

111TH CONGRESS
2D SESSION

H. R. 6231

To amend the Export Enhancement Act of 1988 to further enhance the promotion of exports of United States goods and services, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

SEPTEMBER 28, 2010

Ms. GIFFORDS (for herself and Mr. MANZULLO) introduced the following bill;
which was referred to the Committee on Foreign Affairs

A BILL

To amend the Export Enhancement Act of 1988 to further enhance the promotion of exports of United States goods and services, 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 “American Jobs
5 Through Exports Act of 2010”.

6 **SEC. 2. FINDINGS.**

7 The Congress finds that—

1 (1) increased exports are essential to renewed
2 and sustained economic growth in the United States
3 and increased employment of American workers;

4 (2) all major trading nations conduct export
5 promotion activities on behalf of their nations' ex-
6 porters, with some activities that are more effective
7 than United States programs, according to the Gov-
8 ernment Accountability Office (GAO);

9 (3) increased United States exports and jobs
10 can be achieved through more effective use of exist-
11 ing resources, rather than additional funds or per-
12 sonnel for existing programs;

13 (4) the Congress appropriates in excess of
14 \$1,300,000,000 each year for export promotion pro-
15 grams to 18 Federal agencies;

16 (5) repeated GAO reports indicate that export
17 promotion programs would be more effective with
18 improved coordination, elimination of duplicative ac-
19 tivities, and better allocation of resources;

20 (6) Congress established the Trade Promotion
21 Coordinating Committee (TPCC) in 1992 to coordi-
22 nate export promotion programs, but repeated GAO
23 assessments are that the TPCC would be more effec-
24 tive with greater authority over budgetary alloca-
25 tions and program functions; and

1 (7) increased United States exports require a
2 coordinated effort by United States diplomats and
3 export promotion officials to identify and overcome
4 obstacles caused by foreign government policies,
5 laws, and practices.

6 **SEC. 3. IMPROVED COORDINATION EXPORT PROMOTION**
7 **ACTIVITIES OF FEDERAL AGENCIES.**

8 Section 2312 of the Export Enhancement Act of
9 1988 (relating to the Trade Promotion Coordinating Com-
10 mittee; 15 U.S.C. 4727) is amended—

11 (1) in subsection (b)—

12 (A) in paragraph (5), by striking “and”
13 after the semicolon;

14 (B) by redesignating paragraph (6) as
15 paragraph (7); and

16 (C) by inserting after paragraph (5) the
17 following:

18 “(6) in making the assessments under para-
19 graph (5), review the proposed annual budget of
20 each agency described in paragraph (5) before the
21 agency submits that budget to the Office of Manage-
22 ment and Budget and the President for inclusion in
23 the budget of the United States submitted to Con-
24 gress under section 1105(a) of title 31, United
25 States Code; and”;

1 (2) in subsection (c)—

2 (A) by redesignating paragraphs (3)
3 through (6) as paragraphs (4) through (7), re-
4 spectively; and

5 (B) by inserting after paragraph (2) the
6 following:

7 “(3) in conducting the review and developing
8 the plan under paragraph (2), take into account rec-
9 ommendations from a representative number of
10 United States exporters, in particular small busi-
11 nesses and medium-sized businesses, and representa-
12 tives of United States workers;” and

13 (3) by adding at the end the following:

14 “(g) EXECUTIVE ORDER AND REGULATIONS.—The
15 President shall issue an executive order and such regula-
16 tions as are necessary to provide the chairperson of the
17 TPCC with the authority to ensure that the TPCC carries
18 out each of its duties under subsection (b) and develops
19 and implements the strategic plan under subsection (c).

20 “(h) DEFINITION.—In this section, the term ‘small
21 business’ means a small business concern as defined under
22 section 3 of the Small Business Act (15 U.S.C. 632).”.

1 **SEC. 4. EFFECTIVE DEPLOYMENT OF U.S. COMMERCIAL**
2 **SERVICE RESOURCES.**

3 Section 2301(c)(4) of the Export Enhancement Act
4 of 1988 (relating to the United States and Foreign Com-
5 mercial Service; 15 U.S.C. 4721(c)(4)) is amended—

6 (1) by redesignating subparagraphs (B)
7 through (F) as subparagraphs (C) through (G), re-
8 spectively;

9 (2) by striking “(4) FOREIGN OFFICES.—(A)
10 The Secretary may” and inserting the following:

11 “(4) FOREIGN OFFICES.—(A)(i) The Secretary
12 shall conduct a global assessment of overseas mar-
13 kets to determine those with the greatest potential
14 for increasing United States exports, and to redeploy
15 the Commercial Service personnel and other re-
16 sources on the basis of the global assessment.

17 “(ii) The assessment conducted under clause (i)
18 shall take into account recommendations from a rep-
19 resented number of United States exporters, in par-
20 ticular small- and medium-sized businesses, and rep-
21 resentatives of United States workers.

22 “(iii) Not later than 6 months after the date of
23 enactment of the American Jobs Through Exports
24 Act of 2010, the Secretary shall submit to Congress
25 results of the global assessment conducted under
26 clause (i) and a plan for redeployment of Commer-

1 cial Service personnel and other resources on the
2 basis of the global assessment.

3 “(iv) The Secretary shall conduct an assess-
4 ment and redeployment described in clause (i) not
5 less than once in every 5-year period.

6 “(B) The Secretary may”; and

7 (3) in subparagraph (F), as redesignated, by
8 striking “is authorized, upon the request of the Sec-
9 retary, to provide” and inserting “shall, upon the re-
10 request of the Secretary, provide”.

11 **SEC. 5. STRENGTHENED U.S. COMMERCIAL DIPLOMACY IN**
12 **SUPPORT OF U.S. EXPORTS.**

13 (a) DEVELOPMENT OF PLAN.—Section 207(c) of the
14 Foreign Service Act of 1980 (22 U.S.C. 3927(c)) is
15 amended—

16 (1) by inserting before the period at the end the
17 following: “, including through the development of a
18 plan, drafted in consultation with the ambassador to
19 such country, the Director General of the United
20 States and Foreign Commercial Service, and the
21 heads of other Federal departments and agencies
22 with export promotion programs acting through the
23 Trade Promotion Coordinating Committee, for effec-
24 tive diplomacy to remove or reduce obstacles to ex-
25 ports of United States goods and services”; and

1 (2) by adding at the end the following new sen-
2 tence: “The chief of mission shall, prior to imple-
3 mentation of the plan required under this sub-
4 section, submit to the Secretary such plan for review
5 by the Secretary.”.

6 (b) ASSESSMENTS AND PROMOTIONS.—Section
7 603(a) of the Foreign Service Act of 1980 (22 U.S.C.
8 4003(a)) is amended, in the second sentence, by inserting
9 before “and (with respect to” the following: “assessments
10 (with respect to members of the Service with responsibil-
11 ities relating to economic affairs) of the effectiveness of
12 efforts to promote the export of United States goods and
13 services in accordance with a commercial diplomacy plan
14 developed pursuant to section 207(c),”.

15 (c) INSPECTOR GENERAL.—Section 209(b) of the
16 Foreign Service Act of 1980 (22 U.S.C. 3929(b)) is
17 amended—

18 (1) in paragraph (4), by striking “and” at the
19 end;

20 (2) by redesignating paragraph (5) as para-
21 graph (6); and

22 (3) by inserting after paragraph (4) the fol-
23 lowing new paragraph:

1 “(5) the effectiveness of commercial diplomacy
2 relating to the promotion of exports of United States
3 goods and services; and”.

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