

**AMENDMENT IN THE NATURE OF A SUBSTITUTE  
TO H.R. 1409  
OFFERED BY MR. ROYCE OF CALIFORNIA**

Strike all after the enacting clause and insert the following:

**1 SECTION 1. SHORT TITLE.**

2       This Act may be cited as the “Export Promotion Re-  
3 form Act”.

**4 SEC. 2. IMPROVED COORDINATION EXPORT PROMOTION  
5                   ACTIVITIES OF FEDERAL AGENCIES.**

6       Section 2312 of the Export Enhancement Act of  
7 1988 (relating to the Trade Promotion Coordinating Com-  
8 mittee; 15 U.S.C. 4727) is amended—

9               (1) in subsection (b)—

10                   (A) in paragraph (5)—

11                           (i) by inserting “, including the use  
12                           and coordination of electronic databases,”  
13                           after “the appropriate levels and allocation  
14                           of resources”; and

15                           (ii) by striking “and” after the semi-  
16                           colon;

17                   (B) by redesignating paragraph (6) as  
18                   paragraph (7); and

1 (C) by inserting after paragraph (5) the  
2 following:

3 “(6) in making the assessments under para-  
4 graph (5), review the proposed annual budget of  
5 each agency described in paragraph (5), under pro-  
6 cedures established by the TPCC for such review,  
7 before the agency submits that budget to the Office  
8 of Management and Budget and the President for  
9 inclusion in the budget of the United States sub-  
10 mitted to Congress under section 1105(a) of title 31,  
11 United States Code; and

12 “(7) to the maximum extent practicable, com-  
13 pile, and make available to United States businesses  
14 through Web sites of the Department of Commerce,  
15 a listing of scheduled Federal- and State-led trade  
16 missions, trade fairs, and related activities.”;

17 (2) in subsection (c)—

18 (A) by redesignating paragraphs (3)  
19 through (6) as paragraphs (5) through (8), re-  
20 spectively;

21 (B) by inserting after paragraph (2) the  
22 following:

23 “(3) in conducting the review and developing  
24 the plan under paragraph (2), take into account rec-  
25 ommendations from a representative number of

1 United States exporters, in particular small busi-  
2 nesses and medium-sized businesses, including mi-  
3 nority-owned businesses and women-owned busi-  
4 nesses, and representatives of United States work-  
5 ers;

6 “(4) with respect to export promotion and ex-  
7 port financing activities of each agency that is a  
8 member of the TPCC—

9 “(A) identify and explain the role of each  
10 agency; and

11 “(B) describe the goals and objectives of  
12 each agency and the criteria for measuring the  
13 effectiveness of such agency in meeting such  
14 goals and objectives;”;

15 (C) in paragraph (6) (as redesignated), by  
16 inserting “and Congress” after “the President”;

17 (D) in paragraph (7) (as redesignated), by  
18 adding “and” after the semicolon;

19 (E) in paragraph (8) (as redesignated), by  
20 striking the period and inserting “; and”; and

21 (F) by adding after paragraph (8) (as re-  
22 designated) the following:

23 “(9) include such recommendations made by  
24 the Comptroller General of the United States with  
25 respect to Federal trade promotion efforts as apply

1 to the TPCC and departments and agencies that are  
2 members of the TPCC.”;

3 (3) in subsection (d)—

4 (A) in paragraph (1)—

5 (i) by striking “and” at the end of  
6 subparagraph (L);

7 (ii) by redesignating subparagraph  
8 (M) as subparagraph (N); and

9 (iii) by inserting after subparagraph  
10 (L) the following:

11 “(M) the Millennium Challenge Corpora-  
12 tion; and”;

13 (B) by redesignating paragraph (2) as  
14 paragraph (3); and

15 (C) by inserting after paragraph (1) the  
16 following:

17 “(2) STATE TRADE PROMOTION AGENCIES.—

18 The TPCC shall also include one or more members  
19 appointed by the President who are representatives  
20 of State trade promotion agencies.”;

21 (4) in subsection (f)—

22 (A) by inserting “and the Committee on  
23 Small Business and Entrepreneurship” after  
24 “Urban Affairs”; and

1 (B) by striking “International Relations”  
2 and inserting “Foreign Affairs and the Com-  
3 mittee on Small Business”; and

4 (5) by adding at the end the following:

5 “(g) STAFF.—Upon the request of the chairperson of  
6 the TPCC, the head of any Federal department or agency  
7 that is a member of the TPCC may detail to the TPCC,  
8 on a reimbursable basis and at the discretion of such de-  
9 partment or agency head, any of the personnel of that de-  
10 partment or agency to assist the TPCC in carrying out  
11 its duties under this section.

12 “(h) ADDITIONAL REPORT.—Not later than 2 years  
13 after the date of the enactment of this subsection, the  
14 Comptroller General of the United States shall submit, to  
15 the committees of the Congress specified in subsection (f),  
16 a report evaluating the extent to which the TPCC is car-  
17 rying out the duties described in subsection (b) and the  
18 development and implementation of the strategic plan de-  
19 scribed in subsection (c), and containing such rec-  
20 ommendations as the Comptroller General determines are  
21 necessary for carrying out the provisions of this section.

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

1 **SEC. 3. EFFECTIVE DEPLOYMENT OF U.S. AND FOREIGN**  
2 **COMMERCIAL SERVICE RESOURCES.**

3 Section 2301(e)(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(e)(4)) is amended—

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

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

11 “(4) FOREIGN OFFICES.—(A)(i) In consultation  
12 with the Trade Promotion Coordinating Committee,  
13 the Secretary shall conduct a global assessment of  
14 overseas markets to determine those with the great-  
15 est potential for increasing United States exports,  
16 and to deploy Commercial Service personnel and  
17 other resources on the basis of that global assess-  
18 ment.

19 “(ii) The assessment conducted under clause (i)  
20 shall take into account recommendations from a rep-  
21 resentative number of United States exporters, in  
22 particular small- and medium-sized businesses, in-  
23 cluding minority-owned businesses and women-  
24 owned businesses, and representatives of United  
25 States workers.

1           “(iii) Not later than 6 months after the date of  
2           the enactment of the Export Promotion Reform Act,  
3           the Secretary shall submit to Congress results of the  
4           global assessment conducted under clause (i) and a  
5           plan for deployment of Commercial Service per-  
6           sonnel and other resources on the basis of that glob-  
7           al assessment.

8           “(iv) The Secretary shall conduct an assess-  
9           ment and deployment described in clause (i) not less  
10          than once in every 5-year period.

11          “(B) The Secretary may”.

12 **SEC. 4. STRENGTHENED U.S. COMMERCIAL DIPLOMACY IN**  
13 **SUPPORT OF U.S. EXPORTS.**

14          (a) DEVELOPMENT OF PLAN.—Section 207(c) of the  
15 Foreign Service Act of 1980 (22 U.S.C. 3927(c)) is  
16 amended by inserting before the period at the end the fol-  
17 lowing: “, including through the development of a plan,  
18 drafted in consultation with the Trade Promotion Coordi-  
19 nating Committee, for effective diplomacy to remove or re-  
20 duce obstacles to exports of United States goods and serv-  
21 ices”.

22          (b) ASSESSMENTS AND PROMOTIONS.—Section  
23 603(b) of the Foreign Service Act of 1980 (22 U.S.C.  
24 4003(b)) is amended, in the second sentence—

1           (1) by striking “and highly developed” and in-  
2           serting “highly developed”; and

3           (2) by inserting after “expertise” the following:  
4           “, and (with respect to members of the Service with  
5           responsibilities relating to economic affairs) the ef-  
6           fectiveness of efforts to promote the export of  
7           United States goods and services in accordance with  
8           a commercial diplomacy plan developed pursuant to  
9           section 207(c)”.

10          (c) INSPECTOR GENERAL.—Section 209(b) of the  
11 Foreign Service Act of 1980 (22 U.S.C. 3929(b)) is  
12 amended—

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

15           (2) by redesignating paragraph (5) as para-  
16           graph (6); and

17           (3) by inserting after paragraph (4) the fol-  
18           lowing new paragraph:

19           “(5) the effectiveness of commercial diplomacy  
20           relating to the promotion of exports of United States  
21           goods and services; and”.

