

111TH CONGRESS
1ST SESSION

H. R. 3099

To require a site operator of an international travel Web site to provide information on its Web site to consumers regarding the potential health and safety risks associated with overseas vacation destinations marketed on its Web site.

IN THE HOUSE OF REPRESENTATIVES

JUNE 26, 2009

Mr. MARKEY of Massachusetts introduced the following bill; which was referred to the Committee on Energy and Commerce

A BILL

To require a site operator of an international travel Web site to provide information on its Web site to consumers regarding the potential health and safety risks associated with overseas vacation destinations marketed on its Web site.

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 “International Travelers
5 Bill of Rights Act of 2009”.

6 **SEC. 2. DEFINITIONS.**

7 In this Act:

1 (1) SITE OPERATOR.—The term “site operator”
2 means an individual or entity that operates a Web
3 site that provides access to international travel serv-
4 ices. Such term includes an overseas vacation des-
5 tination or a third party that operates a Web site
6 that offers international travel services.

7 (2) COMMISSION.—The term “Commission”
8 means the Federal Trade Commission.

9 (3) INTERNATIONAL TRAVEL SERVICES.—The
10 term “international travel services” means a service
11 that a consumer can use to reserve lodging at an
12 overseas vacation destination.

13 (4) OVERSEAS VACATION DESTINATION.—The
14 term “overseas vacation destination” means a resort,
15 hotel, retreat, hostel, or any other similar lodging
16 outside the United States.

17 (5) UNITED STATES.—The term “United
18 States” means each of the several States, the Dis-
19 trict of Columbia, the Commonwealth of Puerto
20 Rico, the Virgin Islands, Guam, American Samoa,
21 and the Commonwealth of the Northern Mariana Is-
22 lands.

1 **SEC. 3. PROVIDING INFORMATION REGARDING THE POTEN-**
2 **TIAL HEALTH AND SAFETY RISKS ASSOCI-**
3 **ATED WITH OVERSEAS VACATION DESTINA-**
4 **TIONS.**

5 (a) IN GENERAL.—A site operator, in a manner in
6 compliance with regulations issued by the Commission and
7 with the requirements of this Act, shall provide informa-
8 tion on its Web site to consumers in a clear and con-
9 spicuous manner regarding the potential health and safety
10 risks associated with overseas vacation destinations mar-
11 keted on its Web site, if any, including the following:

12 (1) Information compiled by the Department of
13 State, including Department of State country-spe-
14 cific travel warnings and alerts.

15 (2) Information regarding the onsite health and
16 safety services that are available to consumers at
17 each overseas vacation destination, including wheth-
18 er the destination—

19 (A) employs or contracts with a physician
20 or nurse on the premises to provide medical
21 treatment for guests;

22 (B) employs or contracts with personnel,
23 other than a physician, nurse, or lifeguard, on
24 the premises who are trained in
25 cardiopulmonary resuscitation;

1 (C) has an automated external defibrillator
2 and employs or contracts with 1 or more indi-
3 viduals on the premises trained in its use; and

4 (D) employs or contracts with 1 or more
5 lifeguards on the premises trained in
6 cardiopulmonary resuscitation, if the overseas
7 vacation destination has swimming pools or
8 other water-based activities on its premises, or
9 in areas under its control for use by guests.

10 (b) SERVICES NOT AVAILABLE 24 HOURS A DAY.—

11 If the onsite health and safety services at an overseas va-
12 cation destination are not available 24 hours a day, 7 days
13 a week, the site operator shall display the hours and days
14 of availability on its Web site in a clear and conspicuous
15 manner.

16 (c) INFORMATION NOT AVAILABLE.—If the onsite
17 health and safety services described in subsection (a)(2)
18 are not available at an overseas vacation destination, or
19 if the site operator does not possess information on the
20 onsite health and safety services required to be displayed
21 on its Web site, the site operator shall display in a clear
22 and conspicuous manner the following: “This destination
23 does not provide certain health and safety services, or in-
24 formation regarding such services is not available. Travel

1 to this destination may pose an increased risk to your
2 health or safety.”.

3 **SEC. 4. CONSUMER COMPLAINTS.**

4 (a) **SUSPENSION.**—A site operator shall establish a
5 process under which an overseas vacation destination will
6 be suspended from its Web site as a result of complaints
7 from consumers to the site operator regarding poor med-
8 ical care, unsafe or unsanitary facilities, or other health-
9 related issues with respect to such destination.

10 (b) **PUBLIC AVAILABILITY.**—A site operator shall
11 make all complaints submitted by consumers publicly
12 available on its Web site and may modify the contents of
13 such complaints at the request of the complainant or may
14 remove offensive language and personal identification in-
15 formation.

16 **SEC. 5. ENFORCEMENT.**

17 (a) **IN GENERAL.**—A violation of any provision of this
18 Act shall be treated as a violation of a rule defining an
19 unfair or deceptive act or practice prescribed under section
20 18(a)(1)(B) of the Federal Trade Commission Act (15
21 U.S.C. 57a(a)(1)(B)). The Commission shall enforce this
22 Act in the same manner, by the same means, and with
23 the same jurisdiction as though all applicable terms and
24 provisions of the Federal Trade Commission Act were in-
25 corporated into and made a part of this Act.

1 (b) DEADLINE FOR ISSUANCE OF REGULATIONS.—
2 The Commission shall issue regulations to carry out this
3 Act not later than 6 months after the date of the enact-
4 ment of this Act.

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