

Congresswoman Ellen O. Tauscher resigned from the U.S. House of Representatives on June 26, 2009. Congressman John M. McHugh resigned from the U.S. House of Representatives on September 21, 2009.

From the Committee on Armed Services, for consideration of the House bill and the Senate amendment, and modifications committed to conference:

IKE SKELTON,
JOHN M. SPRATT, Jr.,
SOLOMON P. ORTIZ,
NEIL ABERCROMBIE,
SILVESTRE REYES,
VIC SNYDER,
ADAM SMITH,
LORETTA SANCHEZ,
ROBERT A. BRADY,
ROBERT E. ANDREWS,
SUSAN A. DAVIS,
JAMES R. LANGEVIN,
RICK LARSEN,
JIM COOPER,
JIM MARSHALL,
MADELEINE Z. BORDALLO,

From the Permanent Select Committee on Intelligence, for consideration of matters within the jurisdiction of that committee under clause 11 of rule X:

ALCEE L. HASTINGS,
ADAM B. SCHIFF,

From the Committee on Education and Labor, for consideration of secs. 243, 551–553, 585, 2833, and 2834 of the House bill and secs. 531–534 and 3136 of the Senate amendment, and modifications committed to conference:

LYNN C. WOOLSEY,
JASON ALTMIRE,
JUDY BIGGERT,

From the Committee on Energy and Commerce, for consideration of secs. 247, 315, and 601 of the House bill and secs. 311, 601, 2835, and 3118 of the Senate amendment, and modifications committed to conference:

HENRY A. WAXMAN,
EDWARD J. MARKEY,

From the Committee on Foreign Affairs, for consideration of secs. 812, 907, 912, 1011, 1013, 1046, 1201, 1211, 1213–1215, 1226, 1230A, 1231, 1236, 1239, 1240, Title XIII, secs. 1513, 1516, 1517, and 2903 of the House bill and secs. 1021, 1023, 1201–1203, 1205–1208, 1211–1214, Subtitle D of Title XII, Title XIII, and sec. 1517 of the Senate amendment, and modifications committed to conference:

HOWARD L. BERMAN,
GARY L. ACKERMAN,
ILEANA ROS-LEHTINEN,

From the Committee on Homeland Security, for consideration of sec. 1101 of the House bill, and modifications committed to conference:

BENNIE G. THOMPSON,
DINA TITUS,
GUS M. BILIRAKIS,

From the Committee on House Administration, for consideration of Subtitle H of Title V of the Senate amendment, and modifications committed to conference:

MICHAEL E. CAPUANO,
CHARLES A. GONZALEZ,
DANIEL E. LUNGREN,

From the Committee on the Judiciary, for consideration of secs. 583, 584, 1021, and 1604 of the House bill and secs. 821, 911, 1031, 1033, 1056, 1086, and Division E of the Senate amendment, and modifications committed to conference:

JERROLD NADLER,
ZOE LOFGREN,

From the Committee on Natural Resources, for consideration of secs. 1091 and 2308 of the Senate amendment, and modifications committed to conference:

NICK J. RAHALL II,

From the Committee on Oversight and Government Reform, for consideration of secs. 321, 322, 326–329, 335, 537, 666, 814, 815, 834, 1101–

1107, 1110–1113, and Title II of Division D of the House bill and secs. 323, 323A–323C, 814, 822, 824, 901, 911, 1056, 1086, 1101–1105, and 1162 of the Senate amendment, and modifications committed to conference:

EDOLPHUS TOWNS,
STEPHEN F. LYNCH,

From the Committee on Science and Technology, for consideration of secs. 248, 819, 836, and 911 of the House bill and secs. 801, 814, 833, 834, 912, and Division F of the Senate amendment, and modifications committed to conference:

BART GORDON,
DAVID WU,

From the Committee on Small Business, for consideration of sec. 830 of the House bill and secs. 833, 834, 838, 1090 and Division F of the Senate amendment, and modifications committed to conference:

NYDIA M. VELÁZQUEZ,
GLENN C. NYE,

From the Committee on Transportation and Infrastructure, for consideration of secs. 315, 601, and 2811 of the House bill and secs. 311, 601, 933, 2835, 3301, 6002, 6007, 6008, 6012, and 6013 of the Senate amendment, and modifications committed to conference:

ELIJAH E. CUMMINGS,
LAURA RICHARDSON,

From the Committee on Veterans' Affairs, for consideration of secs. 525, 583, 584, and sec. 121 of Division D of the House bill and secs. 573–575, 617, 711, Subtitle E of Title X, secs. 1084, and 1085 of the Senate amendment, and modifications committed to conference:

CIRO D. RODRIGUEZ,

Managers on the Part of the House.

CARL LEVIN,
ROBERT C. BYRD,
JOSEPH I. LIEBERMAN,
JACK REED,
DANIEL K. AKAKA,
BILL NELSON,
BEN NELSON,
EVAN BAYH,
JIM WEBB,
CLAIRE McCASKILL,
MARK UDALL,
KAY R. HAGAN,
MARK BEGICH,
ROLAND W. BURRIS,
JOHN MCCAIN,
SUSAN M. COLLINS,
PAUL G. KIRK, Jr.,

Managers on the Part of the Senate.

PROVIDING FOR CONCURRENCE BY HOUSE WITH AMENDMENT IN SENATE AMENDMENT TO H.R. 1035, MORRIS K. UDALL SCHOLARSHIP AND EXCELLENCE IN NATIONAL ENVIRONMENTAL POLICY AMENDMENTS ACT OF 2009

Mr. GRIJALVA. Mr. Speaker, I move to suspend the rules and agree to the resolution (H. Res. 806) providing for the concurrence by the House in the Senate amendment to H.R. 1035, with an amendment.

The Clerk read the title of the resolution.

The text of the resolution is as follows:

H. RES. 806

Resolved, That upon the adoption of this resolution the bill (H.R. 1035) entitled “An Act to amend the Morris K. Udall Scholarship and Excellence in National Environmental and Native American Public Policy Act of 1992 to honor the legacy of Stewart L. Udall, and for other purposes.”, with the

Senate amendment thereto, shall be considered to have been taken from the Speaker's table to the end that the Senate amendment thereto be, and the same is hereby, agreed to with the following amendment:

At the end of the Senate amendment, add the following:

At the end of the bill, add the following new section:

SEC. 11. TRAVEL PROMOTION ACT OF 2009.

(a) **SHORT TITLE.**—This section may be cited as the “Travel Promotion Act of 2009”.

(b) **THE CORPORATION FOR TRAVEL PROMOTION.**—

(1) **ESTABLISHMENT.**—The Corporation for Travel Promotion is established as a nonprofit corporation. The Corporation shall not be an agency or establishment of the United States Government. The Corporation shall be subject to the provisions of the District of Columbia Nonprofit Corporation Act (D.C. Code, section 29-1001 et seq.), to the extent that such provisions are consistent with this subsection, and shall have the powers conferred upon a nonprofit corporation by that Act to carry out its purposes and activities.

(2) **BOARD OF DIRECTORS.**—

(A) **IN GENERAL.**—The Corporation shall have a board of directors of 11 members with knowledge of international travel promotion and marketing, broadly representing various regions of the United States, who are United States citizens. Members of the board shall be appointed by the Secretary of Commerce (after consultation with the Secretary of Homeland Security and the Secretary of State), as follows:

(i) 1 shall have appropriate expertise and experience in the hotel accommodations sector;

(ii) 1 shall have appropriate expertise and experience in the restaurant sector;

(iii) 1 shall have appropriate expertise and experience in the small business or retail sector or in associations representing that sector;

(iv) 1 shall have appropriate expertise and experience in the travel distribution services sector;

(v) 1 shall have appropriate expertise and experience in the attractions or recreations sector;

(vi) 1 shall have appropriate expertise and experience as officials of a city convention and visitors' bureau;

(vii) 2 shall have appropriate expertise and experience as officials of a State tourism office;

(viii) 1 shall have appropriate expertise and experience in the passenger air sector;

(ix) 1 shall have appropriate expertise and experience in immigration law and policy, including visa requirements and United States entry procedures; and

(x) 1 shall have appropriate expertise in the intercity passenger railroad business.

(B) **INCORPORATION.**—The members of the initial board of directors shall serve as incorporators and shall take whatever actions are necessary to establish the Corporation under the District of Columbia Nonprofit Corporation Act (D.C. Code, section 29-301.01 et seq.).

(C) **TERM OF OFFICE.**—The term of office of each member of the board appointed by the Secretary shall be 3 years, except that, of the members first appointed—

(i) 3 shall be appointed for terms of 1 year;

(ii) 4 shall be appointed for terms of 2 years; and

(iii) 4 shall be appointed for terms of 3 years.

(D) **REMOVAL FOR CAUSE.**—The Secretary of Commerce may remove any member of the board for good cause.

(E) **VACANCIES.**—Any vacancy in the board shall not affect its power, but shall be filled

in the manner required by this subsection. Any member whose term has expired may serve until the member's successor has taken office, or until the end of the calendar year in which the member's term has expired, whichever is earlier. Any member appointed to fill a vacancy occurring prior to the expiration of the term for which that member's predecessor was appointed shall be appointed for the remainder of the predecessor's term. No member of the board shall be eligible to serve more than 2 consecutive full 3-year terms.

(F) ELECTION OF CHAIRMAN AND VICE CHAIRMAN.—Members of the board shall annually elect one of the members to be Chairman and elect 1 or 2 of the members as Vice Chairman or Vice Chairmen.

(G) STATUS AS FEDERAL EMPLOYEES.—Notwithstanding any provision of law to the contrary, no member of the board may be considered to be a Federal employee of the United States by virtue of his or her service as a member of the board.

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

(3) OFFICERS AND EMPLOYEES.—

(A) IN GENERAL.—The Corporation shall have an executive director and such other officers as may be named and appointed by the board for terms and at rates of compensation fixed by the board. No individual other than a citizen of the United States may be an officer of the Corporation. The Corporation may hire and fix the compensation of such employees as may be necessary to carry out its purposes. No officer or employee of the Corporation may receive any salary or other compensation (except for compensation for services on boards of directors of other organizations that do not receive funds from the Corporation, on committees of such boards, and in similar activities for such organizations) from any sources other than the Corporation for services rendered during the period of his or her employment by the Corporation. Service by any officer on boards of directors of other organizations, on committees of such boards, and in similar activities for such organizations shall be subject to annual advance approval by the board and subject to the provisions of the Corporation's Statement of Ethical Conduct. All officers and employees shall serve at the pleasure of the board.

(B) NONPOLITICAL NATURE OF APPOINTMENT.—No political test or qualification shall be used in selecting, appointing, promoting, or taking other personnel actions with respect to officers, agents, or employees of the Corporation.

(4) NONPROFIT AND NONPOLITICAL NATURE OF CORPORATION.—

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

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

(C) POLITICS.—The Corporation may not contribute to or otherwise support any political party or candidate for elective public office.

(D) SENSE OF CONGRESS REGARDING LOBBYING ACTIVITIES.—It is the sense of Congress that the Corporation should not engage in lobbying activities (as defined in section 3(7) of the Lobbying Disclosure Act of 1995 (5 U.S.C. 1602(7)).

(5) DUTIES AND POWERS.—

(A) IN GENERAL.—The Corporation shall develop and execute a plan—

(i) to provide useful information to foreign tourists, business people, students, scholars, scientists, and others interested in traveling to the United States, including the distribution of material provided by the Federal government concerning entry requirements, required documentation, fees, processes, and information concerning declared public health emergencies, to prospective travelers, travel agents, tour operators, meeting planners, foreign governments, travel media and other international stakeholders;

(ii) to identify, counter, and correct misperceptions regarding United States entry policies around the world;

(iii) to maximize the economic and diplomatic benefits of travel to the United States by promoting the United States of America to world travelers through the use of, but not limited to, all forms of advertising, outreach to trade shows, and other appropriate promotional activities;

(iv) to ensure that international travel benefits all States and the District of Columbia and to identify opportunities and strategies to promote tourism to rural and urban areas equally, including areas not traditionally visited by international travelers; and

(v) to give priority to the Corporation's efforts with respect to countries and populations most likely to travel to the United States.

(B) SPECIFIC POWERS.—In order to carry out the purposes of this subsection, the Corporation may—

(i) obtain grants from and make contracts with individuals and private companies, State, and Federal agencies, organizations, and institutions;

(ii) hire or accept the voluntary services of consultants, experts, advisory boards, and panels to aid the Corporation in carrying out its purposes; and

(iii) take such other actions as may be necessary to accomplish the purposes set forth in this subsection.

(C) PUBLIC OUTREACH AND INFORMATION.—The Corporation shall develop and maintain a publicly accessible website.

(6) OPEN MEETINGS.—Meetings of the board of directors of the Corporation, including any committee of the board, shall be open to the public. The board may, by majority vote, close any such meeting only for the time necessary to preserve the confidentiality of commercial or financial information that is privileged or confidential, to discuss personnel matters, or to discuss legal matters affecting the Corporation, including pending or potential litigation.

(7) MAJOR CAMPAIGNS.—The board may not authorize the Corporation to obligate or expend more than \$25,000,000 on any advertising campaign, promotion, or related effort unless—

(A) the obligation or expenditure is approved by an affirmative vote of at least 2/3 of the members of the board present at the meeting;

(B) at least 6 members of the board are present at the meeting at which it is approved; and

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

(8) FISCAL ACCOUNTABILITY.—

(A) FISCAL YEAR.—The Corporation shall establish as its fiscal year the 12-month period beginning on October 1.

(B) BUDGET.—The Corporation shall adopt a budget for each fiscal year.

(C) ANNUAL AUDITS.—The Corporation shall engage an independent accounting firm to

conduct an annual financial audit of the Corporation's operations and shall publish the results of the audit. The Comptroller General of the United States may review any audit of a financial statement conducted under this paragraph by an independent accounting firm and may audit the Corporation's operations at the discretion of the Comptroller General. The Comptroller General and the Congress shall have full and complete access to the books and records of the Corporation.

(D) PROGRAM AUDITS.—Not later than 2 years after the date of enactment of this section, the Comptroller General shall conduct a review of the programmatic activities of the Corporation for Travel Promotion. This report shall be provided to appropriate congressional committees.

(c) ACCOUNTABILITY MEASURES.—

(1) OBJECTIVES.—The Board shall establish annual objectives for the Corporation for each fiscal year subject to approval by the Secretary of Commerce (after consultation with the Secretary of Homeland Security and the Secretary of State). The Corporation shall establish a marketing plan for each fiscal year not less than 60 days before the beginning of that year and provide a copy of the plan, and any revisions thereof, to the Secretary.

(2) BUDGET.—The board shall transmit a copy of the Corporation's budget for the forthcoming fiscal year to the Secretary not less than 60 days before the beginning of each fiscal year, together with an explanation of any expenditure provided for by the budget in excess of \$5,000,000 for the fiscal year. The Corporation shall make a copy of the budget and the explanation available to the public and shall provide public access to the budget and explanation on the Corporation's website.

(3) ANNUAL REPORT TO CONGRESS.—The Corporation shall submit an annual report for the preceding fiscal year to the Secretary of Commerce for transmittal to the Congress on or before the 15th day of May of each year. The report shall include—

(A) a comprehensive and detailed report of the Corporation's operations, activities, financial condition, and accomplishments under this section;

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

(C) a detailed description of each in-kind contribution, its fair market value, the individual or organization responsible for contributing, its specific use, and a justification for its use within the context of the Corporation's mission;

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

(E) an explanation of the reason for any failure to achieve an objective established by the board and any revisions or alterations to the Corporation's objectives under paragraph (1);

(F) a comprehensive and detailed report of the Corporation's operations and activities to promote tourism in rural and urban areas; and

(G) such recommendations as the Corporation deems appropriate.

(4) LIMITATION ON USE OF FUNDS.—Amounts deposited in the Fund may not be used for any purpose inconsistent with carrying out the objectives, budget, and report described in this subsection.

(d) MATCHING PUBLIC AND PRIVATE FUNDING.—

(1) ESTABLISHMENT OF TRAVEL PROMOTION FUND.—There is hereby established in the

Treasury a fund which shall be known as the Travel Promotion Fund.

(2) FUNDING.—

(A) START-UP EXPENSES.—For fiscal year 2010, the Secretary of the Treasury shall make available to the Corporation such sums as may be necessary, but not to exceed \$10,000,000, from amounts deposited in the general fund of the Treasury from fees under section 217(h)(3)(B)(i)(I) of the Immigration and Nationality Act (8 U.S.C. 1187(h)(3)(B)(i)(I)) to cover the Corporation's initial expenses and activities under this section. Transfers shall be made at least quarterly, beginning on January 1, 2010, on the basis of estimates by the Secretary, and proper adjustments shall be made in amounts subsequently transferred to the extent prior estimates were in excess or less than the amounts required to be transferred.

(B) SUBSEQUENT YEARS.—For each of fiscal years 2011 through 2014, from amounts deposited in the general fund of the Treasury during the preceding fiscal year from fees under section 217(h)(3)(B)(i)(I) of the Immigration and Nationality Act (8 U.S.C. 1187(h)(3)(B)(i)(I)), the Secretary of the Treasury shall transfer not more than \$100,000,000 to the Fund, which shall be made available to the Corporation, subject to paragraph (3) of this subsection, to carry out its functions under this section. Transfers shall be made at least quarterly on the basis of estimates by the Secretary, and proper adjustments shall be made in amounts subsequently transferred to the extent prior estimates were in excess or less than the amounts required to be transferred.

(3) MATCHING REQUIREMENT.—

(A) IN GENERAL.—No amounts may be made available to the Corporation under this subsection after fiscal year 2010, except to the extent that—

(i) for fiscal year 2011, the Corporation provides matching amounts from non-Federal sources equal in the aggregate to 50 percent or more of the amount transferred to the Fund under paragraph (2); and

(ii) for any fiscal year after fiscal year 2011, the Corporation provides matching amounts from non-Federal sources equal in the aggregate to 100 percent of the amount transferred to the Fund under paragraph (2) for the fiscal year.

(B) GOODS AND SERVICES.—For the purpose of determining the amount received from non-Federal sources by the Corporation, other than money—

(i) the fair market value of goods and services (including advertising) contributed to the Corporation for use under this section may be included in the determination; but

(ii) the fair market value of such goods and services may not account for more than 80 percent of the matching requirement under subparagraph (A) for the Corporation in any fiscal year.

(C) RIGHT OF REFUSAL.—The Corporation may decline to accept any contribution in-kind that it determines to be inappropriate, not useful, or commercially worthless.

(D) LIMITATION.—The Corporation may not obligate or expend funds in excess of the total amount received by the Corporation for a fiscal year from Federal and non-Federal sources.

(4) CARRYFORWARD.—

(A) FEDERAL FUNDS.—Amounts transferred to the Fund under paragraph (2)(B) shall remain available until expended.

(B) MATCHING FUNDS.—Any amount received by the Corporation from non-Federal sources in fiscal year 2010, 2011, 2012, 2013, or 2014 that cannot be used to meet the matching requirement under paragraph (3)(A) for the fiscal year in which amount was collected may be carried forward and treated as having been received in the succeeding fiscal

year for purposes of meeting the matching requirement of paragraph (3)(A) in such succeeding fiscal year.

(e) TRAVEL PROMOTION FUND FEES.—Section 217(h)(3)(B) of the Immigration and Nationality Act (8 U.S.C. 1187(h)(3)(B)) is amended to read as follows:

“(B) FEES.—

“(i) IN GENERAL.—No later than 6 months after the date of enactment of the Travel Promotion Act of 2009, the Secretary of Homeland Security shall establish a fee for the use of the System and begin assessment and collection of that fee. The initial fee shall be the sum of—

“(I) \$10 per travel authorization; and

“(II) an amount that will at least ensure recovery of the full costs of providing and administering the System, as determined by the Secretary.

“(ii) DISPOSITION OF AMOUNTS COLLECTED.—Amounts collected under clause (i)(I) shall be credited to the Travel Promotion Fund established by subsection (d) of section 11 of the Travel Promotion Act of 2009. Amounts collected under clause (i)(II) shall be transferred to the general fund of the Treasury and made available to pay the costs incurred to administer the System.

“(iii) SUNSET OF TRAVEL PROMOTION FUND FEE.—The Secretary may not collect the fee authorized by clause (i)(I) for fiscal years beginning after September 30, 2014.”

(f) ASSESSMENT AUTHORITY.—

(1) IN GENERAL.—Except as otherwise provided in this subsection, the Corporation may impose an annual assessment on United States members of the international travel and tourism industry (other than those described in subsection (b)(2)(A)(iii) or (H)) represented on the Board in proportion to their share of the aggregate international travel and tourism revenue of the industry. The Corporation shall be responsible for verifying, implementing, and collecting the assessment authorized by this subsection.

(2) INITIAL ASSESSMENT LIMITED.—The Corporation may establish the initial assessment after the date of enactment of this section at no greater, in the aggregate, than \$20,000,000.

(3) REFERENDA.—

(A) IN GENERAL.—The Corporation may not impose an annual assessment unless—

(i) the Corporation submits the proposed annual assessment to members of the industry in a referendum; and

(ii) the assessment is approved by a majority of those voting in the referendum.

(B) PROCEDURAL REQUIREMENTS.—In conducting a referendum under this paragraph, the Corporation shall—

(i) provide written or electronic notice not less than 60 days before the date of the referendum;

(ii) describe the proposed assessment or increase and explain the reasons for the referendum in the notice; and

(iii) determine the results of the referendum on the basis of weighted voting apportioned according to each business entity's relative share of the aggregate annual United States international travel and tourism revenue for the industry per business entity, treating all related entities as a single entity.

(4) COLLECTION.—

(A) IN GENERAL.—The Corporation shall establish a means of collecting the assessment that it finds to be efficient and effective. The Corporation may establish a late payment charge and rate of interest to be imposed on any person who fails to remit or pay to the Corporation any amount assessed by the Corporation under this section.

(B) ENFORCEMENT.—The Corporation may bring suit in Federal court to compel compli-

ance with an assessment levied by the Corporation under this section.

(5) INVESTMENT OF FUNDS.—Pending disbursement pursuant to a program, plan, or project, the Corporation may invest funds collected through assessments, and any other funds received by the Corporation, only in obligations of the United States or any agency thereof, in general obligations of any State or any political subdivision thereof, in any interest-bearing account or certificate of deposit of a bank that is a member of the Federal Reserve System, or in obligations fully guaranteed as to principal and interest by the United States.

(g) OFFICE OF TRAVEL PROMOTION.—Title II of the International Travel Act of 1961 (22 U.S.C. 2121 et seq.) is amended by inserting after section 201 the following:

“SEC. 202. 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 2009 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 the date of enactment of the Travel Promotion Act of 2009, 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).”

(h) RESEARCH PROGRAM.—Title II of the International Travel Act of 1961 (22 U.S.C. 2121 et seq.), as amended by subsection (g), is

further amended by inserting after section 202 the following:

“SEC. 203. 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 the Travel Promotion Act of 2009; and

“(5) research to support the annual reports required by section 202(d) of this Act.

“(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.”

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Arizona (Mr. GRIJALVA) and the gentleman from Tennessee (Mr. ROE) each will control 20 minutes.

The Chair recognizes the gentleman from Arizona.

GENERAL LEAVE

Mr. GRIJALVA. Mr. Speaker, I ask unanimous consent for 5 legislative days during which Members may revise and extend and insert extraneous material on H. Res. 806 into the RECORD.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Arizona?

There was no objection.

Mr. GRIJALVA. Mr. Speaker, I yield myself such time as I may consume.

I rise in support of this bill that enhances the Morris K. Udall Foundation and honors the life of Stewart Udall.

The Morris K. Udall Foundation is an independent Federal agency based in Tucson, Arizona, which operates exceptional educational programs focused on developing leadership on environmental issues and Native American issues. It also includes the U.S. Institute for Environmental Conflict Resolution, the only program within the Federal Government focused entirely on preventing, managing, and resolving Federal environmental conflicts.

The legislation today will enhance the foundation’s programs and operations, and at the same time honor one of the greatest public servants and conservationists in history, Stewart L. Udall, by adding his name to the foundation of his late brother, Morris K. Udall.

The Udall Foundation was established by Congress in 1992. Initially,

the foundation’s mission was to provide educational opportunities for studies related to the environment and Native American tribal policy and health care.

In 1998, Congress amended the Udall Foundation’s enabling legislation to add a new mission: resolving conflicts related to the environment, natural resources, and public lands through services including mediation, facilitation, and training. The work of the Udall Foundation has become even more important today as the Nation seeks long-term responses to climate change, sustainable energy supplies, and a sustainable economy for all Americans.

Through its education programs, the Udall Foundation identifies and educates tomorrow’s leaders in fields that are critical to the energy, climate change, and economic issues that face our Nation. These programs include:

The premier college scholarship and doctoral fellowship for studies related to the environment and a scholarship for Native Americans studying tribal policy or health care.

The Native American Congressional Internship Program that has provided to many of our offices over 150 young Native American leaders that have been part of that internship program.

The Native Nations Institute for Leadership, Management, and Policy that provides both governance and economic development resources for tribal nations as they develop their own self-determination and fully develop the sovereignty that they have.

The Parks in Focus Program which connects underserved youth to nature through the art of photography and instilling them with a long-last understanding and appreciation for our national parks and other public lands.

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I think it is very appropriate for Congress to provide solid support for the Udall Foundation and very important programs through this legislation, while at the same time recognizing the unsurpassed contributions of Stewart Udall by adding his name to the foundation’s title. Stewart Udall served in the House of Representatives with distinction from 1955, representing an area that included what is now my district, until he was appointed Secretary of the Interior in 1961 by President John F. Kennedy.

As Secretary of the Interior, Stewart Udall had an unmatched record of environmental leadership, overseeing the creation of 4 national parks, 6 national monuments, 8 national sea shore and lake shores, 9 recreation areas, 20 historic sites, and 56 wildlife refuges. He continued to make substantial contributions to environmental and Native American policy as a lawyer and author following his tenure at the Interior.

For these reasons, I believe that the legislation deserves the support of the House.

At this point, Mr. Speaker, I yield the remainder of my time to the gen-

telady from Florida (Ms. CASTOR) and ask unanimous consent that she manage the remainder of the bill.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Arizona?

There was no objection.

Mr. ROE of Tennessee. Mr. Speaker, I yield myself as much time as I may consume. I rise today in support of H.R. 1035, a bill that amends the Morris K. Udall Scholarship and Excellence in National Environmental Policy Act. The Morris K. Udall Foundation was created by Congress in 1992 to honor Mr. Udall’s 30 years of public service. The Foundation was created to help educate new generations to protect the environment. The Foundation works to increase the awareness of our Nation’s natural resources, foster a greater recognition and understanding of the role of the environment and the development of our Nation, and through the U.S. Institute for Environmental Conflict Resolution, provide for mediation and other services to resolve environmental disputes involving Federal agencies.

The Foundation operates several educational programs. The Morris K. Udall scholarship program awards approximately 80 merit-based scholarships of about \$5,000 each year. It also supports about 12 Native Americans or Alaskan natives every summer for a 10-week bipartisan congressional internship program.

Finally, the foundation supports two fellows every year in a doctoral program whose research focuses on environmental policy.

As we noted when this passed the House this summer, the legislation before us honors Stewart L. Udall’s service to the Nation by adding his name to the foundation, making it the Morris K. Udall and Stewart L. Udall Foundation. Mr. Udall served in Congress and the administration, and then continued his work for the environment in the private sector. I would like to point out that there is one difference between this bill and the version passed by the House in July. The other body removed the authorization level of “such sums,” thereby leaving the authorization of these programs at \$40 million, which is current law.

Finally, I would like to note this bill is being amended by the House to include the Travel Promotion Act, which creates a corporation to promote travel in the United States. My colleague from Missouri, Mr. BLUNT, a member of the Energy and Commerce Committee, will speak to these provisions. But let me just say that I’m glad that we are acting to promote tourism in this economic downturn. Attractions like the Great Smoky Mountains National Park, the most visited park in America, Dollywood, Jonesboro, the oldest town in Tennessee, and Sycamore Shoals historic site in my district stand to benefit greatly from increased tourism. The Senate amendment to the underlying Udall scholarship bill

makes this legislation better. I urge my colleagues to support this bill.

Mr. Speaker, I yield the balance of my time to the gentleman from Missouri (Mr. BLUNT) and ask unanimous consent that he be allowed to control that time.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Tennessee?

There was no objection.

Ms. CASTOR of Florida. Mr. Speaker, I rise in strong support of the Udall Scholarship in Excellence in NEPA Act by Congressman GRIJALVA. As part of the act, the House will consider Senate bill 1023, the Travel Promotion Act, which is similar to H.R. 2935 by Representative DELAHUNT of Massachusetts, a bill of which I'm pleased to be an original cosponsor.

The Travel Promotion Act is a jobs bill. It's a vital economic development initiative to combat the economic downturn that we've been battling since the spring of 2008. The Travel Promotion Act establishes a nonprofit corporation for travel promotion to promote tourism in the United States and provide travel information to people around the world.

Tourism is particularly important to my home State of Florida. Florida is a top travel destination from across the globe. The millions and millions of tourists who travel to Florida support a \$57 billion tourism industry and our economy. People come from every nation to visit our beautiful beaches, Busch Gardens, Disneyworld and Universal Studios, the Everglades and more, and the Florida economy thrives and families have good jobs in a clean industry because of tourism.

Having the beaches and attractions is not enough, however. Florida also communicates to the world about Florida vacations through the Visit Florida tourism Web site and outreach and advertising campaigns. But, you know, there is no similar initiative for the United States as a whole internationally. So the USA needs to get creative and create new jobs through growing tourism nationwide.

Unfortunately, there are a lot of misconceptions out there that the United States is not a friendly place for international tourists. Other nations actively promote international tourism through advertising campaigns and outreach, but some say that we've allowed our image to become an unwelcoming one. Nations that project a welcoming image are reaping economic benefits, while we run the risk of being left behind. Overseas travel in the United States has declined by 10 percent in the first quarter of 2009.

Our travel bill would let world travelers know that we want them to visit America's great cities and natural wonders. We want the world to come and share our culture and experience the richness that is the United States of America. Therefore, I urge adoption of the Travel Promotion Act to get our economy moving and create jobs.

Mr. Speaker, I now recognize Congresswoman LORETTA SANCHEZ of the Committee on Homeland Security.

Ms. LORETTA SANCHEZ of California. I thank my colleague for recognizing me to express support for the travel promotion legislation being considered today. I do, however, have a few concerns that I would like to discuss in a colloquy with the gentlelady from Florida.

First, I am concerned that the bill would allow the Corporation For Travel Promotion to distribute information on Federal entry and exit requirements to foreign tourists without the Department of Homeland Security or the State Department reviewing that information. To ensure accuracy and consistency it's imperative that the DHS and the State Department have the opportunity to review this information before it is released to the public. Do I understand that the gentlelady shares my concern and is willing to work with me to resolve that matter?

I yield to the gentlelady for a response.

Ms. CASTOR of Florida. I thank the gentlelady from California for raising this important issue. Yes, it is extremely important that the U.S. has a unified voice abroad, and that all information about Federal travel requirements is properly vetted. I look forward to working with you and the committee to address this issue.

Ms. LORETTA SANCHEZ of California. I thank my colleague. And the other concern that I have relates to the fee provision and its mandatory nature. I have heard concerns expressed by our European partners and others about these fees. And under the 9/11 Act, the Secretary of Homeland Security has discretion about how to fund the Electronic System For Travel Authorization program. This legislation appears to remove that discretion and to require our Secretary to collect fees for ESTA in addition to the fees collected for the corporation.

So I believe the Secretary should retain that discretion to determine how to fund the ESTA program. And I also believe that any fees collected in excess of the needs of the corporation should be made available to the Department of Homeland Security to fund important travel, security, and facilitation programs, including our US-VISIT and our Global Entry program.

Would my colleague work with me to ensure that the Secretary has this flexibility and the resources needed to effectively carry out the missions of the department?

Ms. CASTOR of Florida. I share your concern about the fee structure, and I will be happy to work with you and the committee to ensure that these matters are addressed.

I would also like to submit for the RECORD an exchange of letters between the leadership of the Energy and Commerce Committee and the Senate Commerce Committee that reflects a shared commitment to work on these

very issues as well as other important issues raises by other Members.

HOUSE OF REPRESENTATIVES,
COMMITTEE ON ENERGY AND COMMERCE,
Washington, DC, October 7, 2009.

Hon. JOHN D. ROCKEFELLER IV,
Chairman, Senate Committee on Commerce,
Science, and Transportation.

Hon. AMY KLOBUCHAR,
Chairman, Subcommittee on Competitiveness,
Innovation, and Export Promotion.

Hon. BYRON L. DORGAN,
U.S. Senator.

DEAR SENATORS ROCKEFELLER, KLOBUCHAR, AND DORGAN: As the House may consider S. 1023, the Travel Promotion Act of 2009, shortly, we write to clarify your intent with regard to several provisions in the bill.

I. CREATION OF THE CORPORATION

It is our understanding that the intent of the legislation is for the Department of Commerce to administer grants to the newly created nonprofit, "Corporation for Travel Promotion." It will be left to the judgment of the Secretary of Commerce to transfer sums necessary for the operations of the nonprofit and the administration of the grants. We understand further that the Department of Treasury will hold the separate "Travel Promotion Fund," but will have no substantive role with regard to the Corporation. By having the Department of Commerce issue grants to the Corporation, we can assure the application of Circular A-110, Uniform Administrative Requirements for Grants and Agreements with Institutions of Higher Education, Hospitals, and Other Non-Profit Organizations. A-110 imposes a number of requirements on non-profit entities spending federal dollars, including the requirement that contracts target small businesses owned by women and minorities.

In addition, we appreciate that you share our commitment to diversity on the Corporation Board of Directors. We want to stress that the Secretary of Commerce should make every effort to ensure that the homeland security and small business communities are adequately represented on the Corporation's Board, and that the Board has a balance of gender, ethnicity, and economic status, as well as representatives from both urban and rural areas.

Also, we understand the importance of a functioning Corporation and the decision to allow expenditures to be made when six Board members are present. We would suggest that for expenditures over \$25 million, the Board strive to have more than four members support approval of such an expenditure.

Moreover, we would expect the Corporation's campaigns to target travelers from a diverse set of regions of the world and to advertise a wide range of destinations across the United States and its territories.

II. COORDINATION WITH THE FEDERAL GOVERNMENT

Although the legislation creates a requirement that the Corporation consult with the Department of Commerce, we believe that the Corporation should consult regularly with the Departments of State and Homeland Security which also have key responsibilities relating to travel and tourism. For example, it is imperative that the Corporation coordinate on any information it may disseminate regarding entry requirements, required documentation, fees, processes, and information concerning declared public health emergencies and requirements for entering the United States. This coordination is necessary in order to avoid the risk that prospective travelers to the United States could receive conflicting or confusing information regarding entry requirements and processes.

III. TRAVEL PROMOTION FUND FEES

Under the Implementing Recommendations of the 9/11 Commission Act of 2007 (P.L. 100-53), the Secretary of Homeland Security already has authority to charge a fee to cover the cost of administering the Electronic System for Travel Authorization (ESTA), but also has discretion to pay for ESTA with other funds. Similarly, the legislation before us should maintain the Secretary's discretion to determine the most appropriate manner to fund ESTA administration.

The legislation does not specify how funds collected in excess of \$100 million or greater than the needs of the Corporation for Travel Promotion should be used. We believe that these funds should be transferred to the Department of Homeland Security to: (1) reinvest in ESTA to support changes necessary to collect the new fee, and (2) enhance critical border security programs such as US-VISIT and Global Entry. Under the Implementing Recommendations of the 9/11 Commission Act of 2007, full implementation of the US-VISIT air exit capability is required for increased flexibility to expand the Visa Waiver Program, which would help increase tourism to the United States.

IV. LIMITATIONS AND ACCOUNTABILITY

Furthermore, we believe it is essential to ensure that the Corporation's funds are invested only in low risk vehicles and that none of the funds provided to the Corporation be used to directly promote or advertise a specific corporation. Finally, we understand that under this bill, Congress has full and complete access to the books and records of the Corporation. We would suggest that the Corporation proactively send its marketing plan to Congress.

V. SUMMARY

While there is strong support in the House for passage of S. 1023, the Travel Promotion Act of 2009, we remain concerned about some aspects of the bill. We look forward to working with you to conduct vigorous oversight of the Travel Promotion Act once it is law and to make any changes to the legislation that may become necessary. Thank you in advance for clarifying your thoughts on the matters discussed in this letter.

Sincerely,

HENRY A. WAXMAN,
Chairman.
JOHN D. DINGELL,
Chairman Emeritus.

U.S. SENATE, COMMITTEE ON COMMERCE, SCIENCE, AND TRANSPORTATION,

Washington, DC, October 7, 2009.

Hon. HENRY A. WAXMAN,
Chairman, House Committee on Energy and Commerce, Rayburn House Office Building, Washington, DC.

Hon. JOHN D. DINGELL,
Chairman Emeritus, House Committee on Energy and Commerce, Rayburn House Office Building, Washington DC.

DEAR CHAIRMAN WAXMAN AND CHAIRMAN EMERITUS DINGELL, Thank you for your letter regarding S. 1023, the Travel Promotion Act of 2009. We appreciate your significant interest in and contributions to this important piece of economic development legislation.

Many members of the Senate have praised this legislation for two main reasons. First, the legislation would stimulate the economy at a time when our country is facing record level job losses and deficits. A study by Oxford Economics showed that a coordinated international travel promotion campaign, such as the type that would be created by S. 1023, could drive as much as \$8 billion in new

spending and create nearly \$1 billion in tax revenues annually. Additionally, the Congressional Budget Office found that enacting S. 1023 would have the added benefit of reducing budget deficits by \$425 million over fiscal years 2010–2019. This is the rare bill that stimulates economic growth while reducing the deficit at the same time.

Second, S. 1023 is a broadly bipartisan piece of legislation. Authored by Senators Dorgan and Ensign, 53 senators signed on as co-sponsors to the measure. The Travel Promotion Act of 2009 passed the Senate on September 9, 2009 by a vote of 79–19. While bipartisanship has been difficult to achieve on many issues, the solidarity of support across the aisle shows the Senate's strong commitment to enacting this legislation. The travel industry is crucial to every state and region, and we are excited to join together with you and the members of the House to aid in sending this important bill to President Obama's desk.

Presuming House passage of the Travel Promotion Act of 2009 on Wednesday, October 7, 2009 and the President's signature thereafter, we agree that the efficient and proper implementation of the Act is the cornerstone of a successful and equitable program. As Chairman of the Senate Committee on Commerce, Science, and Transportation, joined by the Chairman of the Subcommittee on Competitiveness, Innovation, and Export Promotion and the author of S. 1023, please find the following statements of intent regarding the Travel Promotion Act of 2009.

Consultation with the Department of Homeland Security and the Department of State: One of the central purposes of the Travel Promotion Act of 2009 is to assist in disseminating information to foreign travelers about documents and procedures required for admission to the United States. While the Office of Travel Promotion and the Corporation would have the mandated responsibility to serve as an outlet for this information, in no way does the Act change the primary responsibilities of the Departments of State and Homeland Security for this function. The Department of Homeland Security has authority over the entry portals to the United States, and the Department of State is responsible for the execution of the visa policy. The Act does not create an express or implied ability for the Department of Commerce to supersede either agency's responsibilities. The purpose of the Office of Travel Promotion is to educate potential foreign tourists regarding the visa and entry policies set by those agencies—not to change visa and entry policies.

It is our expectation that the consultation requirements established in Sections 3 and 7 of the Act will establish an open, ongoing and vigorous line of communication between the Departments of Commerce, Homeland Security and State. The goal is for the Commerce Department and the Office of Travel Promotion to work closely with the other agencies to clearly and accurately communicate visa and entry policies and to improve the entry experience for international arrivals. In that vein, we expect the Departments of Homeland Security and State to work with the Department of Commerce to achieve the goals of the Act, and we would insist that the Department of Commerce, the Office of Travel Promotion, or the Corporation for Travel Promotion not go forward with any communication regarding the entry or visa process without prior consultation with the Departments of State and Homeland Security.

Board of Directors Composition and Guidance: The Secretary of Commerce has the responsibility of appointing the Board of Directors for the Corporation for Travel Promotion, after consultation with the Secre-

taries of Homeland Security and State. In addition to the mandates regarding the Board expressed in Section 2(a), (b), (c) and (d), we strongly encourage the Secretary of Commerce to select board members that are reflective of the diversity of our country. As with any governmental posting, we would expect the Board to reflect a balance of gender, racial and ethnic diversity.

Section 2(g) limits the Board's ability to obligate or expend more than \$25 million without at least 6 members of the Board present. We would strongly suggest that as part of the Board's procedures and rules of corporate governance that at least 5 members be present before the authorization, obligation or expenditure of any funds for campaigns, promotions or related efforts.

Small Business Representation and Diversity of Contractors: Approximately 90 percent of all employers that are part of the travel industry are small businesses. One of the primary purposes of the Act is to craft campaigns to encourage overseas travelers to come to America so these small businesses generate new revenue and create new jobs. Because small businesses play a vital role in the travel industry, we strongly encourage the Secretary of Commerce to select board members who have knowledge and expertise of small businesses. We expect the Board and the Executive Director to strive to make certain that promotional efforts benefit small businesses in every region. In the planning and execution of campaigns, the Corporation should make special efforts in the bidding and contract process to target small businesses and businesses owned by women and minorities.

Considerations for Promotion Campaigns: The Corporation and the Office for Travel Promotion shall plan and execute the promotion campaigns to maximize the return of investment for each advertising dollar expended. The campaigns should be comprehensive in scope and should advertise in all regions of the world to encourage overseas arrivals to the United States.

Per the mandate in Section 2(e)(1)(D), the Corporation shall develop and execute a plan to generate international tourism benefits for all states and the District of Columbia and to identify opportunities and strategies to encourage tourism to underserved rural and urban areas equally, including areas not traditionally visited by international travelers. It is our intention that U.S. territories are included in the promotional plan along with the states and District of Columbia. We expect the Corporation and the Office of Travel Promotion to vigorously implement and execute this mandate.

Accountability and Oversight: Section 3(c) of the Act mandates that the Secretary of Commerce transmit an annual report to Congress, which shall include a comprehensive and detailed report of the operations, activities, financial condition and accomplishments of the Corporation. To aid in the oversight of the Corporation and the Office of Travel Promotion, we strongly suggest the Corporation submit its marketing plan to the Senate Committee on Commerce, Science, and Transportation and the House Committee on Energy and Commerce.

Corporation for Travel Promotion Funding: The Corporation has the fiduciary duty to collect and ascertain the quality of the private sector contributions, protect the corpus of the fund from undue and unnecessary risks, and to make certain that the funds are not used in a discriminatory fashion.

In-Kind Goods and Services: The Act allows for up to 80 percent of the private sector contribution be fulfilled with in-kind contributions of goods and services that are appropriate to carry out the dictates of the Act. The Corporation shall be very conservative in its acceptance of these goods and

services. The contributions must be directly useable for the campaigns, their value assessed at current fair market rates, and they must have true commercial value. In making that evaluation, we suggest that the good or service be able to be sold on the open market and garner the assessed fair market return. As example, but not for the purposes of limiting the discretion of the Corporation, we would consider television air-time or print advertising space to be examples of goods and services that would be appropriate for acceptance and usage.

Protecting the Corpus of the Fund: As part of its fiduciary duties to protect the Fund, the Board of Directors must invest the fund in conservative investment vehicles, such as Unites States Government Treasury Bills. While the Corporation should invest a \$200 million dollar corpus to take advantage of the fund's size to benefit American travel businesses and taxpayers, the Fund should not be exposed to undue risk.

Prohibition on Discriminatory Fund Distribution and Campaign Focus: As mandated in Section 2(e), the international travel advertising campaign must benefit all states and the District of Columbia. We read this mandate as strictly forbidding the Corporation from expending funds to promote one specific company. The campaign should promote travel to the United States to provide benefits to multiple regions and businesses. A campaign singling out specific travel related companies would violate Section 3(d) of the Act.

Governmental Responsibilities for Collecting and Distributing Funds: We expect the Departments of Commerce, Homeland Security and Treasury to work together collaboratively to execute the collection and distribution of monies to the Travel Promotion Fund.

Department of Homeland Security and Electronic System for Travel Authorization (ESTA) Funding Discretion: The Travel Promotion Act of 2009 mandates that the Secretary of Homeland Security establish and collect a fee from visa waiver travelers to use the ESTA for the Travel Promotion Fund and an amount to ensure the costs of providing and administering the system. This mandate does not supersede or limit any additional authority or discretion for the Department of Homeland Security to pay for ESTA administration with other funds. The need for this additional ESTA fee is at the determination of the Secretary. If the ESTA system is funded by other means, the Secretary of Homeland Security shall collect the minimum \$10 for the Travel Promotion Fund as mandated by the Travel Promotion Act of 2009.

Usage of Fees after seeding the Travel Promotion Fund: The Travel Promotion Fund Fee as established in Section 5 of the Act is to provide the funding level mandated by the year of collection. After the Federal contribution level for the Fund has reached its annual cap, we strongly suggest that any funds collected beyond that level may be used to complete visa waiver system improvements to the ESTA.

The Department of Commerce is the Primary Agency: The Department of Commerce is responsible for administering the Travel Promotion Fund. As part of the Secretary's duties, which include selecting the Board of Directors of the Corporation, overseeing the Office of Travel Promotion within the Department, and executing the accountability measures mandated by the Act, the Secretary also is responsible for administering the Fund. The Department of the Treasury is not responsible for administering the Travel Promotion Fund; its responsibilities are limited to holding and distributing the funds to the Corporation of Travel Promotion.

Again, we thank you for your consideration and assistance in bringing the Travel Promotion Act of 2009 before the House for a vote. The Senate Committee on Commerce, Science and Transportation will stand with you to execute aggressive and exacting oversight of the implementation and execution of S. 1023. As always, we look forward to working with you on this and other matters before our Committees.

Sincerely,

JOHN D. ROCKEFELLER IV,
Chairman

AMY KLOBUCHAR,
Chairman, Subcommittee on Competitiveness, Innovation and Export Promotion.

BYRON L. DORGAN,
U.S. Senator.

Ms. LORETTA SANCHEZ of California. I thank my colleague for her continued support, and I look forward to working with you on this issue.

Mr. Speaker, I rise in support of S. 1023 the Travel Promotion Act, and the underlying bill, H.R. 1035, the Morris K. Udall Scholarship and Excellence in National Environmental Policy Amendments Act of 2009.

The Travel Promotion Act would help establish an independent non-profit corporation that would provide and maintain useful tourist information.

Most importantly, this bill will further educate potential tourists abroad about the U.S. entry policies.

As the Chairwoman of the Subcommittee in charge of all ingress and egress into our country, this bill will play an important role in educating foreign travelers about our border and port of entry procedures and will help clear up misconceptions about traveling to the United States.

This outreach and expansion will improve research and development activities to promote international travel to the United States at a time when many foreigners are wary of traveling to our country.

Foreign travelers traditionally stay in a visited region longer and spend more money during their stay than domestic travelers do.

This bill will find ways to encourage more foreign travelers to visit the United States.

As the Representative of the district that includes the happiest place on earth, Disneyland, this bill is crucial to my district.

In Orange County, the tourist industry alone supports approximately 160,000 jobs, both directly and indirectly.

Furthermore, in 2008 tourism brought in over 43 million visitors, including 2.5 million foreign visitors, to Orange County, California.

These visitors generated over 7.9 billion dollars in spending which provided critical support to local businesses and governments.

I want to thank Representative DELAHUNT, Senator DORGAN, and the leadership of both the House and Senate for advocating for this legislation.

I urge my colleagues to vote for the underlying legislation and pass H.R. 1035.

Ms. CASTOR of Florida. Mr. Speaker, I'd also like to add for the RECORD that we intend to work with Congressman DOYLE of Pennsylvania regarding non-profit cultural destinations as part of the bill.

I reserve the balance of my time.

Mr. BLUNT. Mr. Speaker, I would like to join Mr. ROE in supporting the

Morris K. Udall Act, and that now includes the Travel Promotion Act, an act that passed this body in the last Congress with 244 cosponsors and by voice vote, a very similar piece of legislation we sent to the Senate and to the other body in the last Congress. I'd also like to thank my good friend, Mr. DELAHUNT from Massachusetts, for his sponsorship of the House version of this legislation, and my co-Chair of the House Travel and Tourism Caucus, Mr. FARR from California, for his support and advocacy of this bill. Also, Mr. BARTON from Texas, Mr. RADANOVICH from California, Mr. KING from New York and Mr. SMITH from Texas have been helpful in moving this bill through the process.

I believe that the House bill was superior in some ways to the Senate bill, but the goal of both of these bills is a worthy goal. It's a goal that this Congress should move forward with. Every State and every congressional district is a tourism destination. In Missouri, whether it's the St. Louis Arch, the world's largest sporting goods store in Springfield, Missouri, the Bass Pro Shop, or for the 8.4 million tourists that visited Branson, Missouri, last year, all benefit from tourism, and our country benefits from international visitors and international tourism.

This bill does create a fee paid by visitors to the United States that, in fact, based on information I have, is lower than the entry and exit fees in the countries that are generally discussed. The Czech Republic, Denmark, Estonia, Finland, France, Germany, Hungary, Ireland, Italy, Lithuania, the Netherlands, Slovenia, Spain, Sweden, and the U.K. all have entry fees for Americans that would exceed this entry fee that would allow us to have a matching fund to encourage international tourism.

After barely recovering to its pre-9/11 numbers in 2007, international tourism took a 17 percent decline. The bill we're considering today will remind people overseas of what the United States has to offer. The corporation created by this bill will be composed of individuals with expertise across the spectrum that will show the value and the logistics of international travel. Foreign travelers to the United States spend more time in the country than the average domestic traveler. They spend more money, and frankly, in virtually every case, they like Americans and America better after they've visited here than they did when they first came. I'm hopeful the House will pass this legislation today, and I'm looking forward to seeing it signed into law.

I reserve the balance of my time.

Ms. CASTOR of Florida. Mr. Speaker, I am proud to yield 1 minute to my colleague from the House Energy and Commerce Committee, Mrs. CHRISTENSEN from the Virgin Islands.

Mrs. CHRISTENSEN. Mr. Speaker, as a member of Energy and Commerce and also a former Steering Committee Member of the Travel and Tourism

Caucus and a cosponsor of this bill, I too support its enactment with the understanding that its implementation will benefit the territories and not just the 50 States. So I want to thank Ms. CASTOR, Mr. DELAHUNT, Mr. BLUNT and others for their work on the bill; thank them for the exchange of letters clarifying the application of the territories, and we look forward to working with you on the implementation of the bill.

□ 1630

Mr. BLUNT. I am wondering if I can enter into a colloquy with the gentleman from Massachusetts, the principal sponsor of this bill, Mr. DELAHUNT.

Mr. DELAHUNT, as this legislation advances, it's important that tour operators, most of which are small businesses involved in inbound U.S. travel, are not adversely affected and that any marketing Web site the corporation will create is protected from being misused in a way that would favor particular companies or segments of the industry over any other and would provide equal access and choice. There are three issues I need to have further clarification on as we move forward.

First, the board of directors of the Corporation for Travel Promotion created by this legislation will include representatives from many sectors of the travel industry. I'm hopeful that at least one member of this board will be a representative from the receptive/inbound tour operator sector. In addition, given their current efforts to market the United States as part of their business model, tour operators should be excluded from any assessment the corporation may impose.

Second, any marketing Web site the corporation might create may include destination information for all 50 States, the U.S. territories, and the District of Columbia; but it should not include an internal consumer booking engine or reservation system that would infringe on the services provided by existing travel operators.

A Web site should include no link to sites promoting non-U.S. destinations except those I mentioned, and any external Web links on the site, including those connected to paid advertisements, should be prohibited from the homepage.

Third, any advertising space on a Web site the corporation might create should be equally available to any sector or company promoting travel to the United States and should not be focused on any one sector. To ensure this availability, I'd encourage the corporation to ensure that no single entity be allowed to purchase more than 5 percent of the total advertising space available on the marketing Web site, and at least 10 percent of the space offered should be reserved for small businesses. No industry segment should receive any favored pricing or access.

I respectfully ask my friend from Massachusetts that he work with me to ensure that all sectors of our travel in-

dustry be protected and any Web site created by the corporation be used effectively and without abuse.

I yield to the gentleman.

Mr. DELAHUNT. I want to thank the gentleman from Missouri for bringing these concerns to our attention and to the floor. I want to assure the gentleman that these points and these issues are important to the success and effectiveness of this legislation, and I'm in full agreement with the gentleman.

Mr. BLUNT. I reserve the balance of my time, Mr. Speaker.

Ms. CASTOR of Florida. Mr. Speaker, I yield 3 minutes to the original sponsor of the Travel Promotion Act, the gentleman from Massachusetts (Mr. DELAHUNT).

Mr. DELAHUNT. I thank the gentlelady for her leadership on this effort and the work that many who are sitting here have contributed to today's debate on the floor.

As has been indicated, the bill addresses the sharp decline in the number of overseas visitors to the United States. There were over 600,000 fewer visitors in 2008 than there were in 2000. This is happening as the world travel market is expanding but our market share is plummeting. In other words, overseas tourists and businessmen and students are going elsewhere. This has a devastating consequence to our economy, as one of every eight nonfarm jobs is created directly or indirectly through travel and tourism.

This drop in foreign travel during the 7-year period from 2001 to 2008 translates into a loss of \$182 billion in visitor spending, a loss of \$27 billion in tax revenue, and the loss of more than 200,000 American jobs annually. The question is: Why? Why did this happen?

The reason is painfully simple. We don't make a coherent effort to tell America's story, to say to foreign visitors that they are welcome here or to explain the confusing and sometimes intimidating rules and delays and even indignities that have become part of our visa and border entry process since 9/11.

Just last week, an International Olympic Committee member from Pakistan went out of his way in explaining his vote against Chicago to host the games to note that going through the United States customs can be a harrowing experience.

This legislation would clarify misperceptions about security protocols and other confusing aspects of our entry process that scare away potential visitors in droves and to communicate unambiguously: welcome to the United States.

And the best part: it would not cost U.S. taxpayers a penny. The program is partially funded by a \$10 fee charged to visitors under the Visa Waiver Program. The rest of the cost is defrayed by the U.S. travel industry itself. In fact, it will actually reduce the deficit by some \$400 million. So it's a win for the economy, it's a win for American

foreign policy, and it's a win for fiscal responsibility.

So I urge my colleagues to join my friend from Missouri (Mr. BLUNT) and I, along with the co-Chair of the Travel Caucus, Mr. FARR, in voting for this legislation. I look forward to getting this program under way within the next few months.

I understand that the gentlelady from Guam wishes to enter into a colloquy.

Ms. CASTOR of Florida. I'll yield the gentleman an additional 1½ minutes.

Mr. DELAHUNT. I yield to the gentlelady from Guam.

Ms. BORDALLO. I thank my colleague for yielding, and I rise to clarify the application of the Travel Promotion Act to the territories. Of chief interest to me and my colleagues representing the territories is ensuring that the travel promotion mandates of this legislation fully encompass and take into account the territories.

Tourism is a critical component of the economies of the territories Guam, Puerto Rico, the Virgin Islands, American Samoa, and the Northern Mariana Islands.

I support the underlying bill. Given the territories depend heavily on tourism and will make contributions to the Travel Promotion Fund, they should be included.

I ask my colleagues, Mr. DELAHUNT and Mr. BLUNT, to clarify its application of the territories.

Mr. DELAHUNT. I thank the gentlelady from Guam for raising this issue and for her leadership. It is not the intent of this body for the territories to be excluded from the mandate of the Corporation for Travel Promotion or from the scope of duties prescribed by the bill for the offices within the Department of Commerce.

This bill should be interpreted, rather, as granting the corporation both the authority and obligation to promote tourism in the territories.

Ms. BORDALLO. I thank the gentleman.

Mr. BLUNT. Mr. Speaker, I second the views expressed by my friend from Massachusetts. The territories should, without question, be made part of the corporation's and the Commerce Department's effort to promote international travel.

Having traveled to the territories, I recognize the value of their visitor industries to their economic development and reiterate our expectation that this legislation, when implemented, will take into account travel promotion for the territories.

Mr. Speaker, I'd like to yield 2 minutes to my friend from California (Mr. FARR). He and I are co-Chair of the Travel and Tourism Caucus. Again, every State and probably every congressional district feels that it has a tourism destination. And over 100 Members of the Congress are members of the Travel and Tourism Caucus to promote that important part of our economy, and nobody more actively does that than Mr. FARR.

Mr. FARR. Thank you very much, Mr. BLUNT, for yielding and for the nice comments. I co-chair, as Mr. BLUNT said, the Travel and Tourism Caucus. This is a caucus that is essentially looking at how we can increase the usage of travel and tourism in the United States. The travel and tourism industry is the biggest industry in the United States—in fact, the world.

If you really look at this bill, it's called the Travel Promotion Act, but this is really about jobs—jobs and jobs. It's about understanding the United States of America and its territories. It's about peace, because it's about people. I think it's especially about jobs everywhere, because every part of the United States has something special to offer. Yet, we never take the advantage of telling anybody overseas about that. We have never done that.

You watch television today and there's countries all over the world advertising for you to come there. We're not doing that. This allows us to do that, but with private money, not taxpayer money. So it's a paid-for bill.

If anybody has been watching the Ken Burns series on the national parks, the comments I've heard and I felt were, Wow, I'm really proud to be an American. That is a beautiful series about the United States. That's not shown overseas. People don't know about all these assets that we have.

This act is going to allow that process to attract people. So, in a way, it is the biggest job promoter that we do, because it's the biggest industry, and it's everywhere.

The average international visitor spends \$4,500 per visit. That's more than we spend when we're traveling around the United States.

So I think this is good for America, it's good for the world, it's good for peace and understanding. But, most of all, it's good for putting people back to work in the United States of America. Please support this act.

Ms. CASTOR of Florida. Mr. Speaker, may I inquire how much time is left on both sides.

The SPEAKER pro tempore. The gentlewoman from Florida has 5 minutes remaining. The gentleman from Missouri has 9½ minutes remaining.

Ms. CASTOR of Florida. At this time I am pleased to yield 1 minute to my good friend, the gentlewoman from Nevada (Ms. TITUS).

Ms. TITUS. I rise in strong support of the Travel Promotion Act of 2009. Passage of the Travel Promotion Act is vital to my congressional district in southern Nevada. The current economic recession has hit our area especially hard, and unemployment is at an all-time high because travel and tourism revenue, the driver of our local economy, has declined dramatically.

Travel and tourism generate billions in tax revenue for local, State and Federal governments. Nationally, the travel and tourism industry employs 7.7 million people. In Nevada, more than 450,000 jobs are created by travelers

who pumped \$34.5 billion into the Nevada economy in 2007.

This act will bring millions of additional travelers to the United States at no cost to our taxpayers; it will create a public-private partnership to promote our Nation as a leading international travel destination; and it will communicate U.S. security and entry policies to people abroad. It's estimated that the program will generate \$4 billion in new spending and \$321 million in new Federal tax revenue annually.

So I strongly support passage of the Travel Promotion Act. It will help our economy in Nevada and across the Nation.

Mr. BLUNT. I continue to reserve the balance of my time.

Ms. CASTOR of Florida. At this time I'm very pleased to yield 1 minute to my good friend, the gentleman from the great State of Florida (Mr. KLEIN).

Mr. KLEIN of Florida. I thank the gentlelady. Mr. Speaker, I rise to support the Travel Promotion Act for all the reasons that have been discussed so far. Tourism is an economic engine for our home State of Florida. From our pristine beaches to the Everglades to our large destination amusement parks, Florida has so much to offer both international and domestic tourists.

The tourism industry creates jobs in all sorts of sectors: hospitality, construction, travel. In fact, in my home county of Palm Beach, as well as Broward County, 160,000 people are employed in tourism-related jobs, contributing over \$11 billion to our local economy.

The tourism industry has faced challenges this year, which is why it is imperative that Congress pass the Travel Promotion Act. This bill will greatly strengthen south Florida's ability and all over the United States the ability to attract tourists from abroad, which will in turn reinforce our local economies.

I encourage our colleagues to join me in supporting this legislation.

Mr. BLUNT. I continue to reserve the balance of my time.

Ms. CASTOR of Florida. At this time I'm very pleased to yield 1 minute to my good friend, the gentlewoman from Nevada (Ms. BERKLEY).

Ms. BERKLEY. I thank the gentlelady for yielding, and I particularly thank Mr. DELAHUNT for his steadfast leadership on this issue.

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Mr. Speaker, I rise today in strong support of the Travel Promotion Act. In these difficult economic times, this bill is vital for our Nation's economy. It is essential to my hometown and congressional district of Las Vegas, which is the very definition of tourism and travel.

Last year, the United States lost nearly 200,000 travel-related jobs. In my district of Las Vegas and North Las Vegas, we've been hit particularly

hard, with one of the highest unemployment rates in the country and a hotel occupancy rate just about as low as we've ever seen it.

This bill will bring back these jobs and put Americans back to work. Independent economists say that for every dollar we spend on this program, we will bring in \$3 of increased revenue from added jobs and economic growth that will be created by increased tourism to our country. And this could be accomplished without adding to our national debt.

Every State in our Nation benefits from tourism. Tourism is one of the largest industries in America. Whether you have mountains, beaches, amusement parks, vineyards, ballparks, historic monuments or gaming, we all benefit from this bill.

This is a great piece of legislation that will help energize our economy at a time when we need it most. I urge support for this bill.

Mr. BLUNT. I continue to reserve the balance of my time.

Ms. CASTOR of Florida. Mr. Speaker, I am the last speaker on my side, so I will reserve my time. I have the right to close.

Mr. BLUNT. Mr. Speaker, I would say that I'm as hopeful as all the speakers have been that this bill passes, that this effort encourages foreign travel and that this effort encourages that important segment of our economy. This is an area where the United States has a lot to gain by encouraging foreign travelers who, as we've said before, come, stay longer, they spend more and they like us better. It's an important part of our diplomacy. It's an important part of our economy.

I urge the passage of this bill, and I yield back the balance of my time.

Ms. CASTOR of Florida. Mr. Speaker, I would like to thank the gentleman from Missouri for his support in all of his endeavors to promote travel and tourism in the United States of America.

My hat is also off to Congressman DELAHUNT from Massachusetts who certainly understands the importance of reviving our economy and bringing good, clean industry jobs in the tourism and travel sector to our great Nation.

We need the Travel Promotion Act now more than ever during this economic downturn. The Travel Promotion Act is a jobs bill. It is a vital economic development initiative to help us combat this horrendous economic downturn.

Mr. SABLAN. Mr. Speaker, I rise today in support of H.R. 1035, the Morris K. Udall Scholarship and Excellence in National Environmental Policy Amendments Act of 2009, as amended. Specifically Title II, which consists of the full text of S-1023, the Travel Promotion Act of 2009. Tourism is the main driver of the economy of the Northern Mariana Islands and for the other U.S. Territories. S-

1023 would establish the Corporation for Travel Promotion (Corporation) and the Travel Promotion Fund, both of which I support, and recognizes the need for the United States government to have an active role in promoting tourism to the U.S. In addition, it allows the collection of an entry fee through 2014 for foreign visitors to the U.S., including the Territories. However, S-1023 as currently written does not recognize the Territories, even though the majority of our visitors are foreign visitors and will be paying the assessed fee. Like a taxpayer who pays into a system, you should expect to get some benefit, and this is no different. I appreciate the gentlelady from Guam and Representative DELAHUNT for their colloquy in ensuring that the intent of this Congress in S-1023 is to include the Territories and ensure they receive the full benefits of the activities of the Corporation under this important legislation. Tourism is one of the major industries in our country and in the Northern Mariana and the Territories, it is our economic lifeline and I urge my colleagues to support this legislation.

Mr. DINGELL. Mr. Speaker, while I support H.R. 1035, the "Morris K. Udall Scholarship and Excellence in National Environmental Policy Amendments Act of 2009," I rise to voice my most rigorous protest at its inclusion of S. 1023, the "Travel Promotion Act of 2009." This legislation, which has not benefitted from proper consideration by the various committees of jurisdiction in this body, creates an unnecessary Corporation for Travel Promotion. In sharp contrast to my long-held view that private corporations can and should promote travel to the United States on their own, the Corporation for Travel Promotion, comprised of companies from the travel and tourism industry, will be the recipient of taxpayer funds to finance its operations. Admittedly, the Corporation will be required to match public sector funds with contributions from its members, but these matching contributions may be up to 80 percent in the form of goods and services, whose value is to be determined by the Corporation itself. This outrage underscores the deficient public oversight to which the Corporation will be subject, as well as the fundamental dearth in meaningful constraints placed on its operation under pending statute. Further illustration of this is the legislation's omission of a provision to prevent the Corporation from acting solely in the benefit of one constituent member, as well as no requirement that public funds appropriated to the Corporation be returned to the Treasury in the event they are not expended.

The questions of the Corporation's establishment, functioning, and funding aside, I feel S. 1023 neglects to consider the more basic reasons for declining travel to the United States. Anecdotal evidence suggests potential foreign visitors take issue with America's reputation of late, particularly in the wake of the Iraq War, and moreover are confused and very likely offended by the difficulties of obtaining a visa to this country and the unfriendly treatment when they arrive at its borders. We would do well to examine what must be done in order to rehabilitate our image internationally, as well as how to facilitate easier entry into this country, while maintaining a necessary degree of security. In short, simply creating a corporation to promote travel to the U.S. will not address the more essential elements of why fewer foreigners decide to come to our country as tourists.

Finally, I must also object to the apparent failure of this body to afford the Travel Promotion Act proper consideration under the auspices of regular order. I would note that during the 110th Congress, the Committees on Energy and Commerce, the Judiciary, and Homeland Security worked cooperatively to produce an amended version of this legislation for consideration by the full House. While I confess that bill was in no way perfect, it included much-needed improvements to the oversight and accountability measures applicable to the Corporation and, in my view, represented a more palatable alternative to the measure before us for consideration today.

In closing, I intend to vote in favor of H.R. 1035 but must voice my most rigorous protest at its inclusion of the Travel Promotion Act, legislation I find remarkably lacking in merit and deficient in due deliberation by this body.

Ms. CASTOR of Florida. I yield back the balance of my time.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Arizona (Mr. GRIJALVA) that the House suspend the rules and agree to the resolution, H. Res. 806.

The question was taken.

The SPEAKER pro tempore. In the opinion of the Chair, two-thirds being in the affirmative, the ayes have it.

Ms. CASTOR of Florida. Mr. Speaker, on that I demand the yeas and nays.

The yeas and nays were ordered.

The SPEAKER pro tempore. Pursuant to clause 8 of rule XX and the Chair's prior announcement, further proceedings on this motion will be postponed.

CONFERENCE REPORT ON H.R. 2997,
AGRICULTURE, RURAL DEVELOPMENT,
FOOD AND DRUG ADMINISTRATION,
AND RELATED AGENCIES APPROPRIATIONS
ACT, 2010

Ms. DELAURO. Mr. Speaker, pursuant to House Resolution 799, I call up the conference report on the bill (H.R. 2997) making appropriations for Agriculture, Rural Development, Food and Drug Administration, and Related Agencies programs for the fiscal year ending September 30, 2010, and for other purposes, and ask for its immediate consideration.

The Clerk read the title of the bill.

(For conference report and statement, see proceedings of the House of September 30, 2009, at page H10358.)

The SPEAKER pro tempore. Pursuant to House Resolution 799, the gentlewoman from Connecticut (Ms. DELAURO) and the gentleman from Georgia (Mr. KINGSTON) each will control 30 minutes.

The Chair recognizes the gentlewoman from Connecticut.

GENERAL LEAVE

Ms. DELAURO. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to revise and extend their remarks and include tabular and extraneous material on the conference report to accompany H.R. 2997.

The SPEAKER pro tempore. Is there objection to the request of the gentlewoman from Connecticut?

There was no objection.

Ms. DELAURO. Mr. Speaker, I yield myself such time as I may consume.

I am delighted to present the 2010 Agriculture-Food and Drug Administration appropriations conference report. I want to note for my colleagues that this is the earliest that an Agriculture appropriations conference report has come to the House floor since 1999.

This report represents a culmination of many months of hard work in both Houses of Congress. I want to offer my thanks to the ranking member, Congressman JACK KINGSTON, for his collaboration and input over these months, and I also want to say "thank you" to the minority and majority staff for all of their tireless work in this effort, a "thank you" to our ranking member, Mr. LEWIS, and a special "thank you" to Chairman OBEY for his counsel on this effort.

We have been busy all year. The subcommittee has held seven hearings so far, including two hearings with the Secretary of Agriculture, a hearing with the Acting Commissioner of the Food and Drug Administration and another with the Inspector General of the Department of Health and Human Services. We had a hearing on domestic nutrition programs, a hearing on the equivalency process for imported meat and poultry. We also had a hearing in which members discussed their priorities.

The fiscal year 2010 conference report before us, the culmination of the process, focuses on several key areas such as: supporting agricultural research, investing in rural communities, protecting public health, bolstering food nutrition programs and food aid, and conserving our natural resources. The final bill invests in these priorities and the agencies that can help us to meet them while making specific and sensible budget cuts where feasible.

The 2010 Agriculture-FDA appropriations conference report provides for \$23.3 billion in funding, a 13 percent increase over 2009 levels, with major and responsible investments across the board.

In terms of protecting public health, the bill provides a substantial increase for the Food and Drug Administration—\$306 million—to conduct more inspections of domestic and foreign food and medical products.

In addition, the bill fully funds the administration's request for the Food Safety and Inspection Service at the United States Department of Agriculture, providing over \$1 billion for FSIS for the first time in history.

The appropriate funding of FDA and FSIS is not only a matter of public health and consumer safety, it is a matter of national and economic security. Not all of the dangers that threaten the health and safety of American families can be found in airports, border checkpoints or harbor containers.