

112TH CONGRESS  
1ST SESSION

# H. R. 2988

To amend the Export Enhancement Act of 1988 to enhance awareness of export promotion activities with respect to clean energy and environmental products and services of the United States, and for other purposes.

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## IN THE HOUSE OF REPRESENTATIVES

SEPTEMBER 21, 2011

Mr. BERMAN introduced the following bill; which was referred to the  
Committee on Foreign Affairs

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## A BILL

To amend the Export Enhancement Act of 1988 to enhance awareness of export promotion activities with respect to clean energy and environmental products and services of the United States, 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 “Green Export Pro-  
5 motion and Job Creation Act”.

1 **SEC. 2. AMENDMENT TO EXPORT ENHANCEMENT ACT OF**  
2 **1988.**

3 (a) IN GENERAL.—Subtitle C of the Export En-  
4 hancement Act of 1988 (15 U.S.C. 4721), relating to ex-  
5 port promotion, is amended by adding at the end the fol-  
6 lowing new section:

7 **“SEC. 2315. PROMOTION OF EXPORTS OF CLEAN AND EFFI-**  
8 **CIENT ENERGY AND ENVIRONMENTAL PROD-**  
9 **UCTS AND SERVICES.**

10 “(a) PUBLIC DIRECTORY FOR FOREIGN BUYERS.—

11 “(1) ESTABLISHMENT.—The Secretary of Com-  
12 merce, acting through the Under Secretary for  
13 International Trade, shall, in cooperation with the  
14 relevant Federal departments and agencies, establish  
15 a directory accessible through a public Web site for  
16 foreign buyers to identify United States manufactur-  
17 ers and service providers that are prepared to export  
18 products and services in the following areas:

19 “(A) Clean and efficient energy generation,  
20 distribution, and use.

21 “(B) Remediation of air and water pollu-  
22 tion.

23 “(C) Water supply.

24 “(D) Sanitation.

25 “(E) Solid waste disposal.

1           “(F) Chemical and hazardous waste treat-  
2           ment and containment.

3           “(G) Equipment and services for testing,  
4           monitoring, and analysis with respect to any  
5           area described in any of subparagraphs (A)  
6           through (F), or otherwise with respect to envi-  
7           ronmental hazards.

8           “(2) REQUIREMENTS.—The directory estab-  
9           lished under paragraph (1) shall—

10           “(A) include a mechanism for United  
11           States businesses to register for inclusion in the  
12           directory, and for the United States Govern-  
13           ment to ascertain the location in the United  
14           States and the legitimacy of such businesses;

15           “(B) include a summary of the products  
16           and services provided by each registered United  
17           States business;

18           “(C) provide contact information for each  
19           United States business in the database;

20           “(D) be searchable by industry, business  
21           name, product, or service, or by a combination  
22           of keywords; and

23           “(E) be updated regularly.

24           “(3) SUBMISSION OF IMPLEMENTATION PLAN  
25           TO CONGRESS.—Not later than 180 days after the

1 date of the enactment of this section, the Secretary  
2 of Commerce shall submit to the appropriate con-  
3 gressional committees a detailed plan for estab-  
4 lishing and maintaining the directory required by  
5 paragraph (1), including plans for the operation,  
6 content, maintenance, and functionality of the direc-  
7 tory. The plan submitted under this paragraph shall  
8 include a detailed implementation schedule for the  
9 directory, and plans for a public awareness cam-  
10 paign to be conducted by the Secretary to provide  
11 consumer awareness of the directory.

12 “(4) DATE OF INITIAL AVAILABILITY.—Not  
13 later than 18 months after the date on which the  
14 Secretary submits the plan required by paragraph  
15 (3), the Secretary of Commerce shall establish the  
16 directory required by paragraph (1).

17 “(5) GOVERNMENT PROMOTION.—The Sec-  
18 retary of Commerce should promote awareness and  
19 use of the directory established under this subsection  
20 in the United States and Foreign Commercial Serv-  
21 ice and in United States missions and posts abroad.

22 “(b) GOVERNMENTAL DATABASE ON FOREIGN  
23 SALES OPPORTUNITIES.—

24 “(1) ESTABLISHMENT.—The Secretary of Com-  
25 merce shall, in cooperation with the relevant Federal

1 departments and agencies, establish a database ac-  
2 cessible only to United States Government per-  
3 sonnel, that identifies potential sales opportunities  
4 abroad for United States manufacturers and service  
5 providers that are prepared to export products and  
6 services in the areas described in subsection (a)(1).

7 “(2) REQUIREMENTS.—The database estab-  
8 lished under paragraph (1) shall—

9 “(A) include a mechanism for United  
10 States businesses to subscribe to the database;

11 “(B) establish a mechanism for United  
12 States Government personnel to enter informa-  
13 tion regarding foreign business opportunities  
14 described in paragraph (1) into the database;

15 “(C) provide a summary of the products or  
16 services desired by each foreign buyer;

17 “(D) provide information that will allow a  
18 subscriber to the system to contact the foreign  
19 buyer or the person who entered the informa-  
20 tion into the database;

21 “(E) be searchable by location, industry,  
22 company name, product, or service, or by a  
23 combination of keywords;

24 “(F) be able to transmit regular updates  
25 on potential sales opportunities to database

1 subscribers, including the ability for subscribers  
2 of the system to be able to customize the type  
3 of information they receive; and

4 “(G) be updated regularly.

5 “(c) MONITORING AND EVALUATION OF UNITED  
6 STATES EXPORT PROMOTION WITH RESPECT TO CLEAN  
7 AND EFFICIENT ENERGY AND ENVIRONMENTAL PROD-  
8 UCTS AND SERVICES.—

9 “(1) IN GENERAL.—The Secretary of Com-  
10 merce shall develop and implement a rigorous sys-  
11 tem to evaluate the effectiveness and efficiency of  
12 United States export promotion activities with re-  
13 spect to clean and efficient energy and environ-  
14 mental products and services.

15 “(2) COMPONENTS OF SYSTEM.—In order to  
16 avoid duplication, ensure comprehensive coverage,  
17 promote high and uniform standards, and facilitate  
18 comparability of results and the development of a  
19 strong body of evidence, the system required under  
20 paragraph (1) shall include—

21 “(A) a method of coordinating monitoring  
22 and evaluation activities among all Federal  
23 agencies carrying out United States export pro-  
24 motion activities with respect to clean and effi-

1           cient energy and environmental products and  
2           services;

3           “(B) a survey of business customers that  
4           receive export promotion services from the  
5           United States Government;

6           “(C) small- and medium-sized businesses  
7           that receive export promotion services from the  
8           United States Government and, of such busi-  
9           nesses, those that export products and services  
10          for the first time; and

11          “(D) a process for consulting with the pri-  
12          vate sector and subject matter experts, as ap-  
13          propriate, on the planning, design, and imple-  
14          mentation of evaluation activities and dissemi-  
15          nation of evaluation findings under this sub-  
16          section.

17          “(3) REQUIRED ACTIONS.—In carrying out  
18          paragraph (1), the Secretary of Commerce shall es-  
19          tablish, through the Trade Promotion Coordinating  
20          Committee, standards for the following actions with  
21          respect to the export promotion activities with re-  
22          spect to clean and efficient energy and environ-  
23          mental products and services that are engaged in by  
24          any Federal agency:

1           “(A) Establishing measurable and mean-  
2           ingful performance objectives, including—

3                   “(i) exports by small- and medium-  
4                   sized businesses;

5                   “(ii) businesses that become first-time  
6                   exporters;

7                   “(iii) newly accessed markets; and

8                   “(iv) number of new registrants to re-  
9                   ceive export promotion services.

10           “(B) Establishing criteria for the selection  
11           of programs, projects, and activities to be sub-  
12           ject to various evaluation methodologies, with a  
13           particular emphasis on impact evaluation.

14           “(C) Establishing or designating an orga-  
15           nizational unit at the Department of Commerce  
16           with adequate staff and resources to oversee  
17           and provide technical support for appropriate  
18           evaluation activities.

19           “(D) Through the Trade Promotion Co-  
20           ordinating Committee, developing a plan for im-  
21           proving the capacity of the agency to conduct  
22           rigorous and objective program monitoring and  
23           evaluation, including by—

24                   “(i) expanding relevant education and  
25                   training opportunities;



1 “(ii) encouraging the adoption of im-  
2 proved methodologies for data collection  
3 and analysis; and

4 “(iii) ensuring that best practices are  
5 shared within and between agencies.

6 “(E) Establishes a process for applying the  
7 findings and results of monitoring and evalua-  
8 tion activities, including impact evaluation re-  
9 search, into future program planning, budg-  
10 eting, design, and implementation.

11 “(F) Establishes a policy for the publica-  
12 tion of program evaluations.

13 “(G) Develops, in consultation with rel-  
14 evant stakeholders, as appropriate, an annual  
15 evaluation plan that describes how the agency  
16 will meet the requirements of this section.

17 “(4) SUBMISSION OF EVALUATION PLANS.—The  
18 President shall ensure that the evaluation plans re-  
19 quired by paragraph (3)(G) are submitted to the ap-  
20 propriate congressional committees each year along  
21 with the annual budget submitted under section  
22 1105 of title 31, United States Code, and are pub-  
23 lished on a Government Web site.

24 “(d) COOPERATION WITH THE INTERNATIONAL RE-  
25 NEWABLE ENERGY AGENCY.—The Secretary of Com-

1 merce, in consultation with the Secretary of State, shall  
2 work with the International Renewable Energy Agency  
3 (IRENA) to identify countries that have received or are  
4 in the process of receiving assistance from IRENA that  
5 improve the deployment and adoption of renewable energy  
6 in such country in order to promote United States exports  
7 in clean and efficient energy and environmental products  
8 and services to that country.

9 “(e) REPORT TO CONGRESS.—Not later than one  
10 year after the date of the enactment of this section and  
11 annually thereafter, the Secretary of Commerce shall  
12 transmit a report to Congress on the implementation of  
13 this section. Such report shall include—

14 “(1) a description of the activities undertaken  
15 during the preceding year;

16 “(2) the results of the monitoring and evalua-  
17 tion programs under subsection (c) during the pre-  
18 ceding year; and

19 “(3) the operations of the public directory es-  
20 tablished under subsection (a) and the governmental  
21 database established under subsection (b) during the  
22 preceding year.

23 “(f) GAO REPORT ON EFFECTIVENESS OF U.S. EX-  
24 PORT PROMOTION.—

1           “(1) INITIAL REPORT.—Not later than one year  
2 after the date of the enactment of this section, the  
3 Comptroller General shall submit a report to the ap-  
4 propriate congressional committees containing—

5           “(A) a baseline analysis that compares the  
6 scope of effectiveness of United States export  
7 promotion activities with respect to clean and  
8 efficient energy and environmental products  
9 and services with those of other major trade  
10 competitors; and

11           “(B) recommendations on how United  
12 States export promotion activities described in  
13 subparagraph (A) can be strengthened to coun-  
14 teract foreign government competition.

15           “(2) SUBSEQUENT REPORT.—Not later than  
16 two years after the date of the enactment of this  
17 section, the Comptroller General shall submit a re-  
18 port to the appropriate congressional committees  
19 containing—

20           “(A) an assessment of the overall effective-  
21 ness of United States export promotion activi-  
22 ties with respect to clean and efficient energy  
23 and environmental products and services and a  
24 comparison to the baseline analysis conducted  
25 in paragraph (1);

1           “(B) an assessment of the ability of the  
2 Trade Promotion Coordinating Committee to  
3 coordinate United States export promotion ac-  
4 tivities described in subparagraph (A);

5           “(C) an evaluation of the effectiveness of  
6 the monitoring and evaluation system estab-  
7 lished under subsection (e); and

8           “(D) recommendations for improving the  
9 coordination and implementation of United  
10 States export promotion activities described in  
11 subparagraph (A).

12       “(g) DEFINITIONS.—In this section—

13           “(1) the term ‘appropriate congressional com-  
14 mittees’ means the Committee on Foreign Affairs in  
15 the House of Representatives and the Committee on  
16 Banking, Housing, and Urban Affairs in the Senate;  
17 and

18           “(2) the term ‘product’ includes technology.”.

19       (b) CONFORMING AMENDMENT.—The table of con-  
20 tents of the Omnibus Trade and Competitiveness Act of  
21 1988 is amended by inserting after the item relating to  
22 section 2314 the following new item:

“Sec. 2315. Promotion of exports of clean and efficient energy and environ-  
mental products and services.”.

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