

109<sup>TH</sup> CONGRESS  
1<sup>ST</sup> SESSION

# H. R. 4250

To eliminate fees for assistance provided by the Department of Commerce and agencies thereof under export promotion programs, to authorize appropriations for such purpose, to direct the Secretary of Commerce to take certain steps to expand export promotion activities, and for other purposes.

---

## IN THE HOUSE OF REPRESENTATIVES

NOVEMBER 8, 2005

Mr. MICA (for himself and Mr. MANZULLO) introduced the following bill;  
which was referred to the Committee on International Relations

---

## A BILL

To eliminate fees for assistance provided by the Department of Commerce and agencies thereof under export promotion programs, to authorize appropriations for such purpose, to direct the Secretary of Commerce to take certain steps to expand export promotion activities, and for other purposes.

1       *Be it enacted by the Senate and House of Representa-*  
2       *tives of the United States of America in Congress assembled,*

3       **SECTION 1. SHORT TITLE.**

4       This Act may be cited as the “United States Export  
5       Promotion Act of 2005”.

1 **SEC. 2. ELIMINATION OF FEES CHARGED FOR EXPORT PRO-**  
2 **MOTION PROGRAMS.**

3 (a) **ELIMINATION OF FEES.**—The Secretary of Com-  
4 merce, the International Trade Administration, and the  
5 United States and Foreign Commercial Service may not  
6 charge fees to United States exporters, United States  
7 businesses, or United States persons, for assistance pro-  
8 vided to such exporters, businesses, or persons under sub-  
9 title C of the Export Enhancement Act of 1988 (15 U.S.C.  
10 4721 et seq.) or under any other export promotion pro-  
11 gram.

12 (b) **AUTHORIZATION OF APPROPRIATIONS.**—There  
13 are authorized to be appropriated to the Department of  
14 Commerce, the International Trade Administration, and  
15 the United States and Foreign Commercial Service such  
16 sums as may be necessary to cover the costs of providing  
17 services to United States exporters, United States busi-  
18 nesses, or United States persons, under export promotion  
19 programs.

20 **SEC. 3. CAPITAL SECURITY COST-SHARING PROGRAM**  
21 **CHANGES.**

22 In determining the total overseas presence of an  
23 agency for purposes of section 604(e) of the Secure Em-  
24 bassy Construction and Counterterrorism Act of 1999 (as  
25 enacted by section 1000(a)(7) of Public Law 106–113),

1 there shall be excluded any positions or activities of the  
2 agency attributable to export promotion programs.

3 **SEC. 4. UNITED STATES AND FOREIGN COMMERCIAL SERV-**  
4 **ICE ACTIVITIES ABROAD.**

5 The Secretary of Commerce shall, not later than 180  
6 days after the date of the enactment of this Act—

7 (1) develop and submit to the Congress a plan  
8 to locate and relocate offices, officers, and employees  
9 of the USFCS in other countries at places other  
10 than the United States embassy or, in any country  
11 in which there is no such embassy, the chief diplo-  
12 matic mission of the United States in that country;

13 (2) develop and submit to the Congress a plan  
14 to place, in each country with which the United  
15 States has diplomatic relations, a USFCS office or,  
16 in countries with smaller markets, one or more for-  
17 eign nationals working under the supervision of a re-  
18 gional USFCS officer, to carry out functions under  
19 export promoting programs if, on the basis of a mar-  
20 ket analysis of the country conducted by the Sec-  
21 retary of Commerce, the Secretary determines such  
22 placement is viable; and

23 (3) conduct and report to the Congress on a  
24 market analysis of other countries for purposes of

1 expanding activities of the USFCS in those coun-  
2 tries, particularly those with developing economies.

3 **SEC. 5. UNITED STATES TRADE MISSIONS.**

4 The Secretary of Commerce shall, not later than 180  
5 days after the date of the enactment of this Act, develop  
6 and submit to the Congress a plan for conducting at least  
7 100 United States trade missions abroad in fiscal years  
8 2006 and 2007. Of these trade missions—

9 (1) 1 shall be dedicated for each of the several  
10 States,

11 (2) 1 shall be dedicated for the District of Co-  
12 lumbia,

13 (3) 1 shall be dedicated for Puerto Rico and the  
14 Virgin Islands, and

15 (4) 1 shall be dedicated for Guam and Amer-  
16 ican Samoa,

17 with each such mission being comprised primarily of  
18 United States businesses whose principal place of business  
19 is in the State or other place listed in paragraphs (2)  
20 through (4) for which the trade mission is dedicated. No  
21 fee may be charged to any United States business for par-  
22 ticipating in any such trade mission.

1 **SEC. 6. INCREASING PARTICIPATION IN GLOBAL MARKETS**  
2 **OF SMALL- AND MEDIUM-SIZED BUSINESSES.**

3 The Secretary of Commerce shall, not later than 180  
4 days after the date of the enactment of this Act, submit  
5 to the Congress—

6 (1) budget, staffing, and reorganization require-  
7 ments of the Department of Commerce and, with the  
8 concurrence of the Administrator of the Small Busi-  
9 ness Administration, of the Small Business Adminis-  
10 tration, in order to substantially increase the ability  
11 of small businesses and medium-sized businesses in  
12 the United States to compete in global markets; and

13 (2) an overall United States trade promotion  
14 strategy, with achievable annual action plans, that  
15 aggressively markets small businesses and medium-  
16 sized businesses in the United States to expanding  
17 overseas markets and directly supports, through  
18 trade missions and related activities, the efforts of  
19 the individual States (and the District of Columbia)  
20 toward achieving this goal.

21 **SEC. 7. DEVELOPMENT OF EXPORT DATABASE AND OTHER**  
22 **TRADE PROMOTION ACTIVITIES.**

23 (a) DATABASE.—The Secretary of Commerce shall—

24 (1) conduct a comprehensive review, reorganiza-  
25 tion, and expansion of the Web site [www.export.gov](http://www.export.gov)

1 (or any successor Web site) of the Department of  
2 Commerce in order to—

3 (A) increase the usability and scope of the  
4 Web site; and

5 (B) ensure that each USFCS office loca-  
6 tion has an interactive Web site that is inter-  
7 operable with [www.export.gov](http://www.export.gov); and

8 (2)(A) create and maintain a database of  
9 United States exporters;

10 (B) provide United States exporters with the  
11 ability to elect to be included in the database; and

12 (C) report to Congress on methods other Fed-  
13 eral agencies may use to assist United States busi-  
14 nesses interested in developing export markets in ac-  
15 cessing the database; and

16 (3) after reviewing successful trade promotion  
17 activities of other countries with which the United  
18 States competes in global markets, make such modi-  
19 fications to the operations of the Department of  
20 Commerce in carrying out export promotion pro-  
21 grams, including modifications to Internet access, as  
22 are necessary to more effectively assist in matching  
23 business opportunities abroad to potential suppliers  
24 in the United States, and to support closing of

1 transactions, arranging of financing, and delivery of  
2 goods or services.

3 **SEC. 8. DEFINITIONS.**

4 In this Act:

5 (1) EXPORT PROMOTION PROGRAM.—The term  
6 “export promotion program” has the meaning given  
7 that term in section 201(d) of the Export Adminis-  
8 tration Amendments Act of 1985 (15 U.S.C.  
9 4051(d)).

10 (2) SMALL BUSINESS.—The term “small busi-  
11 ness” means any small business concern as defined  
12 under section 3 of the Small Business Act (15  
13 U.S.C. 632).

14 (3) UNITED STATES BUSINESS.—The term  
15 “United States business” has the meaning given  
16 that term in section 2304(e) of the Export Enhance-  
17 ment Act of 1988 (15 U.S.C. 4724(e)).

18 (4) UNITED STATES EXPORTER.—The term  
19 “United States exporter” has the meaning given  
20 that term in section 2301(j) of the Export Enhance-  
21 ment Act of 1988 (15 U.S.C. 4721(j)).

22 (5) USFCS.—The term “USFCS” means the  
23 United States and Foreign Commercial Service of  
24 the Department of Commerce.

1           (6) UNITED STATES PERSON.—The term  
2           “United States person” has the meaning given that  
3           term in section 2306(c) of the Export Enhancement  
4           Act of 1988 (15 U.S.C. 4725(c)).

○