

110TH CONGRESS
1ST SESSION

H. R. 2992

To amend the Small Business Act to improve trade programs, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

JULY 11, 2007

Mr. HALL of New York (for himself, Mr. SESTAK, Ms. VELÁZQUEZ, Mr. LIPINSKI, Mr. CUELLAR, and Ms. CLARKE) introduced the following bill; which was referred to the Committee on Small Business

A BILL

To amend the Small Business Act to improve trade programs, 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; TABLE OF CONTENTS.**

4 (a) **SHORT TITLE.**—This Act may be cited as the
5 “SBA Trade Programs Act of 2007”.

6 (b) **TABLE OF CONTENTS.**—The table of contents for
7 this Act is as follows:

Sec. 1. Short title; table of contents.

TITLE I—SMALL BUSINESS TRADE POLICY

Sec. 101. Develop and implement small business trade policies.

Sec. 102. Establish an annual small business trade strategy.

Sec. 103. Track small business exports and trade resource utilization.

TITLE II—TRADE COMPLIANCE PROGRAMS

Sec. 201. Trade Remedy and Dispute Assistance Initiative.

Sec. 202. Patent Assistance and Intellectual Property Protections Initiative.

TITLE III—TRADE ADJUSTMENT ASSISTANCE FOR SMALL BUSINESSES

Sec. 301. Trade Adjustment Assistance Financing Initiative.

Sec. 302. Technical resources for trade adjustment assistance.

TITLE IV—EXPORT ASSISTANCE

Sec. 401. Increase Small Business Administration participation at Export Assistance Centers.

Sec. 402. Increase access to capital for small and medium-sized exporters.

Sec. 403. Clerical amendment.

TITLE V—AUTHORIZATION OF APPROPRIATIONS

Sec. 501. Authorization of appropriations.

1 **TITLE I—SMALL BUSINESS**
2 **TRADE POLICY**

3 **SEC. 101. DEVELOP AND IMPLEMENT SMALL BUSINESS**
4 **TRADE POLICIES.**

5 Section 22 of the Small Business Act (15 U.S.C. 649)
6 is amended by adding at the end the following:

7 “(h) **ROLE IN TRADE POLICY.**—

8 “(1) **RECOMMENDATIONS.**—The director of the
9 Office shall present recommendations regarding
10 small business exporters to trade negotiators.

11 “(2) **DEVELOPMENT OF TRADE POLICIES.**—The
12 director of the Office shall develop trade policies that
13 support small businesses in domestic and foreign
14 markets.

1 “(3) IMPLEMENTATION OF TRADE POLICIES.—

2 The director of the Office shall implement trade
3 policies through relationships developed with Federal
4 trade policymakers, particularly the United States
5 Trade Representative, and transnational organiza-
6 tions, such as the Organization for Economic Co-op-
7 eration and Development.

8 “(4) SMALL EXPORTER PROMOTION PRO-

9 GRAMS.—The director of the Office shall establish
10 programs that will boost the exports of entre-
11 preneurs and encourage transnational organizations,
12 such as the Organization for Economic Co-operation
13 and Development, small exporter organizations, and
14 ministries of foreign governments to support and
15 publicize these programs.

16 “(5) STRATEGIC ALLIANCES.—

17 “(A) CONGRESSIONAL NOTIFICATION.—

18 The director of the Office shall notify the Com-
19 mittee on Small Business of the House of Rep-
20 resentatives and the Committee on Small Busi-
21 ness and Entrepreneurship of the Senate of
22 pending strategic alliances.

23 “(B) FOLLOW-UP ACTIVITIES.—The direc-

24 tor of the Office shall ensure that planned and

1 documented follow-up activities for strategic al-
2 liances benefit small businesses.

3 “(C) STRATEGIC ALLIANCE DEFINED.—In
4 this paragraph, the term ‘strategic alliance’
5 means a working relationship, entered into be-
6 tween the Small Business Administration and
7 foreign national ministries representing small
8 business concerns, for the purpose of strength-
9 ening trade between United States small busi-
10 nesses and foreign small businesses by estab-
11 lishing overseas networks and buyers.”.

12 **SEC. 102. ESTABLISH AN ANNUAL SMALL BUSINESS TRADE**
13 **STRATEGY.**

14 Section 22 of the Small Business Act (15 U.S.C.
15 649), as amended by this Act, is further amended by add-
16 ing at the end the following:

17 “(i) ANNUAL SMALL BUSINESS TRADE STRATEGY.—

18 “(1) IN GENERAL.—The director of the Office
19 shall develop and maintain a small business trade
20 strategy that includes at least the following compo-
21 nents:

22 “(A) Strategies to increase small business
23 exports, including priority markets and indus-
24 tries.

1 “(B) Recommendations to increase the
2 competitiveness of domestic small business in-
3 dustries in the global economy.

4 “(C) Recommendations to protect small
5 businesses from unfair trade practices, includ-
6 ing intellectual property violations and import
7 dumping.

8 “(D) Strategies to expand small business
9 representation in United States trade policy for-
10 mation and implementation.

11 “(E) Coordination efforts with the Trade
12 Promotion Coordinating Committee of the De-
13 partment of Commerce, as well as with Federal
14 agencies that also provide trade financing to
15 small businesses, such as the Overseas Private
16 Investment Corporation and the Export-Import
17 Bank.

18 “(2) REPORT.—At the beginning of each fiscal
19 year, the director shall submit to the Committee on
20 Small Business of the House of Representatives and
21 the Committee on Small Business and Entrepre-
22 neurship of the Senate a report on the small busi-
23 ness trade strategy required by paragraph (1). The
24 report shall cover, at a minimum, each of the compo-
25 nents required by paragraph (1) and shall include

1 specific policies and objectives and timelines to im-
2 plement those policies and objectives.”.

3 **SEC. 103. TRACK SMALL BUSINESS EXPORTS AND TRADE**
4 **RESOURCE UTILIZATION.**

5 Section 22 of the Small Business Act (15 U.S.C.
6 649), as amended by this Act, is further amended by add-
7 ing at the end the following:

8 “(j) TRACKING SYSTEM.—

9 “(1) IN GENERAL.—The director of the Office
10 shall develop a system to track small business ex-
11 ports and the use by small businesses of Federal
12 trade promotion resources. The director shall ensure
13 that the system is consistent through each Federal
14 agency member of the Trade Promotion Coordi-
15 nating Committee.

16 “(2) DESIGN EMPHASIS.—The director shall
17 give particular attention, in designing the system, to
18 the tracking of data on the trade of services by small
19 exporters, in consultation with the Department of
20 Commerce.

21 “(3) IMPLEMENTATION.—The director shall
22 work in consultation with members of the Trade
23 Promotion Coordinating Committee to ensure that
24 the system is implemented and that the results of
25 the system are reported annually in the National

1 Export Strategy conducted by the Trade Promotion
2 Coordinating Committee.”.

3 **TITLE II—TRADE COMPLIANCE**
4 **PROGRAMS**

5 **SEC. 201. TRADE REMEDY AND DISPUTE ASSISTANCE INI-**
6 **TIATIVE.**

7 Section 22 of the Small Business Act (15 U.S.C.
8 649), as amended by this Act, is further amended by add-
9 ing at the end the following:

10 “(k) TRADE REMEDY AND DISPUTE ASSISTANCE INI-
11 TIATIVE.—The director of the Office shall design, and the
12 district offices of the Administration shall implement, a
13 program that provides technical assistance, counseling
14 services, and reference materials to assist small businesses
15 navigate the trade dispute and remedy processes. The pro-
16 gram shall include—

17 “(1) information on available resources, proce-
18 dures, and requirements for trade remedy investiga-
19 tions;

20 “(2) an approach for district office staff to pro-
21 vide one-on-one assistance to small businesses in-
22 volved in these activities; and

23 “(3) an identification of legal resources and
24 other tools to ensure small businesses can navigate
25 the trade dispute and remedy processes affordably.”.

1 **SEC. 202. PATENT ASSISTANCE AND INTELLECTUAL PROP-**
 2 **ERTY PROTECTIONS INITIATIVE.**

3 Section 22 of the Small Business Act (15 U.S.C.
 4 649), as amended by this Act, is further amended by add-
 5 ing at the end the following:

6 “(1) PATENT ASSISTANCE AND INTELLECTUAL PROP-
 7 ERTY PROTECTIONS INITIATIVE.—In consultation with
 8 the United States Patent and Trademark Office and the
 9 United States Copyright Office, the Office shall design
 10 counseling services, including identifying legal resources,
 11 to small businesses taking legal action to secure their
 12 rights to domestic patents, including copyright, trade-
 13 mark, and service mark rights, in foreign countries. To
 14 implement the program, the Office shall collaborate with
 15 district office staff to provide on-on-one assistance to
 16 small businesses involved in these activities.”.

17 **TITLE III—TRADE ADJUSTMENT**
 18 **ASSISTANCE FOR SMALL**
 19 **BUSINESSES**

20 **SEC. 301. TRADE ADJUSTMENT ASSISTANCE FINANCING**
 21 **INITIATIVE.**

22 Section 7(a) of the Small Business Act (15 U.S.C.
 23 636(a)) is amended—

24 (1) in paragraph (2)(D) by inserting after
 25 “paragraph (14)(A),” the following: “or to partici-
 26 pate in a loan made under paragraph (16),”; and

1 (2) in paragraph (16)—

2 (A) in subparagraph (D) by striking
3 clauses (i) and (ii) and inserting the following:

4 “(i) is impacted by—

5 “(I) increased competition with
6 foreign firms in the relevant market;

7 “(II) unfair trade practices, par-
8 ticularly intellectual property viola-
9 tions;

10 “(III) an influx of imports below
11 the average United States production
12 costs; or

13 “(IV) imported products benefit-
14 ting from currency devaluation prac-
15 tices by foreign governments; and

16 “(ii) is injured by such impacts.”; and

17 (B) by adding at the end the following:

18 “(E) OUTREACH AND MARKETING.—The
19 Administration shall increase outreach and
20 marketing of international trade loans to dis-
21 trict offices and private lenders.”.

1 **SEC. 302. TECHNICAL RESOURCES FOR TRADE ADJUST-**
2 **MENT ASSISTANCE.**

3 Section 22 of the Small Business Act (15 U.S.C.
4 649), as amended by this Act, is further amended by add-
5 ing at the end the following:

6 “(m) **TECHNICAL RESOURCES FOR TRADE ADJUST-**
7 **MENT ASSISTANCE.**—

8 “(1) **IN GENERAL.**—The director of the Office
9 shall establish a comprehensive set of services to as-
10 sist small business readjustment, including access to
11 training, technology, marketing assistance, and re-
12 search and information on domestic and global mar-
13 kets.

14 “(2) **IMPLEMENTATION.**—The Administrator
15 shall, by regulation, establish such requirements as
16 may be necessary to carry out paragraph (1).

17 “(3) **OUTREACH.**—The Office shall work with
18 the district offices and the outreach business assist-
19 ance centers of the Administration, including Small
20 Business Development Centers, Women’s Business
21 Centers, and SCORE, to offer the set of services es-
22 tablished under paragraph (1) to small businesses in
23 their local communities.”.

1 **TITLE IV—EXPORT ASSISTANCE**

2 **SEC. 401. INCREASE SMALL BUSINESS ADMINISTRATION**
3 **PARTICIPATION AT EXPORT ASSISTANCE**
4 **CENTERS.**

5 Section 22 of the Small Business Act (15 U.S.C.
6 649), as amended by this Act, is further amended by add-
7 ing at the end the following:

8 “(n) TRADE FINANCE POSITIONS.—

9 “(1) ADDITIONAL TRADE FINANCE SPECIAL-
10 ISTS.—

11 “(A) IN GENERAL.—The Office, over the
12 1-year period beginning on the date of the en-
13 actment of this subsection, shall increase the
14 number of trade finance specialists at Export
15 Assistance Centers by at least 6 and thereafter
16 shall maintain the number of such trade finance
17 specialists at or above that number. Candidates
18 for the positions are required to have sufficient
19 qualifications and experiences.

20 “(B) AUTHORIZATION OF APPROPRIA-
21 TIONS.—There are authorized to be appro-
22 priated to carry out subparagraph (A) such
23 sums as may be necessary.

24 “(2) FILLING VACANT POSITIONS.—The Office,
25 over the 3-month period beginning on the date of the

1 enactment of this subsection, shall fill all trade fi-
2 nance positions that have been vacant since 2003.
3 Candidates for the positions are required to have
4 sufficient qualifications and experiences.

5 “(3) FILLING GAPS IN HIGH-EXPORT-VOLUME
6 AREAS.—The director of the Office shall—

7 “(A) not later than 1 year after the date
8 of the enactment of this subsection, carry out
9 a national study to compare the rate of exports
10 from each State and major metropolitan region
11 to the availability of Administration staff par-
12 ticipating in Export Assistance Centers in such
13 State or region;

14 “(B) not later than 2 years after such date
15 of enactment, design a formula to eliminate
16 gaps between supply of, and demand for, such
17 staff in areas with high export volumes; and

18 “(C) request the additional staff that are
19 required to eliminate such gaps and place them
20 in those areas.”.

21 **SEC. 402. INCREASE ACCESS TO CAPITAL FOR SMALL AND**
22 **MEDIUM-SIZED EXPORTERS.**

23 Section 7(a) of the Small Business Act (15 U.S.C.
24 636(a)) is amended—

1 (1) in paragraph (2)(D) by amending the head-
2 ing to read as follows: “PARTICIPATION UNDER EX-
3 PORT WORKING CAPITAL AND INTERNATIONAL
4 TRADE PROGRAMS”; and

5 (2) in paragraph (3)—

6 (A) in subparagraph (A)—

7 (i) by striking “\$1,500,000” and in-
8 serting “\$2,250,000”; and

9 (ii) by striking “\$2,000,000” and in-
10 serting “\$3,000,000”; and

11 (B) in subparagraph (B) by striking
12 “\$1,750,000, of which not more than
13 \$1,250,000” and inserting “\$3,000,000, of
14 which not more than \$2,250,000”.

15 **SEC. 403. CLERICAL AMENDMENT.**

16 Section 22(c)(5) of the Small Business Act (15
17 U.S.C. 649) is amended by striking the period at the end
18 and inserting a semicolon.

19 **TITLE V—AUTHORIZATION OF**
20 **APPROPRIATIONS**

21 **SEC. 501. AUTHORIZATION OF APPROPRIATIONS.**

22 There are authorized to be appropriated such sums
23 as may be necessary to carry out this Act and the amend-
24 ments made by this Act.

○