

EFFECTIVE DATE OF 2018 AMENDMENT

Amendment by Pub. L. 115–254 effective at the end of the transition period, as defined in section 9681 of Title 22, Foreign Relations and Intercourse, see section 1470(w) of Pub. L. 115–254, set out as a note under section 905 of Title 2, The Congress.

TERMINATION OF REPORTING REQUIREMENTS

For termination, effective May 15, 2000, of provisions in subsec. (g) of this section relating to reporting results of audits to Congress, see section 3003 of Pub. L. 104–66, as amended, set out as a note under section 1113 of Title 31, Money and Finance, and page 53 of House Document No. 103–7.

§ 4721a. State trade coordination**(a) Omitted****(b) Federal and State export promotion coordination plan****(1) In general**

The Secretary of Commerce, acting through the Trade Promotion Coordinating Committee and in coordination with representatives of State trade promotion agencies, shall develop a comprehensive plan to integrate the resources and strategies of State trade promotion agencies into the overall Federal trade promotion program.

(2) Matters to be included

The plan required under paragraph (1) shall include the following:

(A) A description of the role of State trade promotion agencies in assisting exporters.

(B) An outline of the role of State trade promotion agencies and how it is different from Federal agencies located within or providing services within the State.

(C) A plan on how to utilize State trade promotion agencies in the Federal trade promotion program.

(D) An explanation of how Federal and State agencies will share information and resources.

(E) A description of how Federal and State agencies will coordinate education and trade events in the United States and abroad.

(F) A description of the efforts to increase efficiency and reduce duplication.

(G) A clear identification of where businesses can receive appropriate international trade information under the plan.

(3) Deadline

The plan required under paragraph (1) shall be finalized and submitted to Congress not later than 12 months after February 24, 2016.

(c) Annual Federal-State export strategy**(1) In general**

The Secretary of Commerce, acting through the head of the United States Foreign and Commercial Service,¹ shall develop an annual Federal-State export strategy for each State that submits to the Secretary of Commerce its export strategy for the upcoming calendar year. In developing an annual Federal-State export strategy under this paragraph, the Sec-

retary of Commerce shall take into account the Federal and State export promotion coordination plan developed under subsection (b).

(2) Matters to be included

The Federal-State export strategy required under paragraph (1) shall include the following:

(A) The State's export strategy and economic goals.

(B) The State's key sectors and industries of focus.

(C) Possible foreign and domestic trade events.

(D) Efforts to increase efficiencies and reduce duplication.

(3) Report

The Federal-State export strategy required under paragraph (1) shall be submitted to the Trade Promotion Coordinating Committee not later than February 1, 2017, and February 1 of each year thereafter.

(d) Coordinated metrics and information sharing**(1) In general**

The Secretary of Commerce, in coordination with representatives of State trade promotion agencies, shall develop a framework to share export success information, and develop a coordinated set of reporting metrics.

(2) Report to Congress

Not later than one year after February 24, 2016, the Secretary of Commerce shall submit to Congress a report that contains the framework and reporting metrics required under paragraph (1).

(e) Omitted

(Pub. L. 114–125, title V, § 505, Feb. 24, 2016, 130 Stat. 179.)

CODIFICATION

Section was enacted as part of the Small Business Trade Enhancement Act of 2015 or the State Trade Coordination Act, and also as part of the Trade Facilitation and Trade Enforcement Act of 2015, and not as part of the Export Enhancement Act of 1988 which enacted this chapter.

Section is comprised of section 505 of Pub. L. 114–125. Subsecs. (a) and (e) of section 505 of Pub. L. 114–125 amended section 4727 of this title.

§ 4722. Transferred

CODIFICATION

Section, Pub. L. 100–418, title II, § 2302, Aug. 23, 1988, 102 Stat. 1341, which related to Commercial Service Officers and multilateral development bank procurement, was renumbered § 1803 of title XVIII of Pub. L. 95–118, by Pub. L. 101–240, title V, § 541(b)(2), Dec. 19, 1989, 103 Stat. 2517, and was transferred to section 262s–2 of Title 22, Foreign Relations and Intercourse.

§ 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

¹ So in original. Probably should be “United States and Foreign Commercial Service.”

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). 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), 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).

(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—