

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 Repealed.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.

## SUBCHAPTER III—EXPORT PROMOTION

**§ 4721. United States and Foreign Commercial Service****(a) Establishment****(1) In general**

The Secretary of Commerce shall establish, within the International Trade Administration, the United States and Foreign Commercial Service. The Secretary shall, to the greatest extent practicable, transfer to the Commercial Service the functions and personnel of the United States and Foreign Commercial Services.

**(2) Assistant Secretary of Commerce and Director General; other personnel**

The head of the Commercial Service shall be the Assistant Secretary of Commerce and Director General of the Commercial Service, who shall be appointed by the President, by and with the advice and consent of the Senate. The Assistant Secretary of Commerce and Director General of the Commercial Service may appoint Commercial Service Officers and such other personnel as may be necessary to carry out the activities of the Commercial Service.

**(3) Coordination with foreign policy objectives**

The Secretary shall take the necessary steps to ensure that the activities of the Commercial Service are carried out in a manner consistent with United States foreign policy objectives, and the Secretary shall consult regularly with the Secretary of State in order to comply with this paragraph.

**(4) Authority of chief of mission**

All activities of the Commercial Service shall be subject to section 207 of the Foreign Service Act of 1980 (22 U.S.C. 3927).

**(b) Statement of purpose**

The Commercial Service shall place primary emphasis on the promotion of exports of goods and services from the United States, particularly by small businesses and medium-sized businesses, and on the protection of United States business interests abroad by carrying out activities such as—

(1) identifying United States businesses with the potential to export goods and services and providing such businesses with advice and information on establishing export businesses;

(2) providing United States exporters with information on economic conditions, market opportunities, the status of the intellectual property system in such country, and the legal and regulatory environment within foreign countries;

(3) providing United States exporters with information and advice on the necessary adaptation of product design and marketing strategy to meet the differing cultural and technical requirements of foreign countries;

(4) providing United States exporters with actual leads and an introduction to contacts within foreign countries;

(5) assisting United States exporters in locating reliable sources of business services in foreign countries;

(6) assisting United States exporters in their dealings with foreign governments and enterprises owned by foreign governments;

(7) assisting the coordination of the efforts of State and local agencies and private organizations which seek to promote United States business interests abroad so as to maximize their effectiveness and minimize the duplication of efforts;

(8) utilizing district and foreign offices as one-stop shops for United States exporters by providing exporters with information on all export promotion and export finance activities of the Federal Government, assisting exporters in identifying which Federal programs may be of greatest assistance, and assisting exporters in making contact with the Federal programs identified; and

(9) providing United States exporters and export finance institutions with information on all financing and insurance programs of the Export-Import Bank of the United States, the United States International Development Finance Corporation, the Trade and Development Program, and the Small Business Administration, including providing assistance in completing applications for such programs and working with exporters and export finance institutions to address any deficiencies in such applications that have been submitted.

**(c) Offices****(1) In general**

The Commercial Service shall conduct its activities at a headquarters office, district offices located in major United States cities, and foreign offices located in major foreign cities.

**(2) Headquarters**

The headquarters of the Commercial Service shall provide such managerial, administrative, research, and other services as the Secretary considers necessary to carry out the purposes of the Commercial Service.

**(3) District offices**

The Secretary shall establish district offices of the Commercial Service in any United States city in a region in which the Secretary determines that there is a need for Federal Government export assistance.

**(4) Foreign offices**

(A) The Secretary may, after consultation with the Secretary of State, establish foreign offices of the Commercial Service. These offices shall be located in foreign cities in regions in which the Secretary determines there are significant business opportunities for United States exporters.

(B) The Secretary may, in consultation with the Secretary of State, assign to the foreign offices Commercial Service Officers and such other personnel as the Secretary considers necessary. In employing Commercial Service Officers and such other personnel, the Secretary shall use the Foreign Service personnel system in accordance with the Foreign Service Act of 1980 [22 U.S.C. 3901 et seq.]. The Sec-