

112TH CONGRESS
2D SESSION

H. R. 4041

IN THE SENATE OF THE UNITED STATES

JUNE 4, 2012

Received; read twice and referred to the Committee on Banking, Housing, and
Urban Affairs

AN ACT

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,*

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), by striking “and”
11 after the semicolon;

12 (B) by redesignating paragraph (6) as
13 paragraph (7); and

14 (C) by inserting after paragraph (5) the
15 following:

16 “(6) in making the assessments under para-
17 graph (5), review the proposed annual budget of
18 each agency described in paragraph (5), under pro-
19 cedures established by the Committee for such re-
20 view, before the agency submits that budget to the
21 Office of Management and Budget and the Presi-
22 dent for inclusion in the budget of the United States
23 submitted to Congress under section 1105(a) of title
24 31, United States Code; and”;

25 (2) in subsection (c)—

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

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

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

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

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

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

1 **SEC. 3. 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; 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 the Commercial Service personnel and
17 other resources on the basis of the 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, and
23 representatives of United States workers.

24 “(iii) Not later than 6 months after the date of
25 enactment of the Export Promotion Reform Act, the
26 Secretary shall submit to Congress results of the

1 global assessment conducted under clause (i) and a
 2 plan for deployment of Commercial Service per-
 3 sonnel and other resources on the basis of the global
 4 assessment.

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

8 “(B) The Secretary may”.

9 **SEC. 4. STRENGTHENED U.S. COMMERCIAL DIPLOMACY IN**
 10 **SUPPORT OF U.S. EXPORTS.**

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

19 (b) ASSESSMENTS AND PROMOTIONS.—Section
 20 603(b) of the Foreign Service Act of 1980 (22 U.S.C.
 21 4003(b)) is amended, in the second sentence, by inserting
 22 after “expertise” the following: “and (with respect to
 23 members of the Service with responsibilities relating to
 24 economic affairs) of the effectiveness of efforts to promote
 25 the export of United States goods and services in accord-

1 ance with a commercial diplomacy plan developed pursu-
2 ant to section 207(c),”.

3 (c) INSPECTOR GENERAL.—Section 209(b) of the
4 Foreign Service Act of 1980 (22 U.S.C. 3929(b)) is
5 amended—

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

8 (2) by redesignating paragraph (5) as para-
9 graph (6); and

10 (3) by inserting after paragraph (4) the fol-
11 lowing new paragraph:

12 “(5) the effectiveness of commercial diplomacy
13 relating to the promotion of exports of United States
14 goods and services; and”.

Passed the House of Representatives May 30, 2012.

Attest:

KAREN L. HAAS,

Clerk.