

TITLE 15 - COMMERCE AND TRADE
CHAPTER 14A - AID TO SMALL BUSINESS

§ 649. Office of International Trade

(a) Establishment

There is established within the Administration an Office of International Trade which shall implement the programs pursuant to this section.

(b) Development of distribution network; marketing of programs and dissemination of information; bilingual job applicants

The Office, working in close cooperation with the Department of Commerce and other relevant Federal agencies, Small Business Development Centers engaged in export promotion efforts, regional and local Administration offices, the small business community, and relevant State and local export promotion programs, shall—

- (1) assist in developing a distribution network for existing trade promotion, trade finance, trade adjustment, trade remedy assistance and trade data collection programs through use of the Administration's regional and local offices and the Small Business Development Center network;
- (2) assist in the aggressive marketing of these programs and the dissemination of marketing information, including computerized marketing data, to the small business community; and
- (3) give preference in hiring or approving the transfer of any employee into the Office or to a position described in paragraph (8) below to otherwise qualified applicants who are fluent in a language in addition to English. Such employees shall accompany foreign trade missions if designated by the director of the Office and shall be available as needed to translate documents, interpret conversations and facilitate multilingual transactions including providing referral lists for translation services if required.

(c) Promotion of sales opportunities for goods and services abroad

The Office shall promote sales opportunities for small business goods and services abroad. To accomplish this objective the office shall—

- (1) in cooperation with the Department of Commerce, other relevant agencies, regional and local Administration offices, the Small Business Development Center network, and State programs, develop a mechanism for
 - (A) identifying sub-sectors of the small business community with strong export potential;
 - (B) identifying areas of demand in foreign markets;
 - (C) prescreening foreign buyers for commercial and credit purposes; and
 - (D) assisting in increasing international marketing by disseminating relevant information regarding market leads, linking potential sellers and buyers, and catalyzing the formation of joint ventures, where appropriate;
- (2) in cooperation with the Department of Commerce, actively assist small businesses in the formation and utilization of export trading companies, export management companies and research and development pools authorized under section 638 of this title;
- (3) work in conjunction with other Federal agencies, regional and local offices of the Administration, the Small Business Development Center network, and the private sector to identify and publicize existing translation services, including those available through colleges and universities participating in the Small Business Development Center Program;
- (4) work closely with the Department of Commerce and other relevant Federal agencies to—
 - (A) collect, analyze and periodically update relevant data regarding the small business share of United States exports and the nature of State exports (including the production of Gross State Produce¹ figures) and disseminate that data to the public and to Congress;

- (B) make recommendations to the Secretary of Commerce and to Congress regarding revision of the SIC codes to encompass industries currently overlooked and to create SIC codes for export trading companies and export management companies;
- (C) improve the utility and accessibility of existing export promotion programs for small businesses; and
- (D) increase the accessibility of the Export Trading Company contact facilitation service;
- (5) make available to the small business community information regarding conferences on exporting and international trade sponsored by the public and private sector.²
- (6) provide small businesses with access to current and complete export information by—
 - (A) making available, at the Administration’s regional offices through cooperation with the Department of Commerce, export information, including, but not limited to, the worldwide information and trade system and world trade data reports;
 - (B) maintaining a current list of financial institutions that finance export operations;
 - (C) maintaining a current directory of all Federal, regional, State and private sector programs that provide export information and assistance to small businesses; and
 - (D) preparing and publishing such reports as it determines to be necessary concerning market conditions, sources of financing, export promotion programs, and other information pertaining to the needs of small business exporting firms so as to insure that the maximum information is made available to small businesses in a readily usable form;
- (7) encourage through cooperation with the Department of Commerce, greater small business participation in trade fairs, shows, missions, and other domestic and overseas export development activities of the Department of Commerce; and
- (8) facilitate decentralized delivery of export information and assistance to small businesses by assigning full-time export development specialists to each Administration regional office and assigning primary responsibility for export development to one person in each district office. Such specialists shall—
 - (A) assist small businesses in obtaining export information and assistance from other Federal departments and agencies;
 - (B) maintain a current directory of all programs which provide export information and assistance to small businesses within the region;
 - (C) encourage financial institutions to develop and expand programs for export financing;
 - (D) provide advice to Administration personnel involved in granting loans, loan guarantees, and extensions and revolving lines of credit, and providing other forms of assistance to small businesses engaged in exports; and
 - (E) within one hundred and eighty days of their appointment, participate in training programs designed by the Administrator, in conjunction with the Department of Commerce and other Federal departments and agencies, to study export programs and to examine small businesses’ needs for export information and assistance.

(d) Access to export and pre-export financing programs

The Office shall work in cooperation with the Export-Import Bank of the United States, the Department of Commerce, other relevant Federal agencies, and the States to develop a program through which export specialists in the regional offices of the Administration, regional and local loan officers, and Small Business Development Center personnel can facilitate the access of small businesses to relevant export financing programs of the Export-Import Bank of the United States and to export and pre-export financing programs available from the Administration and the private sector. To accomplish this goal, the Office shall work in cooperation with the Export-Import Bank and the small business community, including small business trade associations, to—

NB: This unofficial compilation of the U.S. Code is current as of Jan. 5, 2009 (see <http://www.law.cornell.edu/uscode/uscprint.html>).

- (1) aggressively market existing Administration export financing and pre-export financing programs;
- (2) identify financing available under various Export-Import Bank programs, and aggressively market those programs to small businesses;
- (3) assist in the development of financial intermediaries and facilitate the access of those intermediaries to existing financing programs;
- (4) promote greater participation by private financial institutions, particularly those institutions already participating in loan programs under this chapter, in export finance; and
- (5) provide for the participation of appropriate Administration personnel in training programs conducted by the Export-Import Bank.

(e) Counseling small businesses; proceedings related to trade laws; access to trade remedy proceedings

The Office shall—

- (1) work in cooperation with other Federal agencies and the private sector to counsel small businesses with respect to initiating and participating in any proceedings relating to the administration of the United States trade laws; and
- (2) work with the Department of Commerce, the Office of the United States Trade Representative, and the International Trade Commission to increase access to trade remedy proceedings for small businesses.

(f) Annual reports to Congress

The Office shall report to the Committees on Small Business of the House of Representatives and the Senate on an annual basis as to its progress in implementing the requirements under this section.

(g) Cooperative studies and reports to Congressional committees on selected issues; recommendations

The Office, in cooperation, where appropriate, with the Division of Economic Research of the Office of Advocacy, and with other Federal agencies, shall undertake studies regarding the following issues and shall report to the Committees on Small Business of the House of Representatives and the Senate, and to other relevant Committees of the House and Senate within 6 months after August 23, 1988, with specific recommendations on—

- (1) the viability and cost of establishing an annual, competitive small business export incentive program similar to the Small Business Innovation Research program and alternative methods of structuring such a program;
- (2) methods of streamlining trade remedy proceedings to increase access for, and reduce expenses incurred by, smaller firms;
- (3) methods of improving the current small business foreign sales corporation tax incentives and providing small businesses with greater benefits from this initiative;
- (4) methods of identifying potential export markets for United States small businesses; maintaining and disseminating current foreign market data; and devising a comprehensive export marketing strategy for United States small business goods and services, and shall include data on the volume and dollar amount of goods and services, identified by type, imported by United States trading partners over the past 10 years; and
- (5) the results of a survey of major United States trading partners to identify the domestic policies, programs and incentives, and the private sector initiatives, which exist to encourage the formation and growth of small business.

Footnotes

¹ So in original. Probably should be “Product”.

² So in original. The period probably should be a semicolon.

(Pub. L. 85–536, § 2[22], as added Pub. L. 96–481, title I, § 113(a), Oct. 21, 1980, 94 Stat. 2323; amended Pub. L. 100–418, title VIII, § 8003, Aug. 23, 1988, 102 Stat. 1554.)

Prior Provisions

A prior section 649, act July 30, 1953, ch. 282, title II, § 220, 67 Stat. 240, which required a fair charge for use of Government-owned property, was omitted as superseded by section 643 of this title. See Codification note set out under section 631 of this title.

Amendments

1988—Subsecs. (b) to (g). Pub. L. 100–418 added subsec. (b), redesignated former subsec. (b) as (c) and added pars. (1) to (5) and redesignated former pars. (1) to (3) as (6) to (8), respectively, and added subsecs. (d) to (g).

Change of Name

Committee on Small Business of Senate changed to Committee on Small Business and Entrepreneurship of Senate. See Senate Resolution No. 123, One Hundred Seventh Congress, June 29, 2001.

Effective Date

Section 113(b) of Pub. L. 96–481 provided that: “The amendment made by subsection (a) [enacting this section] shall take effect on October 1, 1980, or the date of enactment of this Act [Oct. 21, 1980], whichever occurs later.”

Short Title

For short title of part B of title I of Pub. L. 96–481 as the Small Business Export Expansion Act of 1980, see Short Title of 1980 Amendment note set out under section 631 of this title.

Congressional Declaration of Policy

Section 111 of title I of Pub. L. 96–481 provided that:

“(a) The Congress finds and declares that—

“(1) a strong export policy is essential to the health and well-being of the United States economy;

“(2) exports of goods and services account for one out of every six jobs in the manufacturing sector and 10 per centum of the gross national product.

“(3) every billion dollars in new exports is estimated to provide forty thousand jobs;

“(4) there is increased and fierce competition in international markets to United States goods and services;

“(5) small businesses account for no more than 10 per centum of all United States export sales;

“(6) Federal Government programs are not sufficiently responsive to the needs of small business for export education and development of overseas marketing opportunities necessary to insure that small businesses realize their potential; and

“(7) it is in the national interest to systematically and consistently promote and encourage small business participation in international markets.

“(b) It is therefore the purpose of this part [enacting this section, amending section 636 of this title, and enacting provisions set out as notes under sections 631 and 649 of this title] to encourage and promote small business exporting by—

“(1) providing educational and marketing assistance to small businesses;

“(2) insuring better access to export information and assistance for small businesses by upgrading and expanding the export development programs and services of the Department of Commerce and the Small Business Administration; and

“(3) promoting the competitive viability of such firms in export trade and encouraging increased tourism in the United States by creating a program to provide limited financial, technical, and management assistance as may be necessary.”