

COMMITTEE PRINT

(SHOWING THE TEXT OF H.R. 4450 AS FORWARDED BY THE SUBCOMMITTEE
ON COMMERCE, MANUFACTURING, AND TRADE, JULY 10, 2014)

113TH CONGRESS
2D SESSION

H. R. 4450

To extend the Travel Promotion Act of 2009, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

APRIL 10, 2014

Mr. BILIRAKIS (for himself, Mr. WELCH, Mr. HECK of Nevada, Mr. FARR, Mr. WEBSTER of Florida, Ms. TITUS, Mr. JOLLY, Ms. WASSERMAN SCHULTZ, Mr. MILLER of Florida, Ms. WILSON of Florida, Mr. KINZINGER of Illinois, Ms. CASTOR of Florida, Ms. ROS-LEHTINEN, Mr. DIAZ-BALART, Mr. ROSS, Mr. CRENSHAW, Mr. PETERS of California, Mr. SOUTHERLAND, Mr. QUIGLEY, Mr. DESANTIS, Mr. RUSH, Mr. MURPHY of Florida, Ms. MATSUI, Mr. BUTTERFIELD, Ms. ESHOO, Ms. GABBARD, Ms. LORETTA SANCHEZ of California, Mr. PIERLUISI, Mrs. CAPPAS, Mr. PETERSON, Mr. SHERMAN, Mr. CICILLINE, Ms. HAHN, Mrs. CHRISTENSEN, Ms. CHU, Mr. LOWENTHAL, Mr. COSTA, Mr. LONG, Mr. SMITH of Texas, Mr. SCHOCK, and Mr. GRIMM) introduced the following bill; which was referred to the Committee on Energy and Commerce, and in addition to the Committee on Homeland Security, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned

A BILL

To extend the Travel Promotion Act of 2009, and for other purposes.

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

3 **SECTION 1. SHORT TITLE.**

4 This Act may be cited as the “Travel Promotion, En-
5 hancement, and Modernization Act of 2014”.

6 **SEC. 2. BOARD OF DIRECTORS.**

7 Subsection (b)(2)(A) of the Travel Promotion Act of
8 2009 (22 U.S.C. 2131(b)(2)(A)) is amended—

9 (1) in the matter preceding clause (i)—

10 (A) in the first sentence, by striking “pro-
11 motion and marketing” and inserting “pro-
12 motion or marketing”; and

13 (B) by inserting after the first sentence
14 the following: “At least 5 members of the board
15 shall have experience working in United States
16 multinational entities with marketing budgets.
17 At least 2 members of the board shall be audit
18 committee financial experts (as defined by the
19 Securities and Exchange Commission in accord-
20 ance with section 407 of Public Law 107–204
21 (15 U.S.C. 7265)). All members of the board
22 shall be a current or former chief executive offi-
23 cer, chief financial officer, or chief marketing
24 officer, or have held an equivalent management
25 position.”; and

1 (2) in clause (x), by striking “intercity pas-
2 senger railroad business” and inserting “land or sea
3 passenger transportation sector”.

4 **SEC. 3. ANNUAL REPORT TO CONGRESS.**

5 Subsection (c)(3) of the Travel Promotion Act of
6 2009 (22 U.S.C. 2131(c)(3)) is amended—

7 (1) in subparagraph (F), by striking “and” at
8 the end;

9 (2) by redesignating subparagraph (G) as sub-
10 paragraph (I); and

11 (3) by inserting after subparagraph (F) the fol-
12 lowing:

13 “(G) a description of, and rationales for,
14 the Corporation’s efforts to focus on specific
15 countries and populations;

16 “(H)(i) a description of, and rationales for,
17 the Corporation’s combination of media chan-
18 nels employed in meeting the promotional objec-
19 tives of its marketing campaign;

20 “(ii) the ratio in which such channels are
21 used; and

22 “(iii) a justification for the use and ratio
23 of such channels; and”.

1 **SEC. 4. BIENNIAL REVIEW OF PROCEDURES TO DETER-**
2 **MINE FAIR MARKET VALUE OF GOODS AND**
3 **SERVICES.**

4 Subsection (d)(3) of the Travel Promotion Act of
5 2009 (22 U.S.C. 2131(d)(3)) is amended—

6 (1) in subparagraph (B)(ii), by striking “80
7 percent” and inserting “75 percent”; and

8 (2) by adding at the end the following:

9 “(E) MAINTENANCE OF AN IN-KIND CON-
10 TRIBUTIONS POLICY.—The Corporation shall
11 maintain an in-kind contributions policy.

12 “(F) FORMALIZED PROCEDURES FOR IN-
13 KIND CONTRIBUTIONS POLICY.—Not later than
14 90 days after the date of enactment of the
15 Travel Promotion, Enhancement, and Mod-
16 ernization Act of 2014, the Secretary of Com-
17 merce, in coordination with the Corporation,
18 shall establish formal, publicly available proce-
19 dures specifying time frames and conditions
20 for—

21 “(i) making and agreeing to revisions
22 of the Corporation’s in-kind contributions
23 policy; and

24 “(ii) addressing and resolving dis-
25 agreements between the Corporation and
26 its partners, including the Secretary of

1 Commerce, regarding the in-kind contribu-
2 tions policy.

3 “(G) BIENNIAL REVIEW OF PROCEDURES
4 TO DETERMINE FAIR MARKET VALUE OF GOODS
5 AND SERVICES.—The Corporation and the Sec-
6 retary of Commerce (or their designees) shall
7 meet on a biannual basis to review the proce-
8 dures to determine the fair market value of
9 goods and services received from non-Federal
10 sources by the Corporation under subparagraph
11 (B).”.

12 **SEC. 5. EXTENSION OF TRAVEL PROMOTION ACT OF 2009.**

13 (a) IN GENERAL.—The Travel Promotion Act of
14 2009 (22 U.S.C. 2131) is amended—

15 (1) in subsection (b)(5)(A)(iv), by striking “all
16 States and the District of Columbia” and inserting
17 “all States and territories of the United States and
18 the District of Columbia,”; and

19 (2) in subsection (d)—

20 (A) in paragraph (2)(B), by striking
21 “2015” and inserting “2020”; and

22 (B) in paragraph (4)(B), by striking “fis-
23 cal year 2011, 2012, 2013, 2014, or 2015” and
24 inserting “each of the fiscal years 2011 through
25 2020”.

1 (b) SUNSET OF TRAVEL PROMOTION FUND FEE.—
2 Section 217(h)(3)(B)(iii) of the Immigration and Nation-
3 ality Act (8 U.S.C. 1187(h)(3)(B)(iii)) is amended by
4 striking “September 30, 2015” and inserting “September
5 30, 2020”.

6 **SEC. 6. ACCOUNTABILITY; PROCUREMENT REQUIREMENTS.**

7 The Travel Promotion Act of 2009 (22 U.S.C. 2131),
8 as amended by this Act, is further amended—

9 (1) by redesignating subsections (e), (f), (g),
10 and (h) as subsections (h), (e), (i), and (j), respec-
11 tively; and

12 (2) in paragraph (2) of subsection (e), by strik-
13 ing “\$5,000,000” and inserting “\$500,000”;

14 (3) by inserting after subsection (e), as redesign-
15 ated, the following:

16 “(f) ACCOUNTABILITY.—

17 “(1) PERFORMANCE PLANS AND MEASURES.—

18 Not later than 90 days after the date of the enact-
19 ment of the Travel Promotion, Enhancement, and
20 Modernization Act of 2014, the Corporation shall—

21 “(A) establish performance metrics includ-
22 ing, time frames, evaluation methodologies, and
23 data sources for measuring—

24 “(i) the effectiveness of marketing ef-
25 forts by the Corporation, including its

1 progress in achieving the long-term goals
2 of increased traveler visits to and spending
3 in the United States;

4 “(ii) whether increases in visitation
5 and spending have occurred in response to
6 external influences, such as economic con-
7 ditions or exchange rates, rather than in
8 response to the efforts of the Corporation;
9 and

10 “(iii) any cost or benefit to the econ-
11 omy of the United States; and

12 “(B) conduct periodic program evaluations
13 in response to the data resulting from measure-
14 ments under subparagraph (A).

15 “(2) GAO ACCOUNTABILITY.—Not later than
16 60 days after the date on which the Corporation re-
17 ceives a report from the Government Accountability
18 Office with recommendations for the Corporation,
19 the Corporation shall submit a report to Congress
20 that describes the actions taken by the Corporation
21 in response to the recommendations in such report.

22 “(g) PROCUREMENT REQUIREMENTS.—The Corpora-
23 tion shall—

24 “(1) establish a competitive procurement proc-
25 ess; and

1 “(2) certify in its annual report to Congress
2 under subsection (e)(3) that any contracts entered
3 into were in compliance with the established com-
4 petitive procurement process.”.

5 **SEC. 7. REPEAL OF ASSESSMENT AUTHORITY.**

6 The Travel Promotion Act of 2009 (22 U.S.C. 2131),
7 as amended by this Act, is further amended by striking
8 subsection (e) (as redesignated by section 6(1) of this
9 Act).