

One Hundred Thirteenth Congress of the United States of America

AT THE SECOND SESSION

*Began and held at the City of Washington on Friday,
the third day of January, two thousand and fourteen*

An Act

Making consolidated appropriations for the fiscal year ending September 30, 2015,
and for other purposes.

*Be it enacted by the Senate and House of Representatives of
the United States of America in Congress assembled,*

SECTION 1. SHORT TITLE.

This Act may be cited as the “Consolidated and Further Continuing Appropriations Act, 2015”.

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SEC. 601. SHORT TITLE.

This title may be cited as the “Travel Promotion, Enhancement, and Modernization Act of 2014”.

SEC. 602. BOARD OF DIRECTORS.

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

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

(A) in the first sentence, by striking “promotion and marketing” and inserting “promotion or marketing”; and

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

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

SEC. 603. ANNUAL REPORT TO CONGRESS.

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

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

(2) by redesignating subparagraph (G) as subparagraph (I); and

(3) by inserting after subparagraph (F) the following:

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

“(H)(i) a description of, and rationales for, the Corporation’s combination of media channels employed in meeting the promotional objectives of its marketing campaign;

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

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

SEC. 604. BIENNIAL REVIEW OF PROCEDURES TO DETERMINE FAIR MARKET VALUE OF GOODS AND SERVICES.

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

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

(2) by adding at the end the following:

“(E) MAINTENANCE OF AN IN-KIND CONTRIBUTIONS POLICY.—The Corporation shall maintain an in-kind contributions policy.

“(F) FORMALIZED PROCEDURES FOR IN-KIND CONTRIBUTIONS POLICY.—Not later than 90 days after the date of enactment of the Travel Promotion, Enhancement, and Modernization Act of 2014, the Secretary of Commerce, in coordination with the Corporation, shall establish formal, publicly available procedures specifying time frames and conditions for—

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

“(ii) addressing and resolving disagreements between the Corporation and its partners, including the Secretary of Commerce, regarding the in-kind contributions policy.

“(G) BIENNIAL REVIEW OF PROCEDURES TO DETERMINE FAIR MARKET VALUE OF GOODS AND SERVICES.—The Corporation and the Secretary of Commerce (or their designees) shall meet on a biannual basis to review the procedures to determine the fair market value of goods and services received from non-Federal sources by the Corporation under subparagraph (B).”

SEC. 605. EXTENSION OF TRAVEL PROMOTION ACT OF 2009.

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

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

(2) in subsection (d)—

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

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

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

SEC. 606. ACCOUNTABILITY; PROCUREMENT REQUIREMENTS.

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

(1) by redesignating subsections (e), (f), (g), and (h) as subsections (h), (e), (i), and (j), respectively;

(2) by moving subsection (e) (as so redesignated) so that it follows subsection (d);

(3) in paragraph (2) of subsection (c), by striking “\$5,000,000” and inserting “\$500,000”; and

(4) by inserting after subsection (e), as redesignated, the following:

“(f) ACCOUNTABILITY.—

“(1) PERFORMANCE PLANS AND MEASURES.—Not later than 90 days after the date of the enactment of the Travel Promotion, Enhancement, and Modernization Act of 2014, the Corporation shall—

“(A) establish performance metrics including, time frames, evaluation methodologies, and data sources for measuring—

“(i) the effectiveness of marketing efforts by the Corporation, including its progress in achieving the long-term goals of increased traveler visits to and spending in the United States;

“(ii) whether increases in visitation and spending have occurred in response to external influences, such as economic conditions or exchange rates, rather than in response to the efforts of the Corporation; and

“(iii) any cost or benefit to the economy of the United States; and

“(B) conduct periodic program evaluations in response to the data resulting from measurements under subparagraph (A).

“(2) GAO ACCOUNTABILITY.—Not later than 60 days after the date on which the Corporation receives a report from the Government Accountability Office with recommendations for the Corporation, the Corporation shall submit a report to Congress that describes the actions taken by the Corporation in response to the recommendations in such report.

“(g) PROCUREMENT REQUIREMENTS.—The Corporation shall—

“(1) establish a competitive procurement process; and

“(2) certify in its annual report to Congress under subsection (c)(3) that any contracts entered into were in compliance with the established competitive procurement process.”.

SEC. 607. REPEAL OF ASSESSMENT AUTHORITY.

The Travel Promotion Act of 2009 (22 U.S.C. 2131), as amended by this Act, is further amended by striking subsection (e) (as redesignated by section 606(1) of this Act).