

AMENDMENT NO. _____ Calendar No. _____

Purpose: In the nature of a substitute.

IN THE SENATE OF THE UNITED STATES—113th Cong., 2d Sess.

S. 2250

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

Referred to the Committee on _____ and ordered to be printed

Ordered to lie on the table and to be printed

AMENDMENT IN THE NATURE OF A SUBSTITUTE intended to be proposed by Ms. KLOBUCHAR (for herself and Mr. BLUNT)

Viz:

1 Strike all after the enacting clause and insert the fol-

2 lowing:

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)—

1 (A) in the first sentence, by striking “pro-
2 motion and marketing” and inserting “pro-
3 motion or marketing”; and

4 (B) by inserting after the first sentence
5 the following: “At least 5 members of the board
6 shall have experience working in United States
7 multinational entities with marketing budgets.
8 At least 2 members of the board shall be audit
9 committee financial experts (as defined by the
10 Securities and Exchange Commission in accord-
11 ance with section 407 of Public Law 107–204
12 (15 U.S.C. 7265)). All members of the board
13 shall be a current or former chief executive offi-
14 cer, chief financial officer, or chief marketing
15 officer, or have held an equivalent management
16 position.”; and

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

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

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

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

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

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

5 “(G) a description of, and rationales for,
6 the Corporation’s efforts to focus on specific
7 countries and populations;

8 “(H)(i) a description of, and rationales for,
9 the Corporation’s combination of media chan-
10 nels employed in meeting the promotional objec-
11 tives of its marketing campaign;

12 “(ii) the ratio in which such channels are
13 used; and

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

16 **SEC. 4. BIENNIAL REVIEW OF PROCEDURES TO DETER-**
17 **MINE FAIR MARKET VALUE OF GOODS AND**
18 **SERVICES.**

19 Subsection (d)(3) of the Travel Promotion Act of
20 2009 (22 U.S.C. 2131(d)(3)) is amended—

21 (1) in subparagraph (B)(ii), by striking “80
22 percent” and inserting “70 percent”; and

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

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

4 “(F) FORMALIZED PROCEDURES FOR IN-
5 KIND CONTRIBUTIONS POLICY.—Not later than
6 90 days after the date of enactment of the
7 Travel Promotion, Enhancement, and Mod-
8 ernization Act of 2014, the Secretary of Com-
9 merce, in coordination with the Corporation,
10 shall establish formal, publicly available proce-
11 dures specifying time frames and conditions
12 for—

13 “(i) making and agreeing to revisions
14 of the Corporation’s in-kind contributions
15 policy; and

16 “(ii) addressing and resolving dis-
17 agreements between the Corporation and
18 its partners, including the Secretary of
19 Commerce, regarding the in-kind contribu-
20 tions policy.

21 “(G) BIENNIAL REVIEW OF PROCEDURES
22 TO DETERMINE FAIR MARKET VALUE OF GOODS
23 AND SERVICES.—The Corporation and the Sec-
24 retary of Commerce (or their designees) shall
25 meet on a biannual basis to review the proce-

1 dures to determine the fair market value of
2 goods and services received from non-Federal
3 sources by the Corporation under subparagraph
4 (B).”.

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

6 (a) IN GENERAL.—The Travel Promotion Act of
7 2009 (22 U.S.C. 2131) is amended—

8 (1) in subsection (b)(5)(A)(iv), by striking “all
9 States and the District of Columbia” and inserting
10 “all States and territories of the United States and
11 the District of Columbia,”; and

12 (2) in subsection (d)—

13 (A) in paragraph (2)(B), by striking
14 “2015” and inserting “2020”; and

15 (B) in paragraph (4)(B), by striking “fis-
16 cal year 2011, 2012, 2013, 2014, or 2015” and
17 inserting “each of the fiscal years 2011 through
18 2020”.

19 (b) SUNSET OF TRAVEL PROMOTION FUND FEE.—
20 Section 217(h)(3)(B)(iii) of the Immigration and Nation-
21 ality Act (8 U.S.C. 1187(h)(3)(B)(iii)) is amended by
22 striking “September 30, 2015” and inserting “September
23 30, 2020”.

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

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

4 (1) by redesignating subsections (e), (f), (g),
5 and (h) as subsections (h), (e), (i), and (j), respec-
6 tively; and

7 (2) in paragraph (2) of subsection (c), by strik-
8 ing “\$5,000,000” and inserting “\$500,000”;

9 (3) by inserting after subsection (e), as redesign-
10 nated, the following:

11 “(f) ACCOUNTABILITY.—

12 “(1) PERFORMANCE PLANS AND MEASURES.—

13 Not later than 90 days after the date of the enact-
14 ment of the Travel Promotion, Enhancement, and
15 Modernization Act of 2014, the Corporation shall—

16 “(A) establish performance metrics, includ-
17 ing time frames, evaluation methodologies, and
18 data sources for measuring—

19 “(i) the effectiveness of marketing ef-
20 forts by the Corporation, including its
21 progress in achieving the long-term goals
22 of increased traveler visits to and spending
23 in the United States;

24 “(ii) whether increases in visitation
25 and spending have occurred in response to
26 external influences, such as economic con-

1 ditions or exchange rates, rather than in
2 response to the efforts of the Corporation;
3 and

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

6 “(B) conduct periodic program evaluations
7 in response to the data resulting from measure-
8 ments under subparagraph (A).

9 “(2) GAO ACCOUNTABILITY.—Not later than
10 60 days after the date on which the Corporation re-
11 ceives a report from the Government Accountability
12 Office with recommendations for the Corporation,
13 the Corporation shall submit a report to Congress
14 that describes the actions taken by the Corporation
15 in response to the recommendations in such report.

16 “(g) PROCUREMENT REQUIREMENTS.—The Corpora-
17 tion shall—

18 “(1) establish a competitive procurement proc-
19 ess; and

20 “(2) certify in its annual report to Congress
21 under subsection (c)(3) that any contracts entered
22 into were in compliance with the established com-
23 petitive procurement process.”.

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

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