

from microelectronics research and development conducted as a result of such funding and domestic control requirements to protect any such intellectual property from foreign adversaries.

(Pub. L. 116–283, div. H, title XCIX, §9906, Jan. 1, 2021, 134 Stat. 4856.)

Editorial Notes

REFERENCES IN TEXT

Section 231(b)(15) of the National Defense Authorization Act for Fiscal Year 2017 (as added by section 276 of this Act), referred to in subsec. (a)(3)(A)(ii)(IV), is section 231(b)(15) of Pub. L. 114–328, as added by section 276 of Pub. L. 116–283, which is set out in a note under section 2302 of Title 10, Armed Forces.

Section 14 of the Federal Advisory Committee Act, referred to in subsec. (b)(3), is section 14 of Pub. L. 92–463, which is set out in the Appendix to Title 5, Government Organization and Employees.

§ 4657. Prohibition relating to foreign entities of concern

None of the funds authorized to be appropriated to carry out this chapter may be provided to a foreign entity of concern.

(Pub. L. 116–283, div. H, title XCIX, §9907, Jan. 1, 2021, 134 Stat. 4860.)

Editorial Notes

REFERENCES IN TEXT

This chapter, referred to in text, was in the original “this subtitle” and was translated as reading “this title”, meaning title XCIX of div. H of Pub. L. 116–283, to reflect the probable intent of Congress.

§ 4658. Defense Production Act of 1950 efforts

(a) In general

Not later than 180 days after January 1, 2021, the President shall submit to Congress a report on a plan of action for any use of authorities available in title III of the Defense Production Act of 1950 (50 U.S.C. 4531 et seq.) to establish or enhance a domestic production capability for microelectronics technologies and related technologies, subject to—

(1) the availability of appropriations for that purpose; and

(2) a determination made under the plan pursuant to such title III that such technologies are essential to the national defense and that domestic industrial capabilities are insufficient to meet these needs.

(b) Coordination

The President shall develop the plan of action required by subsection (a) in consultation with any relevant head of a Federal agency, an advisory committee established under section 708(d) of the Defense Production Act of 1950 (50 U.S.C. 4558(d)), and appropriate stakeholders in the private sector.

(Pub. L. 116–283, div. H, title XCIX, §9908, Jan. 1, 2021, 134 Stat. 4860.)

Editorial Notes

REFERENCES IN TEXT

The Defense Production Act of 1950, referred to in subsec. (a), is act Sept. 8, 1950, ch. 932, 64 Stat. 798,

which is classified principally to chapter 55 (§4501 et seq.) of Title 50, War and National Defense. Title III of the Act is classified generally to subchapter II (§4531 et seq.) of chapter 55. For complete classification of this Act to the Code, see section 4501 of Title 50 and Tables.

CHAPTER 73—EXPORT ENHANCEMENT

SUBCHAPTER I—FAIR TRADE IN AUTO PARTS

Sec.
4701 to 4704. Omitted.

SUBCHAPTER I-A—FAIR TRADE IN AUTOMOTIVE PARTS

4705 to 4705c. Omitted.

SUBCHAPTER II—GENERAL PROVISIONS

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SUBCHAPTER III—EXPORT PROMOTION

4721. United States and Foreign Commercial Service.
4721a. State trade coordination.
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SUBCHAPTER I—FAIR TRADE IN AUTO PARTS

§§ 4701 to 4704. Omitted

Editorial Notes

CODIFICATION

Sections 4701 to 4704 were omitted pursuant to section 4704 which provided that the authorities under this subchapter expired on Dec. 31, 1998.

Section 4701, Pub. L. 100–418, title II, §2122, Aug. 23, 1988, 102 Stat. 1325, defined “Japanese markets”.

Section 4702, Pub. L. 100–418, title II, §2123, Aug. 23, 1988, 102 Stat. 1326, established initiative on auto parts sales to Japan.

Section 4703, Pub. L. 100–418, title II, §2124, Aug. 23, 1988, 102 Stat. 1326, established Special Advisory Committee on auto parts sales in Japan.

Section 4704, Pub. L. 100–418, title II, §2125, Aug. 23, 1988, 102 Stat. 1327; Pub. L. 103–236, title V, §510(a), Apr. 30, 1994, 108 Stat. 465, provided that the authorities under this subchapter expire on Dec. 31, 1998.

Statutory Notes and Related Subsidiaries

SHORT TITLE OF 1998 AMENDMENT

Pub. L. 105–261, div. C, title XXXVIII, §3801, Oct. 17, 1998, 112 Stat. 2275, provided that title XXXVIII of div. C of Pub. L. 105–261, enacting former subchapter I-A of this chapter, could be cited as the “Fair Trade in Automotive Parts Act of 1998”.

SHORT TITLE OF 1994 AMENDMENT

Pub. L. 103–392, title IV, §401, Oct. 22, 1994, 108 Stat. 4099, provided that: “This title [amending section 4728 of this title] may be cited as the ‘Environmental Export Promotion Act of 1994.’”

SHORT TITLE

Pub. L. 100–418, title II, §2001, Aug. 23, 1988, 102 Stat. 1325, provided that: “This title [see Tables for classi-

fication] may be referred to as the ‘Export Enhancement Act of 1988.’”

Pub. L. 100-418, title II, § 2121, Aug. 23, 1988, 102 Stat. 1325, provided that this subchapter could be referred to as the “Fair Trade in Auto Parts Act of 1988”.

SUBCHAPTER I—FAIR TRADE IN AUTOMOTIVE PARTS

§§ 4705 to 4705c. Omitted

Editorial Notes

CODIFICATION

Sections 4705 to 4705c were omitted pursuant to section 4705c which provided that the authority under this subchapter expired on Dec. 31, 2003.

Section 4705, Pub. L. 105-261, div. C, title XXXVIII, § 3802, Oct. 17, 1998, 112 Stat. 2275, contained definitions.

Section 4705a, Pub. L. 105-261, div. C, title XXXVIII, § 3803, Oct. 17, 1998, 112 Stat. 2276, related to re-establishment of initiative on automotive parts sales to Japan.

Section 4705b, Pub. L. 105-261, div. C, title XXXVIII, § 3804, Oct. 17, 1998, 112 Stat. 2276, established Special Advisory Committee on automotive parts sales in Japanese and other Asian markets.

Section 4705c, Pub. L. 105-261, div. C, title XXXVIII, § 3805, Oct. 17, 1998, 112 Stat. 2277, provided that the authority under this subchapter expire on Dec. 31, 2003.

SUBCHAPTER II—GENERAL PROVISIONS

§ 4711. Repealed. Pub. L. 107-228, div. A, title VI, § 671(1), Sept. 30, 2002, 116 Stat. 1407

Section, Pub. L. 100-418, title II, § 2202, Aug. 23, 1988, 102 Stat. 1327; Pub. L. 104-188, title I, § 1954(b)(2), Aug. 20, 1996, 110 Stat. 1928, required the Secretary of State to report annually on the economic policy and trade practices of each country with which the United States has an economic or trade relationship.

§ 4712. Barter and countertrade

(a) Interagency group

(1) Establishment

The President shall establish an interagency group on countertrade, to be composed of representatives of such departments and agencies of the United States as the President considers appropriate. The Secretary of Commerce shall be the chairman of the interagency group.

(2) Functions

It shall be the function of the interagency group to—

(A) review and evaluate—

(i) United States policy on countertrade and offsets, in light of current trends in international countertrade and offsets and the impact of those trends on the United States economy;

(ii) the use of countertrade and offsets in United States exports and bilateral United States foreign economic assistance programs; and

(iii) the need for and the feasibility of negotiating with other countries, through the Organization for Economic Cooperation and Development and other appropriate international organizations, to reach agreements on the use of countertrade and offsets; and

(B) make recommendations to the President and the Congress on the basis of the re-

view and evaluation referred to in subparagraph (A).

(3) Sharing of information

Other departments and agencies of the United States shall provide to the interagency group such information available to such departments and agencies as the interagency group may request, except that the requirements, including penalties for violation thereof, for preserving the confidentiality of such information which are applicable to the officials, employees, experts, or consultants of such departments and agencies shall apply in the same manner to each member of the interagency group and to any other person performing any function under this subsection.

(b) Office of Barter

(1) Establishment

There is established, within the International Trade Administration of the Department of Commerce, the Office of Barter (hereafter in this section referred to as the “Office”).

(2) Director

There shall be at the head of the Office a Director, who shall be appointed by the Secretary of Commerce.

(3) Staff

The Secretary of Commerce shall transfer such staff to the Office as the Secretary determines is necessary to enable the Office to carry out its functions under this section.

(4) Functions

It shall be the function of the Office to—

(A) monitor information relating to trends in international barter;

(B) organize and disseminate information relating to international barter in a manner useful to business firms, educational institutions, export-related Federal, State, and local government agencies, and other interested persons, including publishing periodic lists of known commercial opportunities for barter transactions beneficial to United States enterprises;

(C) notify Federal agencies with operations abroad of instances where it would be beneficial to the United States for the Federal Government to barter Government-owned surplus commodities for goods and services purchased abroad by the Federal Government; and

(D) provide assistance to enterprises seeking barter and countertrade opportunities.

(Pub. L. 100-418, title II, § 2205, Aug. 23, 1988, 102 Stat. 1332.)

Statutory Notes and Related Subsidiaries

COMPOSITION OF INTERAGENCY GROUP

For composition of Interagency Group on Countertrade, see section 2-101 of Ex. Ord. No. 12661, Dec. 27, 1988, 54 F.R. 779, set out as a note under section 2901 of Title 19, Customs Duties.