

## **Street Talk: Tourism Measure Was Caught in Crosscurrents**

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The Travel Promotion Act was a bipartisan piece of legislation that the Congressional Budget Office says would shave \$500 million from the deficit over 10 years.

On June 22, at around 5:30 p.m., it died, courtesy of a failed cloture vote.

Senate Majority Leader Harry Reid (D), a co-sponsor along with fellow Nevadan Sen. John Ensign (R), called the bill's demise a "revolting development in a body that has pledged to do good things for the country."

At issue: how to deal with a set of amendments from both Republicans and Democrats that had nothing to do with the bill but were attracted to it like egrets are to cattle, since it was a rare piece of stand-alone legislation.

Like any bill killed by interparty fighting and not its own demerits, the precise reasons for its demise come down to a set of "he said, she said" accusations.

From the outside looking in, however, the response of Sen. Byron Dorgan (D-N.D.) to what seemed an inexplicable development for a sound piece of public policy was more typical: "If the Senate has come to the point where it can't agree on tourism, what hope is there for big, controversial and important issues that we will confront later this year?"

The private sector, of course, was all over the legislation, a sprawling coalition that included the travel industry's far-flung constituents: hotel and lodging interests, airlines, the gambling industry, the restaurants, the franchise association, the grandly named International Council of Shopping Centers, rental car companies, state tourism directors, convention and visitors bureaus, and individual corporations like Disney and Loews.

There were dedicated outside lobbying firms as well, including BKSH & Associates lobbyists Chuck Merin and Paul Brown, who is a former floor assistant to then-Senate Majority Leader Tom Daschle (D-S.D.); former Department of Homeland Security Assistant Secretary Stewart Verdery at Monument Policy Group; and Sher & Blackwell's Steve Schwadron, who spent 26 years as chief of staff for Rep. Gerry Studds (D-Mass.) and his successor, Rep. Bill Delahunt (D), who is a co-sponsor of the bill in the

House.

They did have a compelling message. While 48 million more people worldwide took overseas trips between 2000 and 2008, the number of overseas arrivals into the United States — not counting visitors from Canada or Mexico — declined by more than half a million visitors between 2000 and 2008.

“The pie is booming, but our share is not getting bigger. It’s shrinking,” Merin said.

The problem, say tourism officials, is that the United States, unlike most other countries, does not have a national travel promotion board.

The bill would set up a nonprofit Corporation for Travel Promotion that would maintain a national travel Web site to be a one-stop shopping guide for foreign visitors, including countering misperceptions about how tough entry procedures have become following 9/11.

“We don’t effectively communicate our travel standards,” Merin said. “Do I need a visa? What are the exit and entry processes? There are some mixed communications from the State Department and [Department of Homeland Security], but we want to create an omnipresent, coherent campaign that anyone can access.”

The Web site and campaign would be financed by an industry assessment and a \$10 fee assessed on visitors from countries whose citizens do not need a visa to enter the United States. And while it might seem counterintuitive to charge visitors money to fund a program designed to encourage more foreign visitors, the bill’s supporters say the fee is small enough to be easily absorbed. After all, they add, the average overseas visitor spends \$4,500 on a trip to the United States.

The statistics floated by the bill’s supporters are impressive, even if they are pinned to a study that includes the slippery caveat that a “well executed” travel promotion program would attract 1.6 million new visitors annually, \$4 billion in new spending and \$321 million in new tax revenue.

The only real policy disagreement was voiced by ardent libertarians who question whether it’s appropriate for the federal government to play any role in promoting tourism at the national level.

Still, despite lots of lobbying, the advocacy work was apparently more superficial than tightly focused; its supporters concede that support for the bill was broad but not deep. “If you surveyed every Member and said, ‘Tell me your top 10 bills,’ there’d only be five people who would have this on

their list,” said one lobbying strategist.

“You build blocks to a Member so that it moves higher up on their radar,” added the lobbyist, explaining how a bill fights its way through the skein of outstanding legislation to the top of a Member’s agenda.

“Part of it is working the staff, so if they’re asked by their boss, they say nice things about it,” the lobbyist continued. “You also tamp down the staff agitating in the other direction. You try to have Member- to-Member conversations. You add state leadership connections so that Sen. X will take a call from this person, and it’s not about contributions, it’s something that’s important to the caller as a state leader. Maybe you get a big resort that can weigh in as well.”

In the end, all the lobbying in the world can’t help a bill that gets caught up in the larger crosscurrents of interparty conflict, the 2010 elections, internal party power struggles, Harry Reid’s leadership style, personal friendships and animosities, and the sexual adventures of John Ensign, whose effectiveness in steering the bill to passage with his home-state buddy, Reid, was severely crimped by his admission of an affair just six days earlier.

Democrats say Reid bent over backward to accommodate Republicans, who wanted to offer five Troubled Assets Relief Program- related amendments on the Travel Promotion bill.

In exchange, Reid demanded just one lil’ ol’ amendment by Sen. Bernie Sanders (I-Vt.) — according to some accounts, he even offered to give Republicans another nongermane amendment on E-Verify by Sen. Jeff Sessions (R-Ala.).

But the Sanders amendment, which would require the Commodities Futures Trading Commission to use its emergency powers to prevent excessive speculation in the energy futures market, is anathema to many Republicans, and they refused to grant unanimous consent for a separate vote on each amendment.

Republicans say if Reid really wanted to move to the underlying bill, he would have simply “processed” each amendment in its turn, since he knew it would be impossible to secure unanimous consent while the Sanders amendment was in play.

Democrats say Republicans had another motivation in voting against cloture: They were also voting against a bill supported by Reid, who is up for election in 2010 and had the tourism interests of Las Vegas to worry about. And that’s always a fun vote for the minority party.

The final cloture tally, 53-34, was seven votes short of the 60 needed to move forward. Of the bill's 11 GOP co-sponsors, nine voted against cloture, the sort of disciplined approach Minority Leader Mitch McConnell (R-Ky.) must be able to demonstrate to his caucus. In the end, said one lobbyist involved in the debate, the amendment fight was a proxy for that.