

110TH CONGRESS
1ST SESSION

H. R. 2992

IN THE SENATE OF THE UNITED STATES

SEPTEMBER 5, 2007

Received; read twice and referred to the Committee on Small Business and
Entrepreneurship

AN ACT

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,*

1 **SECTION 1. SHORT TITLE; TABLE OF CONTENTS.**

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

4 (b) TABLE OF CONTENTS.—The table of contents for
5 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.

6 **TITLE I—SMALL BUSINESS**
7 **TRADE POLICY**

8 **SEC. 101. TRADE POLICY FOR SMALL BUSINESS.**

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

11 “(h) ROLE IN TRADE POLICY.—

1 “(1) RECOMMENDATIONS.—The director of the
2 Office shall present recommendations regarding
3 small business exporters to trade negotiators.

4 “(2) DEVELOPMENT OF TRADE POLICIES.—The
5 director of the Office shall assist in the development
6 of trade policies that increase opportunities for small
7 businesses in domestic and foreign markets, includ-
8 ing the removal of trade barriers.

9 “(3) IMPLEMENTATION OF TRADE POLICIES.—
10 The director of the Office shall assist in the imple-
11 mentation of trade policies through relationships de-
12 veloped with Federal trade policymakers, particu-
13 larly the United States Trade Representative, and
14 transnational organizations, such as the Organiza-
15 tion for Economic Co-operation and Development.

16 “(4) SMALL EXPORTER PROMOTION PRO-
17 GRAMS.—The director of the Office shall establish
18 programs that will boost the export opportunities of
19 entrepreneurs and encourage transnational organiza-
20 tions, such as the Organization for Economic Co-op-
21 eration and Development, small exporter organiza-
22 tions, and ministries of foreign governments to sup-
23 port and publicize these programs.

24 “(5) STRATEGIC ALLIANCES.—

1 “(A) CONGRESSIONAL NOTIFICATION.—
2 The director of the Office shall notify the Com-
3 mittee on Small Business of the House of Rep-
4 resentatives and the Committee on Small Busi-
5 ness and Entrepreneurship of the Senate of
6 pending strategic alliances.

7 “(B) FOLLOW-UP ACTIVITIES.—The direc-
8 tor of the Office shall ensure that planned and
9 documented follow-up activities for strategic al-
10 liances increase trade opportunities for small
11 businesses.

12 “(C) STRATEGIC ALLIANCE DEFINED.—In
13 this paragraph, the term ‘strategic alliance’
14 means a working relationship, entered into be-
15 tween the Small Business Administration and
16 foreign national ministries representing small
17 business concerns, for the purpose of strength-
18 ening trade between United States small busi-
19 nesses and foreign small businesses by estab-
20 lishing overseas networks and buyers.”.

21 **SEC. 102. ESTABLISH AN ANNUAL SMALL BUSINESS TRADE**
22 **STRATEGY.**

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

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

2 “(1) IN GENERAL.—The director of the Office
3 shall develop and maintain a small business trade
4 strategy that is contributed as part of the National
5 Export Strategy developed by the Department of
6 Commerce that includes at least the following com-
7 ponents:

8 “(A) Strategies to increase small business
9 export opportunities. The strategies shall in-
10 clude a specific strategy to increase small busi-
11 ness export opportunities to the Asia Pacific
12 Region.

13 “(B) Recommendations to increase the
14 competitiveness of domestic small business in-
15 dustries in the global economy.

16 “(C) Recommendations to protect small
17 businesses from unfair trade practices, includ-
18 ing intellectual property violations.

19 “(D) Strategies to expand small business
20 representation in United States trade policy for-
21 mation and implementation.

22 “(E) Coordination efforts with the Trade
23 Promotion Coordinating Committee of the De-
24 partment of Commerce, as well as with Federal
25 agencies that also provide trade financing to

1 small businesses, such as the Overseas Private
2 Investment Corporation and the Export-Import
3 Bank.

4 “(2) REPORT.—At the beginning of each fiscal
5 year, the director shall submit to the Committee on
6 Small Business of the House of Representatives and
7 the Committee on Small Business and Entrepre-
8 neurship of the Senate a report on the small busi-
9 ness trade strategy required by paragraph (1). The
10 report shall cover, at a minimum, each of the compo-
11 nents required by paragraph (1) and shall include
12 specific policies and objectives and timelines to im-
13 plement those policies and objectives.”.

14 **SEC. 103. TRACK SMALL BUSINESS EXPORTS AND TRADE**
15 **RESOURCE UTILIZATION.**

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

19 “(j) TRACKING SYSTEM.—

20 “(1) IN GENERAL.—The director of the Office
21 shall develop a system to track small business ex-
22 ports and the use by small businesses of Federal
23 trade promotion resources. The director shall ensure
24 that the system is consistent through each Federal

1 agency member of the Trade Promotion Coordi-
2 nating Committee.

3 “(2) DESIGN EMPHASIS.—The director shall
4 give particular attention, in designing the system, to
5 the tracking of data on the trade of services by small
6 exporters, in consultation with the Department of
7 Commerce.

8 “(3) IMPLEMENTATION.—The director shall
9 work in consultation with members of the Trade
10 Promotion Coordinating Committee to ensure that
11 the system is implemented and that the results of
12 the system are reported annually in the National
13 Export Strategy conducted by the Trade Promotion
14 Coordinating Committee.”.

15 **TITLE II—TRADE COMPLIANCE** 16 **PROGRAMS**

17 **SEC. 201. TRADE REMEDY AND DISPUTE ASSISTANCE INI-** 18 **TIATIVE.**

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

22 “(k) TRADE REMEDY AND DISPUTE ASSISTANCE INI-
23 TIATIVE.—The director of the Office shall design, and the
24 district offices of the Administration shall implement, a
25 program that provides technical assistance, counseling

1 services, and reference materials to assist small businesses
2 navigate the trade dispute and remedy processes. The pro-
3 gram shall include—

4 “(1) information on available resources, proce-
5 dures, and requirements for trade remedy investiga-
6 tions;

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

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

13 **SEC. 202. PATENT ASSISTANCE AND INTELLECTUAL PROP-**
14 **ERTY PROTECTIONS INITIATIVE.**

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

18 “(1) PATENT ASSISTANCE AND INTELLECTUAL PROP-
19 ERTY PROTECTIONS INITIATIVE.—In consultation with
20 the United States Patent and Trademark Office and the
21 United States Copyright Office, the Office shall design
22 counseling services, including identifying legal resources
23 for small businesses to secure intellectual property protec-
24 tion in foreign countries. To implement the program, the
25 Office shall collaborate with district office staff to provide

1 on-on-one assistance to small businesses involved in these
2 activities.”.

3 **TITLE III—TRADE ADJUSTMENT**
4 **ASSISTANCE FOR SMALL**
5 **BUSINESSES**

6 **SEC. 301. TRADE ADJUSTMENT ASSISTANCE FINANCING**
7 **INITIATIVE.**

8 Section 7(a) of the Small Business Act (15 U.S.C.
9 636(a)) is amended—

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

13 (2) in paragraph (16)—

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

16 “(i) is impacted by—

17 “(I) increased competition with
18 foreign firms in the relevant market;

19 or

20 “(II) unfair trade practices, par-
21 ticularly intellectual property viola-
22 tions; and

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

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

1 “(E) OUTREACH AND MARKETING.—The
2 Administration shall increase outreach and
3 marketing of international trade loans to dis-
4 trict offices and private lenders.”.

5 **SEC. 302. TECHNICAL RESOURCES FOR TRADE ADJUST-**
6 **MENT ASSISTANCE.**

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 “(m) TECHNICAL RESOURCES FOR TRADE ADJUST-
11 MENT ASSISTANCE.—

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

18 “(2) IMPLEMENTATION.—The Administrator
19 shall, by regulation, establish such requirements as
20 may be necessary to carry out paragraph (1).

21 “(3) OUTREACH.—The Office shall work with
22 the district offices and the outreach business assist-
23 ance centers of the Administration, including Small
24 Business Development Centers, Women’s Business
25 Centers, and SCORE, to offer the set of services es-

1 established under paragraph (1) to small businesses in
2 their local communities.”.

3 **TITLE IV—EXPORT ASSISTANCE**

4 **SEC. 401. INCREASE SMALL BUSINESS ADMINISTRATION** 5 **PARTICIPATION AT EXPORT ASSISTANCE** 6 **CENTERS.**

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 “(n) TRADE FINANCE POSITIONS.—

11 “(1) ADDITIONAL TRADE FINANCE SPECIAL-
12 ISTS.—

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

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

1 “(2) FILLING VACANT POSITIONS.—The Office,
2 over the 3-month period beginning on the date of the
3 enactment of this subsection, shall fill all trade fi-
4 nance positions that have been vacant since 2003.
5 Candidates for the positions are required to have
6 sufficient qualifications and experiences.

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

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

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

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

1 **SEC. 402. INCREASE ACCESS TO CAPITAL FOR SMALL AND**
2 **MEDIUM-SIZED EXPORTERS.**

3 Section 7(a) of the Small Business Act (15 U.S.C.
4 636(a)) is amended—

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

9 (2) in paragraph (3)—

10 (A) in subparagraph (A) by striking “sub-
11 paragraph (B)” and inserting “subparagraphs
12 (B) and (C)”;

13 (B) by redesignating subparagraphs (B)
14 and (C) as (C) and (D), respectively;

15 (C) by inserting after subparagraph (A)
16 the following:

17 “(B) if the total amount outstanding and
18 committed (by participation or otherwise) solely
19 for the purposes provided in paragraphs
20 (14)(A) and (16) to the borrower from the busi-
21 ness loan and investment fund established by
22 this Act would exceed \$2,250,000 (or if the
23 gross loan amount would exceed \$3,000,000),
24 except as provided in subparagraph (C);”;

25 (D) in subparagraph (C) (as so redesign-
26 ated) by striking “\$1,750,000, of which not

1 more than \$1,250,000” and inserting
2 “\$2,250,000, of which not more than
3 \$1,600,000”.

4 **SEC. 403. CLERICAL AMENDMENT.**

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

8 **TITLE V—AUTHORIZATION OF**
9 **APPROPRIATIONS**

10 **SEC. 501. AUTHORIZATION OF APPROPRIATIONS.**

11 There are authorized to be appropriated such sums
12 as may be necessary to carry out this Act and the amend-
13 ments made by this Act.

Passed the House of Representatives September 4,
2007.

Attest: LORRAINE C. MILLER,
Clerk.

By JORGE E. SORENSEN,
Deputy Clerk.