

Calendar No. 560

111TH CONGRESS
2^D SESSION

S. 3084

[Report No. 111–289]

To increase the competitiveness of United States businesses, particularly small and medium-sized manufacturing firms, in interstate and global commerce, foster job creation in the United States, and assist United States businesses in developing or expanding commercial activities in interstate and global commerce by expanding the ambit of the Hollings Manufacturing Extension Partnership program and the Technology Innovation Program to include projects that have potential for commercial exploitation in nondomestic markets, providing for an increase in related resources of the Department of Commerce, and for other purposes.

IN THE SENATE OF THE UNITED STATES

MARCH 5, 2010

Ms. KLOBUCHAR (for herself, Mr. LEMIEUX, Mrs. SHAHEEN, Mr. WYDEN, Mr. WARNER, Mr. KERRY, Mr. NELSON of Florida, and Mr. ROCKEFELLER) introduced the following bill; which was read twice and referred to the Committee on Commerce, Science, and Transportation

SEPTEMBER 13, 2010

Reported by Mr. ROCKEFELLER with an amendment

[Strike all after the enacting clause and insert the part printed in italic]

A BILL

To increase the competitiveness of United States businesses, particularly small and medium-sized manufacturing firms, in interstate and global commerce, foster job creation in the United States, and assist United States

businesses in developing or expanding commercial activities in interstate and global commerce by expanding the ambit of the Hollings Manufacturing Extension Partnership program and the Technology Innovation Program to include projects that have potential for commercial exploitation in nondomestic markets, providing for an increase in related resources of the Department of Commerce, 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 “Export Promotion Act
 5 of 2010”.

6 **SEC. 2. HOLLINGS MANUFACTURING EXTENSION PARTNER-**
 7 **SHIPS; TECHNOLOGY INNOVATION PROGRAM.**

8 (a) **HOLLINGS MANUFACTURING EXTENSION PART-**
 9 **NERSHIP PROGRAM.**—Section 25(f) of the National Insti-
 10 tute of Standards and Technology Act (15 U.S.C. 278k(f))
 11 is amended by adding at the end the following:

12 “(7) **GLOBAL MARKETPLACE PROJECTS.**—In
 13 making awards under this subsection, the Director,
 14 in consultation with the Manufacturing Extension
 15 Partnership Advisory Board and the Secretary of
 16 Commerce, shall encourage the submission of appli-
 17 cations for projects that have significant potential
 18 for increasing the competitiveness of small and me-
 19 dium-sized United States manufacturers in the glob-

1 al marketplace and may give a preference to applica-
 2 tions for such projects to the extent the Director
 3 deems appropriate, taking into account the broader
 4 purposes of this subsection.”.

5 (b) TECHNOLOGY INNOVATION PROGRAM.—In
 6 awarding grants, cooperative agreements, or contracts
 7 under section 28 of the National Institute of Standards
 8 and Technology Act (15 U.S.C. 278n), in addition to the
 9 award criteria set forth in subsection (c) of that section,
 10 the Director of the Institute may take into consideration
 11 whether an application has significant potential for en-
 12 hancing the competitiveness of small and medium-sized
 13 United States manufacturers in the global marketplace,
 14 including promoting interstate commerce in the United
 15 States and increasing participation by United States busi-
 16 nesses in the global marketplace. The Director shall con-
 17 sult with the TIP Advisory Board and the Secretary of
 18 Commerce in implementing this subsection.

19 **SEC. 3. COMMERCE DEPARTMENT GLOBAL BUSINESS DE-**
 20 **VELOPMENT AND PROMOTION ACTIVITIES.**

21 (a) IN GENERAL.—During the 60-month period be-
 22 ginning on the date of enactment of this Act, the Secretary
 23 of Commerce shall increase the number of full time de-
 24 partmental employees whose primary responsibilities in-
 25 volve promoting or facilitating participation by United

1 States businesses in the global marketplace and facili-
 2 tating the entry into, or expansion of, such participation
 3 by United States businesses. In carrying out this sub-
 4 section, the Secretary shall ensure that—

5 (1) the cohort of such employees is increased to
 6 a strength that is not less than the number of indi-
 7 viduals employed by the Department with such re-
 8 sponsibilities in fiscal year 2004; and

9 (2) a substantial portion of the increased cohort
 10 is stationed outside the United States.

11 (b) ~~ENHANCED FOCUS ON U.S. SMALL AND ME-~~
 12 ~~DIUM-SIZED MANUFACTURING BUSINESSES.~~—In carrying
 13 out this section, the Secretary of Commerce shall take
 14 such action as may be necessary to ensure that the en-
 15 hanced global marketplace promotional activities of the
 16 Department include promoting and facilitating participa-
 17 tion in the global marketplace by small and medium-sized
 18 manufacturing businesses.

19 (c) ~~AUTHORIZATION OF APPROPRIATIONS.~~—There
 20 are authorized to be appropriated to the Secretary for fis-
 21 cal years 2011 through 2015, such sums as may be nec-
 22 essary to carry out this section.

1 **SEC. 4. IMPROVED ACCESS TO GLOBAL MARKETS FOR**
 2 **RURAL BUSINESSES.**

3 There are authorized to be appropriated to the Sec-
 4 retary of Commerce \$5,000,000 for each of fiscal years
 5 2011 through 2015 for the Department of Commerce's
 6 program to improve access to the global marketplace for
 7 goods and services provided by rural businesses.

8 **SECTION 1. SHORT TITLE.**

9 *This Act may be cited as the "Export Promotion Act*
 10 *of 2010".*

11 **SEC. 2. COMMERCE DEPARTMENT GLOBAL BUSINESS DE-**
 12 **VELOPMENT AND PROMOTION ACTIVITIES.**

13 *(a) IN GENERAL.—During the 60-month period begin-*
 14 *ning on the date of enactment of this Act, the Secretary*
 15 *of Commerce shall increase the number of full time depart-*
 16 *mental employees whose primary responsibilities involve*
 17 *promoting or facilitating participation by United States*
 18 *businesses in the global marketplace and facilitating the*
 19 *entry into, or expansion of, such participation by United*
 20 *States businesses. In carrying out this subsection, the Sec-*
 21 *retary shall ensure that—*

22 *(1) the cohort of such employees is increased to*
 23 *a strength that is not less than the number of individ-*
 24 *uals employed by the Department with such respon-*
 25 *sibilities in fiscal year 2004; and*

1 (2) *a substantial portion of the increased cohort*
 2 *is stationed outside the United States.*

3 (b) *ENHANCED FOCUS ON U.S. SMALL AND MEDIUM-*
 4 *SIZED BUSINESSES.—In carrying out this section, the Sec-*
 5 *retary shall take such action as may be necessary to ensure*
 6 *that the enhanced global marketplace promotional activities*
 7 *of the Department include promoting and facilitating par-*
 8 *ticipation in the global marketplace by small and medium-*
 9 *sized businesses.*

10 (c) *AUTHORIZATION OF APPROPRIATIONS.—There are*
 11 *authorized to be appropriated to the Secretary for fiscal*
 12 *years 2011 through 2015, such sums as may be necessary*
 13 *to carry out this section.*

14 **SEC. 3. IMPROVED ACCESS TO GLOBAL MARKETS FOR**
 15 **RURAL BUSINESSES.**

16 *There are authorized to be appropriated to the Sec-*
 17 *retary of Commerce \$5,000,000 for each of fiscal years 2011*
 18 *through 2015 for the Department of Commerce's program*
 19 *to improve access to the global marketplace for goods and*
 20 *services provided by rural businesses.*

1 **SEC. 4. ADDITIONAL FUNDING FOR INTERSTATE COM-**
 2 **MERCE AND GLOBAL BUSINESS DEVELOP-**
 3 **MENT ACTIVITIES OF THE DEPARTMENT OF**
 4 **COMMERCE.**

5 (a) *IN GENERAL.*—There are authorized to be appro-
 6 priated to the Secretary of Commerce for the period begin-
 7 ning on the date of the enactment of this Act and ending
 8 18 months thereafter, \$30,000,000 to promote or facilitate
 9 participation by United States businesses in the global
 10 marketplace and facilitating the entry into, or expansion
 11 of, such participation by United States businesses.

12 (b) *REQUIREMENTS.*—In obligating and expending the
 13 funds authorized by subsection (a), the Secretary of Com-
 14 merce shall give preference to activities that—

15 (1) assist small- and medium-sized businesses in
 16 the United States; and

17 (2) the Secretary determines will create or sus-
 18 tain the greatest number of jobs in the United States
 19 and obtain the maximum return on investment.

20 **SEC. 5. ADDITIONAL FUNDING FOR THE EXPORTECH PRO-**
 21 **GRAM.**

22 There are authorized to be appropriated to the Sec-
 23 retary of Commerce \$11,000,000 for the period beginning
 24 on the date of enactment of this Act and ending 18 months
 25 thereafter, to expand *ExporTech*, a joint program of the
 26 *Hollings Manufacturing Extension Partnership*.

1 **SEC. 6. ADDITIONAL FUNDING FOR THE MARKET DEVELOP-**
 2 **MENT COOPERATOR PROGRAM OF THE DE-**
 3 **PARTMENT OF COMMERCE.**

4 (a) *IN GENERAL.*—*There are authorized to be appro-*
 5 *priated to the Secretary of Commerce for the period begin-*
 6 *ning on the date of the enactment of this Act and ending*
 7 *18 months thereafter, \$15,000,000 for the Manufacturing*
 8 *and Services unit of the International Trade Administra-*
 9 *tion—*

10 (1) *to establish public-private partnerships under*
 11 *the Market Development Cooperator Program of the*
 12 *International Trade Administration; and*

13 (2) *to underwrite a portion of the start-up costs*
 14 *for new projects carried out under that Program to*
 15 *strengthen the competitiveness and market share of*
 16 *United States industry, not to exceed, for each such*
 17 *project, the lesser of—*

18 (A) $\frac{1}{3}$ *of the total start-up costs for the*
 19 *project; or*

20 (B) *\$500,000.*

21 (b) *REQUIREMENTS.*—*In obligating and expending the*
 22 *funds authorized by subsection (a), the Secretary of Com-*
 23 *merce shall give preference to activities that—*

24 (1) *assist small- and medium-sized businesses in*
 25 *the United States; and*

1 (2) *the Secretary determines will create or sus-*
 2 *tain the greatest number of jobs in the United States*
 3 *and obtain the maximum return on investment.*

4 **SEC. 7. HOLLINGS MANUFACTURING EXTENSION PARTNER-**
 5 **SHIPS; TECHNOLOGY INNOVATION PROGRAM.**

6 (a) *HOLLINGS MANUFACTURING EXTENSION PART-*
 7 *nership PROGRAM.—Section 25(f) of the National Insti-*
 8 *tute of Standards and Technology Act (15 U.S.C. 278k(f))*
 9 *is amended by adding at the end the following:*

10 “(7) *GLOBAL MARKETPLACE PROJECTS.—In*
 11 *making awards under this subsection, the Director, in*
 12 *consultation with the Manufacturing Extension Part-*
 13 *nership Advisory Board and the Secretary of Com-*
 14 *merce, may take into consideration whether an appli-*
 15 *cation has significant potential for enhancing the*
 16 *competitiveness of small and medium-sized United*
 17 *States manufacturers in the global marketplace and*
 18 *may give a preference to applications for such*
 19 *projects to the extent the Director deems appropriate,*
 20 *taking into account the broader purposes of this sub-*
 21 *section.”.*

22 (b) *TECHNOLOGY INNOVATION PROGRAM.—In award-*
 23 *ing grants, cooperative agreements, or contracts under sec-*
 24 *tion 28 of the National Institute of Standards and Tech-*
 25 *nology Act (15 U.S.C. 278n), in addition to the award cri-*

1 *teria set forth in subsection (c) of that section, the Director*
 2 *of the Institute may take into consideration whether an ap-*
 3 *plication has significant potential for enhancing the com-*
 4 *petitiveness of small and medium-sized United States man-*
 5 *ufacturers in the global marketplace. The Director shall con-*
 6 *sult with the TIP Advisory Board and the Secretary of*
 7 *Commerce in implementing this subsection.*

8 **SEC. 8. SENSE OF THE SENATE CONCERNING FEDERAL**
 9 **COLLABORATION WITH STATES ON EXPORT**
 10 **PROMOTION ISSUES.**

11 *It is the sense of the Senate that the Secretary of Com-*
 12 *merce should enhance Federal collaboration with the States*
 13 *on export promotion issues by—*

14 *(1) providing the necessary training to the staff*
 15 *at State international trade agencies to enable them*
 16 *to assist the United States Foreign Commercial Serv-*
 17 *ice in providing counseling and other export services*
 18 *to companies in their localities, and*

19 *(2) entering into agreements with State inter-*
 20 *national trade agencies for these agencies to deliver*
 21 *United States Foreign Commercial Service services in*
 22 *their local communities in order to extend the out-*
 23 *reach of United States Foreign Commercial Service*
 24 *programs.*

1 **SEC. 9. REPORT ON TARIFF AND NONTARIFF BARRIERS.**

2 *Not later than 90 days after the date of the enactment*
3 *of this Act, the Secretary of Commerce, in consultation with*
4 *the United States Trade Representative and other appro-*
5 *priate entities, shall report to Congress on the tariff and*
6 *nontariff barriers imposed by Columbia, the Republic of*
7 *Korea, and Panama with respect to exports of firms in the*
8 *United States, including small and medium-sized manufac-*
9 *turing firms.*

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