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(Original Signature of Member)

115TH CONGRESS
2D SESSION

H. R. _____

To foster commercial relations with foreign countries and support American business interests abroad in the conduct of foreign policy, and for other purposes.

Mr. MCCAUL introduced the following bill; which was referred to the
Committee on _____

A BILL

To foster commercial relations with foreign countries and support American business interests abroad in the conduct of foreign policy, 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 “Championing Amer-
5 ican Business Through Diplomacy Act of 2018”.

1 **SEC. 2. ECONOMIC DIPLOMACY WITHIN THE DEPARTMENT**
2 **OF STATE.**

3 Subsection (c) of section 1 of the State Department
4 Basic Authorities Act of 1956 (22 U.S.C. 2651a) is
5 amended—

6 (1) by redesignating paragraph (3) as para-
7 graph (4); and

8 (2) by inserting after paragraph (2) the fol-
9 lowing new paragraph:

10 “(3) ASSISTANT SECRETARY FOR ECONOMIC
11 AND BUSINESS AFFAIRS.—

12 “(A) IN GENERAL.—Subject to the numer-
13 ical limitation specified in paragraph (1), there
14 is authorized to be established in the Depart-
15 ment of State an Assistant Secretary of State
16 for Economic and Business Affairs who shall be
17 responsible to the Secretary of State for mat-
18 ters pertaining to international economics and
19 business matters in the conduct of foreign pol-
20 icy.

21 “(B) MATTERS CONTEMPLATED.—The
22 matters referred to in subparagraph (A) include
23 the following:

24 “(i) International trade and invest-
25 ment policy.

1 “(ii) International finance, develop-
2 ment, and debt policy.

3 “(iii) Economic sanctions and com-
4 bating terrorist financing.

5 “(iv) International transportation pol-
6 icy.

7 “(v) Support for United States busi-
8 nesses.

9 “(vi) Economic policy analysis, public
10 diplomacy, and private sector outreach.

11 “(vii) Such other related duties as the
12 Secretary may from time to time des-
13 ignate.”.

14 **SEC. 3. CHIEF OF MISSION RESPONSIBILITIES.**

15 Section 207 of the Foreign Service Act of 1980 (22
16 U.S.C. 3927) is amended by adding at the end the fol-
17 lowing new subsection:

18 “(d) PROMOTION OF UNITED STATES ECONOMIC IN-
19 TERESTS.—Each chief of mission to a foreign country
20 shall have as a principal duty the promotion of United
21 States economic and business interests in such country.”.

1 **SEC. 4. INCREASED TRAINING IN ECONOMIC AND COMMER-**
2 **CIAL DIPLOMACY.**

3 Section 708 of the Foreign Service Act of 1980 (22
4 U.S.C. 4028) is amended by adding at the end the fol-
5 lowing new subsection:

6 “(d) **ECONOMIC DIPLOMACY.**—The Secretary of
7 State, with the assistance of other relevant officials of the
8 Department of State, such as the Assistant Secretary for
9 Economic and Business Affairs, shall establish as part of
10 the standard training provided for officers of the Service,
11 including chiefs of mission and deputy chiefs of mission,
12 training on matters related to economic and commercial
13 diplomacy, with particular attention to market access for
14 United States businesses, commercial advocacy, and
15 United States foreign economic policy.”.

16 **SEC. 5. REPORT FROM EACH MISSION ON MATTERS OF**
17 **COMMERCIAL RELATIONS.**

18 (a) **IN GENERAL.**—Not later than 180 days after the
19 date of the enactment of this Act annually thereafter, the
20 chief of mission at each United States embassy shall sub-
21 mit to the Secretary of State a report on the specific ac-
22 tions taken during the previous year to foster commercial
23 relations and safeguard United States business interests
24 in the country or region in which each such chief of mis-
25 sion serves.

1 (b) MATTERS TO BE INCLUDED.—Each report re-
2 quired under subsection (a) shall include the following:

3 (1) A list that includes the specific business sec-
4 tors and the number of companies by sector that
5 each United States embassy aided over the course of
6 the previous year in fostering commercial relations
7 in the relevant country or region.

8 (2) A description of actions each United States
9 embassy took to aid the business sectors identified
10 under paragraph (1).

11 (3) An assessment of fields with respect to
12 which each United States embassy can improve the
13 ability of each such embassy to foster commercial re-
14 lations and safeguard United States business inter-
15 ests in the relevant country or region.

16 (4) Information about significant foreign com-
17 petition to United States businesses in the relevant
18 country or region, including state-directed invest-
19 ments by authoritarian governments and United
20 States strategic competitors in such country or re-
21 gion, and whether or not such investments pose risks
22 to United States foreign policy and national security
23 interests in such country or region.

24 (c) REPORT TO CONGRESS.—The Secretary of State,
25 upon receiving each report required under subsection (a)

1 from each chief of mission, shall submit to the Committee
2 on Foreign Affairs of the House of Representatives and
3 the Committee on Foreign Relations of the Senate an an-
4 nual report on activities, including with appropriate exam-
5 ples, by the Department of State to promote United States
6 business interests abroad, as well as actions and invest-
7 ments by foreign competitors that are determined to be
8 risks to United States foreign policy and national security
9 interests.

10 (d) FORM OF REPORT.—The report described in sub-
11 section (c) shall be in unclassified form but may include
12 classified annexes.

13 **SEC. 6. REPORT ON UNIFIED INVESTMENT CLIMATE STATE-**
14 **MENT AND COUNTRY COMMERCIAL GUIDE.**

15 (a) IN GENERAL.—The Secretary of State and the
16 Secretary of Commerce shall jointly produce and make
17 publicly available on an internet website of the Depart-
18 ment of State and the Department of Commerce, respec-
19 tively, an annual country-specific report regarding topics
20 to foster commercial relations with foreign countries and
21 safeguard United States business interests abroad, includ-
22 ing with regard to United States exports and investments,
23 including by small and medium-size enterprises.

1 (b) MATTERS TO BE INCLUDED.—Each report re-
2 quired under subsection (a) shall include the following
3 with respect to each country covered by each such report:

4 (1) Information about doing business in each
5 country.

6 (2) Background information about each coun-
7 try's political environment.

8 (3) Information about selling United States
9 products and services in each country.

10 (4) Leading sectors for United States exports
11 and investment in each country.

12 (5) Information about trade regulations, cus-
13 toms, and standards in each country, such as—

14 (A) information on import tariffs; and

15 (B) documentation about which United
16 States businesses should be aware when export-
17 ing, including any prohibited items or tem-
18 porary entry procedures.

19 (6) Investment climate statements describing
20 each country's openness to foreign investments, such
21 as information relating to each country's—

22 (A) investment policies;

23 (B) market barriers;

24 (C) business risks;

1 (D) legal and regulatory system, including
2 dispute resolution;

3 (E) level of public and private sector cor-
4 ruption;

5 (F) level of political violence;

6 (G) labor issues; and

7 (H) protection of property rights.

8 (7) Information about trade and project financ-
9 ing in each country, such as each country's—

10 (A) banking and financial system, and how
11 United States businesses typically get paid;

12 (B) foreign exchange controls; and

13 (C) important sources of funding for
14 project financing.

15 (8) Relevant business travel information and
16 business customs in each country.

17 (9) Information about United States embassy
18 services and personnel available to United States
19 businesses to support their activities in each coun-
20 try.

21 **SEC. 7. REPORT BY COMPTROLLER GENERAL OF THE**
22 **UNITED STATES.**

23 (a) IN GENERAL.—Not later than two years after the
24 date of the enactment of this Act, the Comptroller General
25 of the United States shall submit to the Committee on

1 Foreign Affairs of the House of Representatives and the
2 Committee on Foreign Relations of the Senate a report
3 on United States economic and commercial diplomacy.

4 (b) MATTERS TO BE INCLUDED.—The report re-
5 quired under subsection (a) shall include an assessment
6 of the following:

7 (1) What is known about the effectiveness of
8 United States economic and commercial diplomacy
9 in influencing foreign governments and supporting
10 United States businesses abroad, including by small
11 and medium-sized enterprises.

12 (2) Coordination between the Department of
13 State and the Department of Commerce with respect
14 to United States economic and commercial diplo-
15 macy.

16 (3) The effectiveness of training provided pur-
17 suant to subsection (d) of section 708 of the Foreign
18 Service Act of 1980 (as added by section 4 of this
19 Act) on matters relating to economic and commer-
20 cial diplomacy.

21 (4) Recommendations to improve United States
22 economic and commercial diplomacy.