

§ 4723. Market Development Cooperator Program**(a) Authority of Secretary of Commerce**

In order to promote further the exportation of goods and services from the United States, the Secretary of Commerce is authorized to establish, in the International Trade Administration of the Department of Commerce, a Market Development Cooperator Program. The purpose of the program is to develop, maintain, and expand foreign markets for nonagricultural goods and services produced in the United States.

(b) Implementation of Program

The Secretary of Commerce shall carry out the Market Development Cooperator Program by entering into contracts with—

- (1) nonprofit industry organizations,
- (2) trade associations,
- (3) State departments of trade and their regional associations, including centers for international trade development, and
- (4) private industry firms or groups of firms in cases where no entity described in paragraph (1), (2), or (3) represents that industry,

(in this section referred to as “cooperators”) to engage in activities in order to carry out the purpose of the Market Development Cooperator Program set forth in subsection (a) of this section. The costs of activities under such a contract shall be shared equitably among the Department of Commerce, the cooperator involved, and, whenever appropriate, foreign businesses. The Department of Commerce shall undertake to support direct costs of activities under such a contract, and the cooperator shall undertake to support indirect costs of such activities. Activities under such a contract shall be carried out by the cooperator with the approval and assistance of the Secretary.

(c) Cooperator partnership program**(1) In general**

(A) As part of the Market Development Cooperator Program established under subsection (a) of this section, the Secretary of Commerce shall establish a partnership program with cooperators under which a cooperator may detail individuals, subject to the approval of the Secretary, to the United States and Foreign Commercial Service for a period of not less than 1 year or more than 2 years to supplement the Commercial Service.

(B) Any individual detailed to the United States and Foreign Commercial Service under this subsection shall be responsible for such duties as the Secretary may prescribe in order to carry out the purpose of the Market Development Cooperator Program set forth in subsection (a) of this section.

(C) Individuals detailed to the United States and Foreign Commercial Service under this subsection shall not be considered to be employees of the United States for the purposes of any law administered by the Office of Personnel Management, except that the Secretary of State may determine the applicability to such individuals of section 2669(f) of title 22 and of any other law administered by the Secretary of State concerning the detail of such individuals abroad.

(2) Qualifications of participants

In order to qualify for the program established under this subsection, individuals shall have demonstrated expertise in the international business arena in at least 2 of the following areas: marketing, market research, and computer data bases.

(3) Expenses of the program

(A) The cooperator who details an individual to the United States and Foreign Commercial Service under this subsection shall be responsible for that individual’s salary and related expenses, including health care, life insurance, and other noncash benefits, if any, normally paid by such cooperator.

(B) The Secretary of Commerce shall pay transportation and housing costs for each individual participating in the program established under this subsection.

(d) Budget Act

Contracts may be entered into under this section in a fiscal year only to such extent or in such amounts as are provided in appropriations Acts.

(Pub. L. 100–418, title II, §2303, Aug. 23, 1988, 102 Stat. 1342.)

§ 4723a. United States Commercial Centers**(a) Establishment**

The Secretary of Commerce, in his or her role as chairperson of the Trade Promotion Coordinating Committee, is authorized and encouraged to establish United States Commercial Centers (hereinafter in this section referred to as “Centers”) in Asia, in Latin America, and in Africa.

(b) Purpose of Centers

The purpose of the Centers shall be to provide additional resources for the promotion of exports of United States goods and services to the host countries, by familiarizing United States exporters with the industries, markets, and customs of the host countries, thus facilitating commercial ties and trade.

(c) Functions of Centers

Each Center shall—

- (1) collect and publish economic and market data with respect to the host country;
- (2) provide, on a user-fee basis, preliminary technical and clerical assistance, language translation, and administrative assistance, and information regarding the legal systems, laws, regulations, and procedures of the host country, to United States exporters seeking to do business in the host country; and
- (3) in other ways promote exports of United States goods and services to the host country.

(d) Specific services to be provided

To carry out its objectives, each Center shall make available the following (on a user-fee basis):

(1) Business facilities

Business facilities, including exhibition space, conference rooms, office space (including telephones and other basic office equipment), and, where warranted by impending deficiencies in the public system, high quality international telecommunications facilities.

(2) Business services

Business support services, including language translation services, clerical services, and a commercial library containing a comprehensive collection of reference materials covering United States and host country industries and markets.

(3) Commercial law information services

Commercial law information services, including—

- (A) a clearinghouse for information regarding the relevant commercial laws, practices, and regulations of the host country;
- (B) publications to assist United States businesses;
- (C) legal referral services; and
- (D) lists of local agents and distributors.

(e) Other trade promotion activities

Each Center shall also promote United States export trade by—

- (1) facilitating contacts between buyers, sellers, bankers, traders, distributors, agents, and necessary government officials from the United States and the host country;
- (2) coordinating trade missions; and
- (3) assisting with applications, contracts, and clearances for imports into the host country and exports from the United States.

(f) Staffing of Centers

Each Center shall be staffed by members of the United States and Foreign Commercial Service, participants in the Market Development Cooperator Program established under section 4723 of this title, other employees of the Department of Commerce, and employees of appropriate executive branch departments and agencies which are members of the Trade Promotion Coordinating Committee.

(g) Center facilities and their relationship to United States Department of Commerce operations in host countries**(1) Physical accommodations for the Centers**

The Secretary of Commerce shall locate each Center in the primary commercial city of the host country. The Secretary shall acquire office space, exhibition space, and other facilities and equipment that are necessary for each Center to perform its functions. To the extent feasible, each Center shall be located in the central commercial district of the host city.

(2) Consolidation of Department of Commerce operations in host countries

For the purpose of obtaining maximum effectiveness and efficiency and to the extent consistent with the purposes of the Centers, the Secretary of Commerce is encouraged to place all personnel of the Department of Commerce who are assigned to the city in which a Center is located in the same facilities as those in which the Center conducts its activities.

(h) Use of Market Development Cooperator Program

The Secretary of Commerce shall, to the greatest extent feasible, use the Market Development Cooperator Program established under

section 4723 of this title to assist in carrying out the purposes of the Centers established under this section.

(i) Authorization of appropriations

There are authorized to be appropriated to the Secretary of Commerce to carry out this section \$3,000,000 for fiscal year 1993, and \$5,500,000 for fiscal year 1994. Funds made available under this subsection may be used for the acquisition of real property.

(j) Repealed. Pub. L. 104-66, title I, § 1021(b), Dec. 21, 1995, 109 Stat. 712**(k) Definitions**

For purposes of this section—

(1) the term “United States exporter” means—

- (A) a United States citizen,
- (B) a corporation, partnership, or other association created under the laws of the United States or of any State, or
- (C) a foreign corporation, partnership, or other association, more than 95 percent of which is owned by persons described in subparagraphs (A) and (B),

that exports, or seeks to export, goods or services produced in the United States;

(2) the term “State” means any of the several States, the District of Columbia, or any commonwealth, territory, or possession of the United States; and

(3) the term “United States” means the several States, the District of Columbia, and any commonwealth, territory, or possession of the United States.

(Pub. L. 102-549, title IV, § 401, Oct. 28, 1992, 106 Stat. 3661; Pub. L. 104-66, title I, § 1021(b), Dec. 21, 1995, 109 Stat. 712.)

CODIFICATION

Section was enacted as part of the Jobs Through Exports Act of 1992, and not as part of the Export Enhancement Act of 1988 which enacted this chapter.

AMENDMENTS

1995—Subsec. (j). Pub. L. 104-66 struck out heading and text of subsec. (j). Text read as follows: “The Secretary of Commerce shall submit to the Committee on Foreign Affairs of the House of Representatives and the Committee on Banking, Housing, and Urban Affairs of the Senate, not later than 1 year after October 28, 1992, and not later than the end of each 1-year period occurring thereafter, a report on the status, activities, and effectiveness of the Centers. Each such report shall include any recommendations with respect to the program established under this section.”

§ 4724. Trade shows**(a) Authority of Secretary of Commerce**

In order to facilitate exporting by United States businesses, the Secretary of Commerce shall provide assistance for trade shows in the United States which bring together representatives of United States businesses seeking to export goods or services produced in the United States and representatives of foreign companies or governments seeking to buy such goods or services from these United States businesses.

(b) Recipients of assistance

Assistance under subsection (a) of this section may be provided to—