

grants to States to carry out export programs that assist eligible small business concerns in—

- “(1) participation in a foreign trade mission;
- “(2) a foreign market sales trip;
- “(3) a subscription to services provided by the Department of Commerce;
- “(4) the payment of website translation fees;
- “(5) the design of international marketing media;
- “(6) a trade show exhibition;
- “(7) participation in training workshops; or
- “(8) any other export initiative determined appropriate by the Associate Administrator.

“(c) GRANTS.—

“(1) JOINT REVIEW.—In carrying out the program, the Associate Administrator may make a grant to a State to increase the number of eligible small business concerns in the State that export or to increase the value of the exports by eligible small business concerns in the State.

“(2) CONSIDERATIONS.—In making grants under this section, the Associate Administrator may give priority to an application by a State that proposes a program that—

“(A) focuses on eligible small business concerns as part of an export promotion program;

“(B) demonstrates success in promoting exports by—

“(i) socially and economically disadvantaged small business concerns;

“(ii) small business concerns owned or controlled by women; and

“(iii) rural small business concerns;

“(C) promotes exports from a State that is not 1 of the 10 States with the highest percentage of exporters that are small business concerns, based upon the latest data available from the Department of Commerce; and

“(D) promotes new-to-market export opportunities to the People’s Republic of China for eligible small business concerns in the United States.

“(3) LIMITATIONS.—

“(A) SINGLE APPLICATION.—A State may not submit more than 1 application for a grant under the program in any 1 fiscal year.

“(B) PROPORTION OF AMOUNTS.—The total value of grants under the program made during a fiscal year to the 10 States with the highest number of exporters that are small business concerns, based upon the latest data available from the Department of Commerce, shall be not more than 40 percent of the amounts appropriated for the program for that fiscal year.

“(4) APPLICATION.—A State desiring a grant under the program shall submit an application at such time, in such manner, and accompanied by such information as the Associate Administrator may establish.

“(d) COMPETITIVE BASIS.—The Associate Administrator shall award grants under the program on a competitive basis.

“(e) FEDERAL SHARE.—The Federal share of the cost of an export program carried out using a grant under the program shall be—

“(1) for a State that has a high export volume, as determined by the Associate Administrator, not more than 65 percent; and

“(2) for a State that does not have a high export volume, as determined by the Associate Administrator, not more than 75 percent.

“(f) NON-FEDERAL SHARE.—The non-Federal share of the cost of an export program carried [out] using a grant under the program shall be comprised of not less than 50 percent cash and not more than 50 percent of indirect costs and in-kind contributions, except that no such costs or contributions may be derived from funds from any other Federal program.

“(g) REPORTS.—

“(1) INITIAL REPORT.—Not later than 120 days after the date of enactment of this Act [Sept. 27, 2010], the Associate Administrator shall submit to the Commit-

tee on Small Business and Entrepreneurship of the Senate and the Committee on Small Business of the House of Representatives a report, which shall include—

“(A) a description of the structure of and procedures for the program;

“(B) a management plan for the program; and

“(C) a description of the merit-based review process to be used in the program.

“(2) ANNUAL REPORTS.—The Associate Administrator shall submit an annual report to the Committee on Small Business and Entrepreneurship of the Senate and the Committee on Small Business of the House of Representatives regarding the program, which shall include—

“(A) the number and amount of grants made under the program during the preceding year;

“(B) a list of the States receiving a grant under the program during the preceding year, including the activities being performed with grant; and

“(C) the effect of each grant on exports by eligible small business concerns in the State receiving the grant.

“(h) REVIEWS BY INSPECTOR GENERAL.—

“(1) IN GENERAL.—The Inspector General of the Administration shall conduct a review of—

“(A) the extent to which recipients of grants under the program are measuring the performance of the activities being conducted and the results of the measurements; and

“(B) the overall management and effectiveness of the program.

“(2) REPORT.—Not later than September 30, 2012, the Inspector General of the Administration shall submit to the Committee on Small Business and Entrepreneurship of the Senate and the Committee on Small Business of the House of Representatives a report regarding the review conducted under paragraph (1).

“(i) AUTHORIZATION OF APPROPRIATIONS.—There is authorized to be appropriated to carry out the program \$30,000,000 for each of fiscal years 2011, 2012, and 2013.

“(j) TERMINATION.—The authority to carry out the program shall terminate 3 years after the date on which the Associate Administrator establishes the program.”

[For definitions of “Associate Administrator” and “rural small business concern” as used in section 1207 of Pub. L. 111–240, set out above, see section 1202(a) of Pub. L. 111–240, set out as a note below.]

[For definitions of “Administration” and “small business concern” as used in section 1207 of Pub. L. 111–240, set out above, see section 1001 of Pub. L. 111–240, set out as a note under section 632 of this title.]

DEFINITIONS

Pub. L. 111–240, title I, §1202(a), Sept. 27, 2010, 124 Stat. 2520, provided that: “In this subtitle [subtitle B (§§1201–1209) of title I of Pub. L. 111–240, see Short Title of 2010 Amendment note set out under section 631 of this title]—

“(1) the term ‘Associate Administrator’ means the Associate Administrator for International Trade appointed under section 22(a)(2) of the Small Business Act [15 U.S.C. 649(a)(2)], as amended by this subtitle;

“(2) the term ‘Export Assistance Center’ means a one-stop shop referred to in section 2301(b)(8) of the Omnibus Trade and Competitiveness Act of 1988 [15 U.S.C. 4721(b)(8)]; and

“(3) the term ‘rural small business concern’ means a small business concern located in a rural area, as that term is defined in section 1393(a)(2) of the Internal Revenue Code of 1986 [26 U.S.C. 1393(a)(2)].”

[For definition of “small business concern” as used in section 1202(a) of Pub. L. 111–240, set out above, see section 1001 of Pub. L. 111–240, set out as a note under section 632 of this title.]

§ 649c. Authorization of appropriations

At least one small business international program shall be established within each region of

the Department of Commerce. There are authorized to be appropriated to the Secretary \$1,500,000 for each fiscal year 1981, 1982, and 1983, to carry out the program established in section 649b of this title.

(Pub. L. 96-481, title III, §303, Oct. 21, 1980, 94 Stat. 2332.)

CODIFICATION

Section was not enacted as part of the Small Business Act which comprises this chapter.

§ 649d. Central information clearinghouse

The Secretary through the International Trade Administration, shall, only to such extent and in such amounts as are provided in appropriation Acts on and after October 1, 1980, maintain a central clearinghouse to provide for the collection, dissemination, and exchange of information between programs established pursuant to sections 649a and 649b of this title, the Office of International Trade of the Small Business Administration, and other interested concerns.

(Pub. L. 96-481, title III, §304, Oct. 21, 1980, 94 Stat. 2333.)

CODIFICATION

Section was not enacted as part of the Small Business Act which comprises this chapter.

§ 650. Supervisory and enforcement authority for small business lending companies

(a) In general

The Administrator is authorized—

(1) to supervise the safety and soundness of small business lending companies and non-Federally regulated lenders;

(2) with respect to small business lending companies to set capital standards to regulate, to examine, and to enforce laws governing such companies, in accordance with the purposes of this chapter; and

(3) with respect to non-Federally regulated lenders to regulate, to examine, and to enforce laws governing the lending activities of such lenders under section 636(a) of this title in accordance with the purposes of this chapter.

(b) Capital directive

(1) In general

If the Administrator determines that a small business lending company is being operated in an imprudent manner, the Administrator may, in addition to any other action authorized by law, issue a directive to such company to increase capital to such level as the Administrator determines will result in the safe and sound operation of such company.

(2) Delegation

The Administrator may not delegate the authority granted under paragraph (1) except to an Associate Deputy Administrator.

(3) Regulations

The Administrator shall issue regulations outlining the conditions under which the Administrator may determine the level of capital pursuant to paragraph (1).

(c) Civil action

If a small business lending company violates this chapter, the Administrator may institute a

civil action in an appropriate district court to terminate the rights, privileges, and franchises of the company under this chapter.

(d) Revocation or suspension of loan authority

(1) The Administrator may revoke or suspend the authority of a small business lending company or a non-Federally regulated lender to make, service or liquidate business loans authorized by section 636(a) of this title—

(A) for false statements knowingly made in any written submission required under this chapter;

(B) for omission of a material fact from any written submission required under this chapter;

(C) for willful or repeated violation of this chapter;

(D) for willful or repeated violation of any condition imposed by the Administrator with respect to any application, request, or agreement under this chapter; or

(E) for violation of any cease and desist order of the Administrator under this section.

(2) The Administrator may revoke or suspend authority under paragraph (1) only after a hearing under subsection (f) of this section. The Administrator may delegate power to revoke or suspend authority under paragraph (1) only to the Deputy Administrator and only if the Administrator is unavailable to take such action.

(A) The Administrator, after finding extraordinary circumstances and in order to protect the financial or legal position of the United States, may issue a suspension order without conducting a hearing pursuant to subsection (f) of this section. If the Administrator issues a suspension under the preceding sentence, the Administrator shall within two business days follow the procedures set forth in subsection (f) of this section.

(B) Any suspension under paragraph (1) shall remain in effect until the Administrator makes a decision pursuant to subparagraph (4) to permanently revoke the authority of the small business lending company or non-Federally regulated lender, suspend the authority for a time certain, or terminate the suspension.

(3) The small business lending company or non-Federally regulated lender must notify borrowers of a revocation and that a new entity has been appointed to service their loans. The Administrator or an employee of the Administration designated by the Administrator may provide such notice to the borrower.

(4) Any revocation or suspension under paragraph (1) shall be made by the Administrator except that the Administrator shall delegate to an administrative law judge as that term is used in section 3105 of title 5 the authority to conduct any hearing required under subsection (f) of this section. The Administrator shall base the decision to revoke on the record of the hearing.

(e) Cease and desist order

(1) Where a small business lending company, a non-Federally regulated lender, or other person violates this chapter or is engaging or is about to engage in any acts or practices which constitute or will constitute a violation of this