

(C) the resources needed by each Government agency to achieve such goals; and

(D) the number of international visitors and the value of national travel exports.

(Pub. L. 117-328, div. BB, title VI, § 602, Dec. 29, 2022, 136 Stat. 5566.)

Editorial Notes

REFERENCES IN TEXT

This subtitle, referred to in text, is subtitle A (§§ 601-609) of title VI of div. BB of Pub. L. 117-328, Dec. 29, 2022, 136 Stat. 5566, which enacted sections 9802 to 9805 of this title, amended section 1546 of this title, enacted provisions set out as notes under this section and section 9801 of this title, and amended provisions set out as a note under section 2171 of Title 19, Customs Duties. For complete classification of this title to the Code, see Short Title of 2022 Amendment note set out under section 9801 of this title and Tables.

Statutory Notes and Related Subsidiaries

SENSE OF CONGRESS

Pub. L. 117-328, div. BB, title VI, § 603, Dec. 29, 2022, 136 Stat. 5566, provided that: “It is the sense of Congress that—

“(1) setting a national goal for the number of international visitors to the United States is vital for aligning Federal tourism policy to support American jobs and economic growth;

“(2) setting a national goal for travel exports is vital for aligning Federal tourism policy to support American jobs, increase travel exports, and improve our Nation’s balance of trade;

“(3) the travel industry is an essential part of the United States services exports with respect to business, education, medical, and leisure travel;

“(4) the promotion of travel and visitation by the Corporation for Travel Promotion (doing business as ‘Brand USA’) is vital to increasing visitation and articulating the visitation laws of the United States; and

“(5) there is an urgent need for a coordinated travel and tourism industry response and strategy to respond to the current state of such industry and future unforeseen circumstances that may impact the travel and tourism industry.”

§ 9803. Responsibilities of the Assistant Secretary of Commerce for Travel and Tourism

(a) Visitation goals

The Assistant Secretary of Commerce for Travel and Tourism (referred to in this section as the “Assistant Secretary”) shall—

(1) after consultation with the travel and tourism industry, work with the Travel Promotion Committee and the United States Travel and Tourism Advisory Board to establish an annual goal, consistent with the goals of the travel and tourism strategy developed pursuant to section 9804(1) of this title, for—

(A) the number of international visitors to the United States; and

(B) the value of travel and tourism commerce;

(2) develop recommendations for achieving the annual goals established pursuant to paragraph (1);

(3) ensure that travel and tourism policy is developed in consultation with—

(A) the Tourism Policy Council;

(B) the Secretary of State;

(C) the Secretary of Homeland Security;

(D) the Corporation for Travel Promotion;

(E) the United States Travel and Tourism Advisory Board; and

(F) travel and tourism industry representatives, including public and private destination marketing organizations, travel and tourism suppliers, gig economy representatives, and labor representatives from these industries;

(4) establish short, medium, and long-term timelines for implementing the recommendations developed pursuant to paragraph (2);

(5) conduct Federal agency needs assessments, in consultation with the Office of Management and Budget and other relevant Federal agencies, to identify the resources, statutory or regulatory changes, and private sector engagement needed to achieve the annual visitation goals; and

(6) provide assessments and recommendations to—

(A) the Committee on Commerce, Science, and Transportation of the Senate;

(B) the Committee on Energy and Commerce of the House of Representatives; and

(C) the public through a publicly accessible website.

(b) Domestic travel and tourism

The Assistant Secretary, to the extent feasible, shall—

(1) evaluate, on an ongoing basis, domestic policy options for supporting competitiveness with respect to the strengths, weaknesses, and growth of the domestic travel industry;

(2) develop recommendations and goals to support and enhance domestic tourism, separated by business and leisure; and

(3) engage public and private stakeholders to support domestic tourism.

(c) Workforce

The Assistant Secretary shall—

(1) consult with the Secretary of Labor to develop strategies and best practices for improving the timeliness and reliability of travel and tourism workforce data;

(2) work with the Secretary of Labor and the Bureau of Economic Analysis to improve travel and tourism industry data;

(3) provide recommendations for policy enhancements and efficiencies; and

(4) provide policy recommendations regarding the gig economy as it relates to travel and tourism.

(d) Facilitation of international business travel

The Assistant Secretary, in coordination with relevant Federal agencies, shall strive to increase and facilitate international business travel to the United States and ensure competitiveness by—

(1) facilitating large meetings, incentives, conferences, and exhibitions in the United States;

(2) emphasizing rural and other destinations in the United States that are rich in cultural heritage or ecological tourism, among other uniquely American destinations, as locations for hosting international meetings, incentives, conferences, and exhibitions; and

(3) facilitating sports and recreation events and activities in the United States.

(e) Recovery strategies

(1) In general

Not later than 1 year after amounts are appropriated to the Department of Commerce to accomplish the purposes of this section, the Assistant Secretary, in consultation with the entities referred to in subsection (a)(3), shall develop recovery strategies for the travel and tourism industry in response to the economic impacts of the COVID-19 pandemic and in anticipation of other unpredictable catastrophic events that would significantly affect the travel and tourism industry, such as hurricanes, floods, tsunamis, tornadoes, wildfires, terrorist attacks, and pandemics.

(2) Cost-benefit analysis

In developing the recovery strategies under paragraph (1), the Assistant Secretary shall conduct cost-benefit analyses that take into account the health and economic effects of public health mitigation measures on the travel and tourism industry.

(f) Reporting requirements

(1) Assistant Secretary

The Assistant Secretary, subject to the availability of appropriations, shall produce an annual forecasting report on the travel and tourism industry, which shall include current and anticipated—

(A) domestic employment needs;

(B) international inbound volume and spending, taking into account the lasting effects of the COVID-19 public health emergency and the impact of the recovery strategy implemented pursuant to subsection (e)(1); and

(C) domestic volume and spending, including Federal and State public land travel and tourism data.

(2) Bureau of Economic Analysis

The Director of the Bureau of Economic Analysis, subject to the availability of appropriations and to the extent feasible, should make quarterly updates to the Travel and Tourism Satellite Accounts, including—

(A) State-level travel and tourism spending data;

(B) travel and tourism workforce data for full-time and part-time employment; and

(C) Federal and State public lands outdoor recreational activity and tourism spending data.

(3) National Travel and Tourism Office

The Director of the National Travel and Tourism Office—

(A) in partnership with the Bureau of Economic Analysis and other relevant Federal agencies, shall provide a monthly report on international arrival and spending data to—

(i) the Travel and Tourism Advisory Board; and

(ii) the public through a publicly accessible website; and

(B) shall include questions in the Survey of International Air Travelers regarding

wait-times, visits to public lands, and State data, to the extent applicable.

(Pub. L. 117-328, div. BB, title VI, § 605, Dec. 29, 2022, 136 Stat. 5567.)

§ 9804. Travel and tourism strategy

Not less frequently than once every 10 years, the Secretary of Commerce, in consultation with the United States Travel and Tourism Advisory Board, the Tourism Policy Council, the Secretary of State, and the Secretary of Homeland Security, shall develop and submit to Congress a 10-year travel and tourism strategy, which shall include—

(1) the establishment of goals with respect to the number of annual international visitors to the United States and the annual amount of travel and tourism commerce in the United States during such 10-year period;

(2) the resources needed to achieve the goals established pursuant to paragraph (1); and

(3) recommendations for statutory or regulatory changes that would be necessary to achieve such goals.

(Pub. L. 117-328, div. BB, title VI, § 606, Dec. 29, 2022, 136 Stat. 5569.)

§ 9805. Data on domestic travel and tourism

The Assistant Secretary of Commerce for Travel and Tourism, subject to the availability of appropriations, shall collect and make public aggregate data on domestic travel and tourism trends.

(Pub. L. 117-328, div. BB, title VI, § 608, Dec. 29, 2022, 136 Stat. 5570.)

CHAPTER 123—PROTECTING AMERICANS' DATA FROM FOREIGN ADVERSARIES

Sec.

9901. Prohibition on transfer of personally identifiable sensitive data of United States individuals to foreign adversaries.

§ 9901. Prohibition on transfer of personally identifiable sensitive data of United States individuals to foreign adversaries

(a) Prohibition

It shall be unlawful for a data broker to sell, license, rent, trade, transfer, release, disclose, provide access to, or otherwise make available personally identifiable sensitive data of a United States individual to—

(1) any foreign adversary country; or

(2) any entity that is controlled by a foreign adversary.

(b) Enforcement by Federal Trade Commission

(1) Unfair or deceptive acts or practices

A violation of this section shall be treated as a violation of a rule defining an unfair or a deceptive act or practice under section 18(a)(1)(B) of the Federal Trade Commission Act (15 U.S.C. 57a(a)(1)(B)).

(2) Powers of Commission

(A) In general

The Commission shall enforce this section in the same manner, by the same means, and