
2 the fields of travel, international travel promotion,  
3 and marketing and broadly represent various regions  
4 of the Nation, of whom—

5 (A) 1 shall represent hotel accommodations  
6 providers;

7 (B) 2 shall represent restaurant and retail  
8 businesses;

9 (C) 2 shall represent attractions and recre-  
10 ation businesses;

11 (D) 1 shall represent the passenger air  
12 transportation business;

13 (E) 1 shall represent the car rental busi-  
14 ness;

15 (F) 3 shall represent State and local of-  
16 fices from disparate regions of the country;

17 (G) 1 shall be a Federal employee (as de-  
18 fined in section 2105 of title 5, United States  
19 Code);

20 (H) 1 shall represent the higher education  
21 community; ~~and~~

22 (I) 2 shall represent the small business  
23 ~~community.~~ *community; and*

24 (J) 1 shall represent the intercity passenger  
25 *railroad business.*

1           (2) INCORPORATION.—The members of the ini-  
2           tial board of directors shall serve as incorporators  
3           and shall take whatever actions are necessary to es-  
4           tablish the Corporation under the District of Colum-  
5           bia Nonprofit Corporation Act (D.C. Code, section  
6           29–1001 et seq.).

7           (3) TERM OF OFFICE.—The term of office of  
8           each member of the board appointed by the Sec-  
9           retary shall be 3 years, except that, of the members  
10          first appointed—

11                 (A) 3 shall be appointed for terms of 1  
12                 year;

13                 (B) 4 shall be appointed for terms of 2  
14                 years; and

15                 (C) 4 shall be appointed for terms of 3  
16                 years.

17          (4) VACANCIES.—Any vacancy in the board  
18          shall not affect its power, but shall be filled in the  
19          manner required by this section. Any member whose  
20          term has expired may serve until the member’s suc-  
21          cessor has taken office, or until the end of the cal-  
22          endar year in which the member’s term has expired,  
23          whichever is earlier. Any member appointed to fill a  
24          vacancy occurring prior to the expiration of the term  
25          for which that member’s predecessor was appointed

1 shall be appointed for the remainder of the prede-  
2 cessor's term. No member of the board shall be eligi-  
3 ble to serve more than 2 consecutive full terms.

4 (5) ELECTION OF CHAIRMAN AND VICE CHAIR-  
5 MAN.—Members of the board shall annually elect  
6 one of their members to be Chairman and elect 1 or  
7 more of their members as a Vice Chairman or Vice  
8 Chairmen.

9 (6) STATUS AS FEDERAL EMPLOYEES.—Not-  
10 withstanding any provision of law to the contrary,  
11 no member of the board may be considered to be a  
12 Federal employee of the United States by virtue of  
13 his or her service as a member of the board.

14 (7) COMPENSATION; EXPENSES.—No member  
15 shall receive any compensation from the Federal  
16 government for serving on the ~~Council~~ *Board*. Each  
17 member of the ~~Council~~ *Board* shall be paid actual  
18 travel expenses and per diem in lieu of subsistence  
19 expenses when away from his or her usual place of  
20 residence, in accordance with section 5703 of title 5,  
21 United States Code.

22 (c) OFFICERS AND EMPLOYEES.—

23 (1) IN GENERAL.—The Corporation shall have  
24 a President, and such other officers as may be  
25 named and appointed by the board for terms and at

1 rates of compensation fixed by the board. No indi-  
2 vidual other than a citizen of the United States may  
3 be an officer of the Corporation. The corporation  
4 may hire and fix the compensation of such employ-  
5 ees as may be necessary to carry out its purposes.  
6 No officer or employee of the Corporation may re-  
7 ceive any salary or other compensation (except for  
8 compensation for services on boards of directors of  
9 other organizations that do not receive funds from  
10 the Corporation, on committees of such boards, and  
11 in similar activities for such organizations) from any  
12 sources other than the Corporation for services ren-  
13 dered during the period of his or her employment by  
14 the Corporation. Service by any officer on boards of  
15 directors of other organizations, on committees of  
16 such boards, and in similar activities for such orga-  
17 nizations shall be subject to annual advance ap-  
18 proval by the board and subject to the provisions of  
19 the Corporation's Statement of Ethical Conduct. All  
20 officers and employees shall serve at the pleasure of  
21 the board.

22 (2) NONPOLITICAL NATURE OF APPOINT-  
23 MENT.—No political test or qualification shall be  
24 used in selecting, appointing, promoting, or taking

1 other personnel actions with respect to officers,  
2 agents, or employees of the Corporation.

3 (d) NONPROFIT AND NONPOLITICAL NATURE OF  
4 CORPORATION.—

5 (1) STOCK.—The Corporation shall have no  
6 power to issue any shares of stock, or to declare or  
7 pay any dividends.

8 (2) PROFIT.—No part of the income or assets  
9 of the Corporation shall inure to the benefit of any  
10 director, officer, employee, or any other individual  
11 except as salary or reasonable compensation for  
12 services.

13 (3) POLITICS.—The Corporation may not con-  
14 tribute to or otherwise support any political party or  
15 candidate for elective public office.

16 (e) DUTIES AND POWERS.—

17 (1) IN GENERAL.—The Corporation shall de-  
18 velop and execute a plan—

19 (A) to provide useful information to for-  
20 eign tourists and others interested in travelling  
21 to the United States, including the distribution  
22 of material provided by the Federal government  
23 concerning entry requirements, required docu-  
24 mentation, fees, and processes, to prospective  
25 travelers, travel agents, tour operators, meeting

1 planners, foreign governments, travel media and  
2 other international stakeholders;

3 (B) to counter and correct misperceptions  
4 regarding United States travel policy around  
5 the world;

6 (C) to maximize the economic and diplo-  
7 matic benefits of travel to the United States by  
8 promoting the United States of America to  
9 world travelers through the use of, but not lim-  
10 ited to, all forms of advertising, outreach to  
11 trade shows, and other appropriate promotional  
12 activities;

13 (D) to ensure that international travel ben-  
14 efits all States and the District of Columbia, in-  
15 cluding areas not traditionally visited by inter-  
16 national travelers.; and

17 (E) to give priority to the Corporation's ef-  
18 forts in terms of countries and populations  
19 most likely to travel to the United States.

20 (2) SPECIFIC POWERS.—In order to carry out  
21 the purposes of this section, the Corporation may—

22 (A) obtain grants from and make contracts  
23 with individuals and private companies, State,  
24 and Federal agencies, organizations, and insti-  
25 tutions;



1                   (B) hire or accept the voluntary services of  
2                   consultants, experts, advisory boards, and pan-  
3                   els to aid the Corporation in carrying out its  
4                   purposes; and

5                   (C) take such other actions as may be nec-  
6                   essary to accomplish the purposes set forth in  
7                   this section.

8           (f) OPEN MEETINGS.—Meetings of the board of di-  
9           rectors of the Corporation, including any committee of the  
10          board, shall be open to the public. The board may, by ma-  
11          jority vote, close any such meeting only for the time nec-  
12          essary to preserve the confidentiality of commercial or fi-  
13          nancial information that is privileged or confidential, to  
14          discuss personnel matters, or to discuss legal matters af-  
15          fecting the Corporation, including pending or potential liti-  
16          gation.

17          (g) MAJOR CAMPAIGNS.—The board may not author-  
18          ize the Corporation to obligate or expend more than  
19          \$25,000,000 on any advertising campaign, promotion, or  
20          related effort unless—

21                   (1) the obligation or expenditure is approved by  
22                   an affirmative vote of at least  $\frac{2}{3}$  of the members of  
23                   the board present at the meeting;

24                   (2) at least 8 members of the board are present  
25                   at the meeting at which it is approved; and

1           (3) each member of the board has been given  
2           at least 3 days advance notice of the meeting at  
3           which the vote is to be taken and the matters to be  
4           voted upon at that meeting.

5           (h) FISCAL ACCOUNTABILITY.

6           (1) FISCAL YEAR.—The Corporation shall es-  
7           tablish as its fiscal year the 12-month period begin-  
8           ning on October 1.

9           (2) BUDGET.—The Corporation shall adopt a  
10          budget for each fiscal year.

11          (3) ANNUAL AUDITS.—The Corporation shall  
12          engage an independent accounting firm to conduct  
13          an annual financial audit of the Corporation's oper-  
14          ations and shall publish the results of the audit. The  
15          Comptroller General shall have full and complete ac-  
16          cess to the books and records of the Corporation.

17 **SEC. 3. ACCOUNTABILITY MEASURES.**

18          (a) OBJECTIVES.—The Board shall establish annual  
19          objectives for the Corporation for each fiscal year subject  
20          to approval by the Secretary. The Corporation shall estab-  
21          lish a marketing plan for each fiscal year not less than  
22          60 days before the beginning of that year and provide a  
23          copy of the plan, and any revisions thereof, to the Sec-  
24          retary.

1 (b) BUDGET.—The board shall transmit a copy of the  
2 Corporation’s budget for the forthcoming fiscal year to the  
3 Secretary no later than August 16 immediately preceding  
4 that fiscal year, together with an explanation of any ex-  
5 penditure provided for by the budget in excess of  
6 \$5,000,000 for the fiscal year. The Corporation shall  
7 make a copy of the budget and the explanation available  
8 to the public and shall provide public access to the budget  
9 and explanation on the Corporation’s website.

10 (c) ANNUAL REPORT TO CONGRESS.—The Corpora-  
11 tion shall submit an annual report for the preceding fiscal  
12 year to the Secretary of Commerce for transmittal to the  
13 Congress on or before the 15th day of May of each year.  
14 The report shall include—

15 (1) a comprehensive and detailed report of the  
16 Corporation’s operations, activities, financial condi-  
17 tion, and accomplishments under this Act;

18 (2) a comprehensive and detailed inventory of  
19 amounts obligated or expended by the Corporation  
20 during the preceding fiscal year;

21 (3) an objective and quantifiable measurement  
22 of its progress, on an objective-by-objective basis, in  
23 meeting the objectives established by the board;

24 (4) an explanation of the reason for any failure  
25 to achieve an objective established by the board; and

1           (5) such recommendations as the Corporation  
2       deems appropriate.

3 **SEC. 4. MATCHING PUBLIC AND PRIVATE FUNDING.**

4       (a) ESTABLISHMENT OF TRAVEL PROMOTION  
5 FUND.—There is hereby established in the Treasury a  
6 fund which shall be known as the Travel Promotion Fund.

7       (b) FUNDING.—

8           (1) FIRST YEAR.—For fiscal year 2008, the  
9 Corporation may borrow from the Treasury begin-  
10 ning on October 1, 2007, such sums as may be nec-  
11 essary, but not to exceed \$10,000,000, to cover its  
12 initial expenses and activities under this Act. Before  
13 October 1, 2012, the Corporation shall reimburse  
14 the ~~Treasury, without interest,~~ *Treasury* for any  
15 such amounts borrowed from the Treasury, using  
16 funds deposited in the Fund from non-Federal  
17 sources. *Amounts borrowed from the Treasury shall*  
18 *bear interest at a rate determined appropriate by the*  
19 *Secretary of Treasury, taking into consideration the*  
20 *average interest rate on all interest bearing obliga-*  
21 *tions of the United States then forming a part of the*  
22 *public debt, computed at the end of the fiscal year*  
23 *next preceding the date on which the borrowing oc-*  
24 *curs, adjusted to the nearest 1/8 of 1 percent.* Amounts  
25 reimbursed to the Treasury shall be treated as

1 matching funds from non-Federal sources for pur-  
2 poses of subsection (c) in the fiscal year in which  
3 such reimbursements are made.

4 (2) SUBSEQUENT YEARS.—For each of fiscal  
5 years 2009 through 2012, from amounts deposited  
6 in the general fund of the Treasury during the pre-  
7 ceding fiscal year from fees under ~~section 5 of this~~  
8 ~~Act~~, *section 217(h)(3)(B)(iii) of the Immigration and*  
9 *Nationality Act (8 U.S.C. 1187(h)(B)(iii))*, the Sec-  
10 retary of the Treasury shall transfer not more than  
11 \$100,000,000 to the Fund, which shall be made  
12 available to the Corporation, subject to subsection  
13 (c) of this section, to carry out its functions under  
14 this Act. Transfers shall be made at least quarterly  
15 on the basis of estimates by the Secretary, and prop-  
16 er adjustments shall be made in amounts subse-  
17 quently transferred to the extent prior estimates  
18 were in excess or less than the amounts required to  
19 be transferred.

20 (c) MATCHING REQUIREMENT.—

21 (1) IN GENERAL.—No amounts may be made  
22 available to the Corporation under this section after  
23 fiscal year 2008, except to the extent that—

24 (A) for fiscal year 2009, the Corporation  
25 provides matching funds from non-Federal

1 sources equal in the aggregate to 50 percent or  
2 more of the amount transferred to the Fund  
3 under subsection (b); and

4 (B) for any fiscal year after fiscal year  
5 2009, the Corporation provides matching funds  
6 from non-Federal sources equal in the aggregate  
7 to 100 percent of the amount transferred  
8 to the Fund under subsection (b) for the fiscal  
9 year.

10 (2) GOODS AND SERVICES.—For the purpose of  
11 determining the amount of matching funds, other  
12 than money, available to the Corporation—

13 (A) the fair market value of goods and  
14 services (including advertising) contributed to  
15 the Corporation for use under this Act may be  
16 included in the determination; but

17 (B) the fair market value of such goods  
18 and services may not account for more than 80  
19 percent of the matching requirement for the  
20 Corporation in any fiscal year.

21 (3) RIGHT OF REFUSAL.—The Corporation may  
22 decline to accept any contribution in kind that it de-  
23 termines to be inappropriate, not useful, or commer-  
24 cially worthless.

1           (4) CARRYFORWARD.—The amount of any  
2           matching funds received by the Corporation in fiscal  
3           year 2009, 2010, or 2011 that cannot be used as  
4           matching funds in the fiscal year in which received  
5           may be carried forward and treated as having been  
6           received in the succeeding fiscal year for purposes of  
7           meeting the matching requirement of paragraph (1)  
8           in such succeeding fiscal year.

9 **SEC. 5. TRAVEL PROMOTION FUND FEES.**

10           If a fully automated electronic traveler authorization  
11           system to collect basic biographical information in order  
12           to determine, in advance of travel, the eligibility of an  
13           alien to travel to the United States is implemented, the  
14           United States Government may charge a fee to an appli-  
15           cant for the use of the system. The amount of any such  
16           fee initially shall be at least \$10, plus such amounts as  
17           may be necessary to cover the cost of operating such a  
18           system, but may be reduced thereafter if that amount is  
19           not necessary to ensure that the Corporation is fully fund-  
20           ed.

21 **SEC. 5. ELECTRONIC TRAVEL AUTHORIZATION SYSTEM.**

22           (a) *IN GENERAL.*—Section 217(h) of the Immigration  
23           and Nationality Act (8 U.S.C. 1187(h)) is amended by add-  
24           ing at the end thereof the following:

1           “(3) *ELECTRONIC TRAVEL AUTHORIZATION SYS-*  
2           *TEM.*—

3                   “(A) *SYSTEM.*—*The Secretary of Homeland*  
4                   *Security, in consultation with the Secretary of*  
5                   *State, is authorized to develop and implement a*  
6                   *fully automated electronic travel authorization*  
7                   *system to collect such basic biographical infor-*  
8                   *mation as the Secretary of Homeland Security*  
9                   *determines to be necessary to determine, in ad-*  
10                   *vance of travel, the eligibility of an alien to trav-*  
11                   *el to the United States under the visa waiver*  
12                   *program.*

13                   “(B) *FEES.*—*The Secretary of Homeland*  
14                   *Security may charge a fee for the use of the sys-*  
15                   *tem, which shall be—*

16                           “(i) *set at a level that will ensure re-*  
17                           *covery of the full costs of providing and ad-*  
18                           *ministering the system;*

19                           “(ii) *available to pay the costs in-*  
20                           *curring to administer the system; and*

21                           “(iii) *include an amount, initially not*  
22                           *more than \$10, for transfer to the Travel*  
23                           *Promotion Fund established by section 4 of*  
24                           *the Travel Promotion Act of 2007 necessary*  
25                           *to ensure that the Corporation for Travel*



1           *Promotion established by section 2 of that*  
2           *Act is fully funded.*

3           “(C) *VALIDITY.*—

4                   “(i) *PERIOD.*—*The Secretary of Home-*  
5                   *land Security, in consultation with the Sec-*  
6                   *retary of State shall prescribe regulations*  
7                   *that provide for a period, not to exceed 3*  
8                   *years, during which a determination of eli-*  
9                   *gibility to travel under the program will be*  
10                   *valid. Notwithstanding any other provision*  
11                   *under this section, the Secretary of Home-*  
12                   *land Security may revoke any such deter-*  
13                   *mination at any time and for any reason.*

14                   “(ii) *LIMITATION.*—*A determination*  
15                   *that an alien is eligible to travel to the*  
16                   *United States under the visa waiver pro-*  
17                   *gram is not a determination that the alien*  
18                   *is admissible to the United States.*

19                   “(iii) *JUDICIAL REVIEW.*—*Notwith-*  
20                   *standing any other provision of law, no*  
21                   *court shall have jurisdiction to review an*  
22                   *eligibility determination under the system.*

23                   “(D) *REPORT.*—*Not later than 60 days be-*  
24                   *fore publishing notice regarding the implementa-*  
25                   *tion of the system in the Federal Register, the*

1           *Secretary of Homeland Security shall submit a*  
2           *report regarding the implementation of the sys-*  
3           *tem to the Congress.”.*

4           **(b) AUTHORIZATION OF APPROPRIATIONS.**—*There are*  
5           *authorized to be appropriated such sums as may be nec-*  
6           *essary to carry out the amendment made by subsection (a).*

7           **SEC. 6. ASSESSMENT AUTHORITY.**

8           **(a) IN GENERAL.**—Except as otherwise provided in  
9 this section, the Corporation may impose an annual as-  
10 sessment on United States members of the international  
11 travel and tourism industry (other than those described  
12 in section 2(b)(1)(D), (H), or (I)) represented on the  
13 Board in proportion to their share of the aggregate inter-  
14 national travel and tourism revenue of the industry. *The*  
15 *Corporation shall be responsible for verifying, imple-*  
16 *menting, and collecting the assessment authorized by this*  
17 *section.*

18           **(b) INITIAL ASSESSMENT LIMITED.**—The Corpora-  
19 tion may establish the initial assessment after the date  
20 of enactment of the Travel and Tourism Promotion Act  
21 at no greater, in the aggregate, than \$20,000,000.

22           **(c) REFERENDA.**—

23           **(1) IN GENERAL.**—The Corporation may not  
24           impose an annual assessment unless—

1 (A) the Corporation submits the proposed  
2 annual assessment to members of the industry  
3 in a referendum; and

4 (B) the assessment is approved by a ma-  
5 jority of those voting in the referendum.

6 (3) PROCEDURAL REQUIREMENTS.—In con-  
7 ducting a referendum under this subsection, the Cor-  
8 poration shall—

9 (A) provide written or electronic notice not  
10 less than 60 days before the date of the ref-  
11 erendum;

12 (B) describe the proposed assessment or  
13 increase and explain the reasons for the ref-  
14 erendum in the notice; and

15 (C) determine the results of the ref-  
16 erendum on the basis of weighted voting appor-  
17 tioned according to each business entity's rel-  
18 ative share of the aggregate annual United  
19 States international travel and tourism revenue  
20 for the industry per business entity, treating all  
21 related entities as a single entity.

22 (d) COLLECTION.—

23 (1) IN GENERAL.—The Corporation shall estab-  
24 lish a means of collecting the assessment that it  
25 finds to be efficient and effective. The Corporation

1 may establish a late payment charge and rate of in-  
 2 terest to be imposed on any person who fails to  
 3 remit or pay to the Corporation any amount as-  
 4 sessed by the Corporation under this Act.

5 (2) ENFORCEMENT.—The Corporation may  
 6 bring suit in Federal court to compel compliance  
 7 with an assessment levied by the Corporation under  
 8 this Act.

9 (e) INVESTMENT OF FUNDS.—Pending disbursement  
 10 pursuant to a program, plan, or project, the Corporation  
 11 may invest funds collected through assessments, and any  
 12 other funds received by the Corporation, only in obliga-  
 13 tions of the United States or any agency thereof, in gen-  
 14 eral obligations of any State or any political subdivision  
 15 thereof, in any interest-bearing account or certificate of  
 16 deposit of a bank that is a member of the Federal Reserve  
 17 System, or in obligations fully guaranteed as to principal  
 18 and interest by the United States.

19 **SEC. 7. UNDER SECRETARY OF COMMERCE FOR TRAVEL**  
 20 **PROMOTION.**

21 (a) IN GENERAL.—Title II of the International Trav-  
 22 el Act of 1961 (22 U.S.C. 2121 et seq.) is amended by  
 23 inserting after section 201 the following:

1 **“SEC. 202. OFFICE OF TRAVEL PROMOTION.**

2       “(a) OFFICE ESTABLISHED.—There is established  
3 within the Department of Commerce an office to be known  
4 as the Office of Travel Promotion.

5       “(b) UNDER SECRETARY FOR TRAVEL PRO-  
6 MOTION.—

7           “(1) IN GENERAL.—The head of the Office  
8 shall be the Under Secretary of Commerce for Trav-  
9 el Promotion. The Under Secretary shall be ap-  
10 pointed by the President, by and with the advice and  
11 consent of the Senate.

12           “(2) QUALIFICATIONS.—The Under Secretary  
13 shall—

14           “(A) be a citizen of the United States; and

15           “(B) have experience in a field directly re-  
16 lated to the promotion of travel in the United  
17 States.

18           “(3) LIMITATION ON INVESTMENTS.—The  
19 Under Secretary may not own stock in, or have a di-  
20 rect or indirect beneficial interest in, a corporation  
21 or other enterprise engaged in the travel, transpor-  
22 tation, or hospitality business or in a corporation or  
23 other enterprise that owns or operates theme park  
24 or other entertainment facility.

25       “(c) FUNCTION.—The Under Secretary shall—

1           “(1) serve as liaison to the Corporation for  
2           Travel Promotion established by section 2 of the  
3           Travel Promotion Act of 2007 and support and en-  
4           courage the development of programs to increase the  
5           number of international visitors to the United States  
6           for business, leisure, educational, medical, exchange,  
7           and other purposes;

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

10           “(A) to disseminate information more ef-  
11           fectively to potential international visitors about  
12           documentation and procedures required for ad-  
13           mission to the United States as a visitor; and

14           “(B) to ensure that arriving international  
15           visitors are processed efficiently and in a wel-  
16           coming and respectful manner;

17           “(3) support State, regional, and private sector  
18           initiatives to promote travel to and within the  
19           United States;

20           “(4) supervise the operations of the Office of  
21           Travel and Tourism Industries; and

22           “(5) enhance the entry and departure experi-  
23           ence for international visitors.

24           “(d) REPORTS TO CONGRESS.—Within a year after  
25           the date of enactment of the Travel Promotion Act of

1 2007, and periodically thereafter as appropriate, the  
2 Under Secretary shall transmit a report to the Senate  
3 Committee on Commerce, Science, and Transportation  
4 and the House of Representatives Committee on Energy  
5 and Commerce describing the Under Secretary's work  
6 with the Corporation, the Secretary of State, and the Sec-  
7 retary of Homeland Security to carry out subsection  
8 (c)(2).”.

9 (b) CONFORMING AMENDMENTS.—

10 (1) Section 5313 of title 5, United States Code,  
11 is amended by adding at the end the following:

12 “The Under Secretary of Commerce for Travel  
13 Promotion.”.

14 (2) The International Travel Act of 1961 (22  
15 U.S.C. 2121 et seq.) is amended by striking “Com-  
16 merce (hereafter in this Act referred to as the ‘Sec-  
17 retary’)” in section 201 (22 U.S.C. 2122) and in-  
18 serting “Commerce, acting through the Under Sec-  
19 retary for Travel Promotion,”.

20 **SEC. 8. RESEARCH PROGRAM.**

21 Title II of the International Travel Act of 1961 (22  
22 U.S.C. 2121 et seq.), as amended by section ~~6~~, 7, is fur-  
23 ther amended by inserting after section 202 the following:

1 **“SEC. 203. RESEARCH PROGRAM.**

2       “(a) *IN GENERAL.*—The Office of Travel and Tour-  
3 ism Industries shall expand and continue its research and  
4 development activities in connection with the promotion of  
5 international travel to the United States, including—

6           “(1) expanding access to the official Mexican  
7 travel surveys data to provide the States with trav-  
8 eler characteristics and visitation estimates for tar-  
9 geted marketing programs;

10          “(2) revising the Commerce Department’s Sur-  
11 vey of International Travelers questionnaire and re-  
12 port formats to accommodate a new survey instru-  
13 ment, expanding the respondent base, improving re-  
14 sponse rates, and improving market coverage;

15          “(3) developing estimates of international travel  
16 exports (expenditures) on a State-by-State basis to  
17 enable each State to compare its comparative posi-  
18 tion to national totals and other States;

19          “(4) evaluate the success of the Corporation in  
20 achieving its objectives and carrying out the pur-  
21 poses of the Travel Promotion Act of 2007; and

22          “(5) research to support the annual report re-  
23 quired by section 202(d) of this ~~Act.~~ *Act.*

24       “(b) **AUTHORIZATION OF APPROPRIATIONS.**—There  
25 are authorized to be appropriated to the Secretary of Com-



1 merce for fiscal years 2008 through 2012 such sums as  
2 may be necessary to carry out this section.”.

3 **SEC. 9. MODEL PORTS-OF-ENTRY.**

4 (a) *IN GENERAL.*—*The Secretary of Homeland Secu-*  
5 *riety shall—*

6 (1) *establish a model ports-of-entry program for*  
7 *the purpose of providing a more efficient and wel-*  
8 *coming international arrival process in order to fa-*  
9 *cilitate and promote business and tourist travel to the*  
10 *United States, while also improving security; and*

11 (2) *implement the program initially at the 20*  
12 *United States international airports that have the*  
13 *highest number of foreign visitors arriving annually*  
14 *as determined pursuant to the most recent data col-*  
15 *lected by the United States Customs and Border Pro-*  
16 *tection available on the date of enactment of this Act.*

17 (b) *PROGRAM ELEMENTS.*—*The program shall in-*  
18 *clude—*

19 (1) *enhanced queue management in the Federal*  
20 *Inspection Services area leading up to primary in-*  
21 *spection;*

22 (2) *assistance for foreign travelers once they have*  
23 *been admitted to the United States, in consultation,*  
24 *as appropriate, with relevant governmental and non-*  
25 *governmental entities; and*

1           (3) *instructional videos, in English and such*  
2           *other languages as the Secretary determines appro-*  
3           *priate, in the Federal Inspection Services area that*  
4           *explain the United States inspection process and fea-*  
5           *ture national, regional, or local welcome videos.*

6           (c) *ADDITIONAL CUSTOMS AND BORDER PROTECTION*  
7           *OFFICERS FOR HIGH VOLUME PORTS.—Subject to the*  
8           *availability of appropriations, not later than the end of fis-*  
9           *cal year 2008 the Secretary of Homeland Security shall em-*  
10          *ploy not fewer than an additional 200 Customs and Border*  
11          *Protection officers over the number of such positions for*  
12          *which funds were appropriated for the preceding fiscal year*  
13          *to address staff shortages at the 20 United States inter-*  
14          *national airports that have the highest number of foreign*  
15          *visitors arriving annually as determined pursuant to the*  
16          *most recent data collected by the United States Customs and*  
17          *Border Protection available on the date of enactment of this*  
18          *Act.*

19          **SEC. 9. DEFINITIONS.**

20          **SEC. 10. DEFINITIONS.**

21          In this Act:

22                  (1) **BOARD.**—The term “Board” means the  
23          board of directors of the Corporation.

1           (2) CORPORATION.—The term “Corporation”  
2 means the Corporation for Travel Promotion estab-  
3 lished by section 2.

4           (3) FUND.—The term “Fund” means the Trav-  
5 el Promotion Fund established by section 4.

6           (4) SECRETARY.—Except as otherwise expressly  
7 provided, the term “Secretary” means the Secretary  
8 of Commerce.

**Calendar No. 514**

110<sup>TH</sup> CONGRESS  
1<sup>ST</sup> Session

**S. 1661**

[Report No. 110-233]

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**A BILL**

To communicate United States travel policies and improve marketing and other activities designed to increase travel in the United States from abroad.

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NOVEMBER, 27 (legislative day, NOVEMBER 16), 2007

Reported with amendments