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(Original Signature of Member)

119TH CONGRESS  
2D SESSION

# H. R.

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To increase the capacity and effectiveness of the Department in supporting American businesses operating overseas and protecting American industries from adversaries, and for other purposes.

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## IN THE HOUSE OF REPRESENTATIVES

Mrs. KIM introduced the following bill; which was referred to the Committee  
on \_\_\_\_\_

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# A BILL

To increase the capacity and effectiveness of the Department in supporting American businesses operating overseas and protecting American industries from adversaries, 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; TABLE OF CONTENTS.**

4 (a) SHORT TITLE.—This Act may be cited as the  
5 “Building Opportunities Overseas to Strengthen and  
6 Train American Business Act” or the “BOOST American  
7 Business Act”.

1 (b) TABLE OF CONTENTS.—The table of contents of  
2 this Act is as follows:

- Sec. 1. Short title; table of contents.
- Sec. 2. Findings; sense of Congress; statement of policy.
- Sec. 3. Purposes.
- Sec. 4. Director General of the Foreign and Commercial Diplomatic Services.
- Sec. 5. Establishment of the Commercial Diplomatic Service.
- Sec. 6. Commercial Diplomatic Service assignments.
- Sec. 7. Commercial Diplomatic Service training.
- Sec. 8. Strengthening commercial diplomacy expertise at the Department of State.
- Sec. 9. Contracting authority.
- Sec. 10. Definitions.

3 **SEC. 2. FINDINGS; SENSE OF CONGRESS; STATEMENT OF**  
4 **POLICY.**

5 (a) FINDINGS.—Congress makes the following find-  
6 ings:

7 (1) On December 7, 1979, President Carter  
8 issued Executive Order 12175 (44 Fed. Reg. 70703;  
9 relating to Reorganization of functions relating to  
10 international trade) which implemented Reorganiza-  
11 tion Plan No. 3 of 1979, initiating the move of the  
12 Foreign Commercial Service from the Department of  
13 State to the Department of Commerce.

14 (2) There are an estimated 207 Foreign Com-  
15 mercial Service officers currently employed by the  
16 Department of Commerce. These personnel are de-  
17 ployed across 80 United States diplomatic and con-  
18 sular posts, roughly one-third of all such posts.

19 (3) Where the Foreign Commercial Service is  
20 not present, the role and function of commercial di-

1       plomacy officer is performed by Economic Foreign  
2       Service Officers employed by the Department of  
3       State.

4           (4) The transfer of the Foreign Commercial  
5       Service to the Department of Commerce removed  
6       important trade related functions which had been  
7       central to the mission of the Department of State  
8       since 1789, creating a counterproductive division be-  
9       tween foreign policy and commercial diplomacy.

10          (5) The fiscal year 2026 Congressional Budget  
11       Justification of the Department of Commerce pro-  
12       posed a staff reduction of 39 percent for the Global  
13       Markets business unit, which includes the Foreign  
14       Commercial Service. At this requested level, the size  
15       of the Global Markets business unit would be its  
16       smallest in more than two decades.

17          (6) The fiscal year 2026 Congressional Budget  
18       Justification of the Department of Commerce pro-  
19       posed a funding reduction for the International  
20       Trade Agency, which also includes the Foreign Com-  
21       mercial Service, of approximately 31 percent from  
22       the fiscal year 2025 enacted level, which was the  
23       lowest request for such agency since 2009.

24          (7) The fiscal year 2027 Congressional Budget  
25       Justification of the Department of Commerce pro-

1 poses a funding reduction of approximately 51 per-  
2 cent from the fiscal year 2026 estimated level for  
3 the Global Markets business unit.

4 (8) Cuts to the Foreign Commercial Service are  
5 inconsistent with the priorities articulated by Presi-  
6 dent Trump and contrary to the commercial diplo-  
7 macy goals and objectives of the United States.

8 (9) The National Security Strategy of the  
9 United States published in November 2025 states,  
10 “economic security is fundamental to national secu-  
11 rity” and “the United States will prioritize rebal-  
12 ancing our trade relations, reducing trade deficits,  
13 opposing barriers to our exports, and ending dump-  
14 ing and other anti-competitive practices that hurt  
15 American industries and workers.”

16 (10) On February 12, 2025, President Trump  
17 issued Executive Order 14211 (90 Fed. Reg. 9831;  
18 relating to One Voice for America’s Foreign Rela-  
19 tions) which directs the Secretary of State “to re-  
20 form the foreign service in areas such as recruiting,  
21 performance, evaluation, and retention standards to  
22 ensure only the most qualified and committed indi-  
23 viduals represent American interests abroad.”

24 (11) On March 19, 2026, in testimony before  
25 the House Foreign Affairs Committee, the Under

1 Secretary of State for Management testified that  
2 “our Econ officers in the past have been trained to  
3 do economic reporting. . .now we are shifting to a  
4 situation where commercial diplomacy is our policy.  
5 So we’re working very closely with our Econ officers  
6 to make sure they have the skill sets to go out there  
7 and do that commercial diplomacy.”

8 (b) SENSE OF CONGRESS.—It is the sense of Con-  
9 gress that—

10 (1) the Commercial Diplomatic Service, as es-  
11 tablished by this Act, should be composed of 750 of-  
12 ficers by 2028 and the Commercial Diplomatic Serv-  
13 ice should continue to expand as necessary to ensure  
14 the Department of States deploys a highly effective  
15 and efficient commercial diplomacy enterprise;

16 (2) individuals charged with leading commercial  
17 diplomatic efforts on behalf of the United States re-  
18 quire specialized skillsets that are sufficiently dif-  
19 ferent from other career tracks in the Foreign Serv-  
20 ice to warrant distinctive hiring practices and rota-  
21 tional deployment cycles; and

22 (3) that commercial diplomacy posting both  
23 within the United States and at United States diplo-  
24 matic and consular posts should only be filled by  
25 qualified personnel.

1           (c) STATEMENT OF POLICY.—It is the policy of the  
2 United States to provide United States businesses with ef-  
3 fective support in their attempts to access and remain  
4 competitive in international markets, including by  
5 prioritizing commercial diplomacy efforts within United  
6 States foreign policy and consolidating disparate inter-  
7 national commercial diplomacy enterprises under the di-  
8 rection of the Secretary of State, consistent with the re-  
9 sponsibility of the Secretary of State in the management  
10 of foreign affairs.

11 **SEC. 3. PURPOSES.**

12           The purposes of this Act are to—

13           (1) create a cadre of specialists within the For-  
14 eign Service of the Department of State, dedicated  
15 to commercial diplomacy, and distinct from other ca-  
16 reer paths of the Foreign Service;

17           (2) align and integrate commercial diplomacy  
18 efforts with other foreign policy priorities by remov-  
19 ing institutional barriers and expanding the size of  
20 the commercial diplomacy enterprise at the Depart-  
21 ment of State;

22           (3) recognize that Economic Officers in the  
23 Foreign Service are already performing the functions  
24 of commercial diplomats in two-thirds of all United  
25 States diplomatic and consular posts and provide

1 such officers with the necessary training to be suc-  
2 cessful;

3 (4) fill the void in the United States commercial  
4 diplomacy program created by the steady decrease in  
5 resources assigned to the Foreign Commercial Serv-  
6 ice under the Department of Commerce; and

7 (5) ensure that commercial diplomacy efforts of  
8 the Department of State are conducted in coordina-  
9 tion with the Department of Commerce and other  
10 relevant Federal agencies, consistent with their stat-  
11 utory authorities.

12 **SEC. 4. DIRECTOR GENERAL OF THE FOREIGN AND COM-**  
13 **MERCIAL DIPLOMATIC SERVICES.**

14 Chapter 2 of title I of the Foreign Service Act of  
15 1980 (22 U.S.C. 3921 et seq.) is amended by striking sec-  
16 tion 208 and inserting the following:

17 **“SEC. 208. DIRECTOR GENERAL OF THE FOREIGN AND COM-**  
18 **MERCIAL DIPLOMATIC SERVICES.**

19 “(a) ESTABLISHMENT.—The President shall appoint,  
20 by and with the advice and consent of the Senate, a Direc-  
21 tor General of the Foreign and Commercial Diplomatic  
22 Services who shall have the rank and status of Assistant  
23 Secretary and report directly to the Under Secretary for  
24 Management for matters pertaining to—

1           “(1) the management, deployment, and oper-  
2           ations of both Foreign Service generalist officers and  
3           the Commercial Diplomatic Service and its officers;  
4           and

5           “(2) such other related duties as the Secretary  
6           may from time to time designate.

7           “(b) DEPUTIES.—The Secretary, in consultation with  
8           the Under Secretary for Management and the Director  
9           General of the Foreign and Commercial Diplomatic Serv-  
10          ices, shall select one current or former career member of  
11          the Foreign Service to serve as the Deputy of Foreign  
12          Service Officers and one current or former career member  
13          of the Foreign Service to serve as the Deputy of the Com-  
14          mercial Diplomatic Service.

15          “(c) QUALIFICATIONS.—The Deputy of the Commer-  
16          cial Diplomatic Service shall have demonstrated ability in  
17          not less than four of the five following areas:

18                 “(1) Commercial diplomacy.

19                 “(2) International business development and  
20                 advocacy.

21                 “(3) Investment strategy development and im-  
22                 plementation.

23                 “(4) Executive-level management.

24                 “(5) Public affairs.

1           “(d) RESPONSIBILITIES.—In addition to the duties  
2 described in subsection (a), the Deputy of the Commercial  
3 Diplomatic Service shall maintain continuous observation  
4 and coordination for all matters pertaining to commercial  
5 diplomacy affairs in the conduct of foreign policy, includ-  
6 ing, as appropriate, the following:

7           “(1) Investment promotion, such as—

8                   “(A) advocating for United States busi-  
9 nesses and commercial interests overseas;

10                   “(B) identifying foreign market opportuni-  
11 ties for United States businesses and helping  
12 United State firms overcome challenges in for-  
13 eign business climates;

14                   “(C) helping United States companies  
15 compete for and win contracts in foreign mar-  
16 kets;

17                   “(D) attracting foreign investment into the  
18 United States by identifying high potential  
19 businesses in foreign countries;

20                   “(E) ensuring United States private sector  
21 concerns are integrated into United States for-  
22 eign policy and economic policy; and

23                   “(F) promoting international commercial  
24 projects that advance the national security in-

1           terests of the United States, regardless of do-  
2           mestic content thresholds.

3           “(2) Bolstering supply chain resilience, and  
4           protecting intellectual property rights.

5           “(3) International investment policy, including  
6           monitoring investment climates, negotiating and im-  
7           plementing investment agreements, representing the  
8           Department in the Committee on Foreign Invest-  
9           ment in the United States, and assisting United  
10          States companies involved in investment disputes  
11          with foreign governments.

12          “(4) The promotion of sound, transparent, and  
13          stable economic policies overseas.

14          “(5) Perform such other duties as the Under  
15          Secretary for Economic Affairs may from time to  
16          time designate.”.

17 **SEC. 5. ESTABLISHMENT OF THE COMMERCIAL DIPLO-**  
18 **MATIC SERVICE.**

19          Chapter 3 of title I of the Foreign Service Act of  
20          1980 (22 U.S.C. 3941 et seq.) is amended by striking sec-  
21          tion 303 and inserting the following:

22 **“SEC. 303. COMMERCIAL DIPLOMATIC SERVICE.**

23          “(a) IN GENERAL.—The Secretary shall establish a  
24          Commercial Diplomatic Service, within the Foreign Serv-  
25          ice, for the purpose of helping United States companies,

1 particularly in industries of strategic importance to the  
2 United States, export their products and services to inter-  
3 national markets.

4 “(b) OFFICERS.—The positions of the Commercial  
5 Diplomatic Service established under subsection (a) shall  
6 be filled in accordance with the provisions of this Act. In  
7 filling such positions, the Secretary shall actively recruit  
8 individuals with a demonstrated experience—

9 “(1) conducting business and economic analysis  
10 including reading and interpreting corporate balance  
11 sheets and income statements;

12 “(2) negotiating international business con-  
13 tracts;

14 “(3) working and developing long-term relation-  
15 ships with individuals from different countries across  
16 different cultural and business practices;

17 “(4) analyzing quantitative data and statistics  
18 to draw conclusions about market trends.”.

19 **SEC. 6. COMMERCIAL DIPLOMATIC SERVICE ASSIGNMENTS.**

20 Chapter 5 of title I of the Foreign Service Act of  
21 1980 is amended—

22 (1) in section 501 (22 U.S.C. 3981), by striking  
23 the last sentence and inserting the following: “In  
24 classifying positions at Foreign Service posts abroad  
25 and domestically, the Secretary shall ensure that po-

1       sitions are properly classified to attract and retain  
2       candidates with the appropriate skills and levels of  
3       experience for each position and to support effective  
4       career development patterns to meet the needs of the  
5       Foreign Service. The Secretary shall designate an  
6       appropriate number of Foreign Service positions  
7       both domestically and abroad as ‘commercial diplo-  
8       macy’ positions to be filled by members of the Com-  
9       mercial Diplomacy Service. The Secretary shall give  
10      appropriate weight to job factors relating to the  
11      compensation practices applicable to United States  
12      citizens employed abroad by United States corpora-  
13      tions.’; and

14           (2) in section 502(a) (22 U.S.C. 3982(a)), by  
15      adding at the end the following:

16           “(3) In making assignments under paragraph  
17      (1), the Secretary shall—

18           “(A) assign members of the Commercial  
19      Diplomatic Service only to positions designated  
20      as commercial diplomacy positions under sec-  
21      tion 501.

22           “(B) consider the deployment of the For-  
23      eign Commercial Service within the Department  
24      of Commerce and make every effort to

1           deconflict, minimize duplication, and coordinate  
2           between the two services.

3           “(4) Not later than 180 days after the date of  
4           enactment of this paragraph, the Under Secretary  
5           for Management, in consultation with the Director  
6           General of the Foreign and Commercial Diplomatic  
7           Service, shall develop an application and selection  
8           process to allow qualified members of the Foreign  
9           Service on the day before the date of enactment of  
10          this paragraph the opportunity to transfer to the  
11          Commercial Diplomatic Service.”.

12 **SEC. 7. COMMERCIAL DIPLOMATIC SERVICE TRAINING.**

13          (a) TRAINING REVIEW.—Section 703 of the Foreign  
14          Service Act of 1980 (22 U.S.C. 4023) is amended by add-  
15          ing at the end the following:

16          “(f) The Under Secretary for Management, in con-  
17          sultation with the Director General of the Foreign and  
18          Commercial Diplomatic Service, shall, on an annual basis,  
19          assess the training needs across the Commercial Diplo-  
20          matic Service to ensure that current course offerings con-  
21          tinue to meet the evolving needs of the Department to im-  
22          plement an effective and efficient commercial diplomacy  
23          enterprise.”.

1 (b) TRAINING ELEMENTS.—Section 708 of the For-  
2 eign Service Act of 1980 (22 U.S.C. 4028) is amended  
3 by striking subsection (d) and inserting the following:

4 “(d) COMMERCIAL DIPLOMACY.—The Secretary, with  
5 the assistance of the heads of other relevant Federal de-  
6 partments and agencies and the private sector, shall estab-  
7 lish as part of the standard training provided for members  
8 of the Commercial Diplomatic Service, training on matters  
9 related to—

10 “(1) commercial advocacy including best prac-  
11 tices for engagement on behalf of United States  
12 businesses competing for foreign government tenders  
13 or facing regulatory barriers;

14 “(2) market access including identifying and re-  
15 porting on technical barriers to two-way investment,  
16 intellectual property theft, and other localized chal-  
17 lenges to United States economic competitiveness;

18 “(3) fostering a business-enabling environment  
19 in a foreign country;

20 “(4) the foreign economic policies of the United  
21 States;

22 “(5) interagency coordination including a com-  
23 prehensive review of the financial and technical re-  
24 sources available to United States firms through—

1           “(A) the Export-Import Bank of the  
2           United States;

3           “(B) the United States International De-  
4           velopment Finance Corporation;

5           “(C) the Department of Agriculture;

6           “(D) the Department of Commerce;

7           “(E) the Millennium Challenge Corpora-  
8           tion;

9           “(F) the Department of the Treasury;

10          “(G) the United States Trade and Devel-  
11          opment Agency; and

12          “(H) other Federal departments and agen-  
13          cies, as appropriate.

14          “(6) business intelligence, including techniques  
15          for analyzing foreign market trends and conducting  
16          effective outreach to the local American Chamber of  
17          Commerce and other private sector stakeholders.”.

18          (c) REQUIREMENTS.—Not later than 180 days after  
19          the date of enactment of this Act, the Secretary of State,  
20          acting through the Director of the Foreign Service Insti-  
21          tute, shall develop and initiate implementation of the  
22          standard training course established under subsection (d)  
23          of section 708 of the Foreign Service Act of 1980, as  
24          amended by subsection (b), for all members of the Com-  
25          mercial Diplomatic Service.

1 **SEC. 8. STRENGTHENING COMMERCIAL DIPLOMACY EX-**  
2 **PERTISE AT THE DEPARTMENT OF STATE.**

3 (a) DIRECT HIRE AUTHORITY.—

4 (1) IN GENERAL.—Notwithstanding section 301  
5 of the Foreign Service Act of 1980 (22 U.S.C.  
6 3941), the Director General of the Foreign and  
7 Commercial Diplomatic Service may appoint quali-  
8 fied candidates directly to positions in the Commer-  
9 cial Diplomatic Service.

10 (2) TERMINATION.—The authority provided  
11 under subparagraph (1) shall terminate on the date  
12 that is 10 years after the date of the enactment of  
13 this Act.

14 (b) REPORT.—Not later than 180 days after the date  
15 of the enactment of this Act, the Director General of the  
16 Foreign and Commercial Diplomatic Service shall submit  
17 to the appropriate congressional committees a report that  
18 contains plans to attract and retain commercial diplomacy  
19 expertise for officers in the Commercial Diplomatic Serv-  
20 ice, including career promotion tracks to supervisory and  
21 non-supervisory positions within the Senior Foreign Serv-  
22 ice.

23 **SEC. 9. CONTRACTING AUTHORITY.**

24 Section 1005 of the Foreign Service Act of 1980 (22  
25 U.S.C. 4105) is amended by adding at the end the fol-  
26 lowing:

1 “(c) Nothing in this section may be construed—

2 “(1) to preclude the Secretary from employing  
3 individuals or organizations by contract to perform  
4 such services to carry out this Act and may not by  
5 virtue of such employment be considered to be em-  
6 ployees of the United States Government for pur-  
7 poses of any law administered by the Office of Per-  
8 sonnel Management (except that the Secretary may  
9 determine the applicability to such individuals of any  
10 law administered by the Secretary concerning the  
11 employment of such individuals); and

12 “(2) to preclude such contracts to be nego-  
13 tiated, the terms of such contracts to be prescribed,  
14 and the work to be performed, where necessary,  
15 without regard to such statutory provisions as relate  
16 to the negotiation, making and performance of con-  
17 tracts, and performance of work in the United  
18 States.”.

19 **SEC. 10. DEFINITIONS.**

20 In this Act:

21 (1) **APPROPRIATE CONGRESSIONAL COMMIT-**  
22 **TEES.**—The term “appropriate congressional com-  
23 mittees” means—

1 (A) the Committee on Foreign Affairs and  
2 the Committee on Appropriations of the House  
3 of Representatives; and

4 (B) the Committee on Foreign Relations  
5 and the Committee on Appropriations of the  
6 Senate.

7 (2) COMMERCIAL DIPLOMACY.—The term  
8 “commercial diplomacy” includes the following ac-  
9 tivities:

10 (A) Promoting United States exports of  
11 goods and services, particularly by businesses in  
12 strategic industries, and the protection of  
13 United States business interests abroad.

14 (B) Supporting United States businesses  
15 with advice and information on establishing ex-  
16 port businesses.

17 (C) Providing United States exporters with  
18 information on economic conditions, market op-  
19 portunities, the status of the intellectual prop-  
20 erty systems, and the legal and regulatory envi-  
21 ronments within foreign countries.

22 (D) Providing United States exporters with  
23 information and advice on the necessary adap-  
24 tation of market strategy to meet the differing

1 cultural and technical requirements of foreign  
2 countries.

3 (E) Providing United States exporters with  
4 promising leads and helpful introductions to  
5 contacts within foreign countries.

6 (F) Assisting United States exporters in  
7 locating reliable sources of business services in  
8 foreign countries.

9 (G) Assisting United States exporters in  
10 their dealings with foreign governments and en-  
11 terprises owned by foreign governments.

12 (H) Assisting in the coordination of the ef-  
13 forts of State and local agencies and private or-  
14 ganizations seeking to promote United States  
15 business interests abroad so as to maximize  
16 their effectiveness and minimize duplication of  
17 efforts.

18 (I) Utilizing foreign offices as one-stop  
19 shops for United States exporters by providing  
20 exporters with information on all export pro-  
21 motion and export finance activities of the Fed-  
22 eral Government, assisting exporters in identi-  
23 fying which Federal programs may be of great-  
24 est assistance, and assisting exporters in mak-  
25 ing contact with Federal programs identified.

1           (J) Providing United States exporters and  
2 export finance institutions with information on  
3 all financing and insurance programs of the Ex-  
4 port-Import Bank of the United States, the  
5 United States International Development Fi-  
6 nance Corporation, the United States Trade  
7 and Development Agency, and the Small Busi-  
8 ness Administration, including providing assist-  
9 ance in completing applications for such pro-  
10 grams and working with exporters and export  
11 finance institutions to address any deficiencies  
12 in such applications that have been submitted.

13           (3) COMMERCIAL DIPLOMATIC SERVICE.—The  
14 term “Commercial Diplomatic Service”—

15           (A) means the Commercial Diplomatic  
16 Service established under section 303 of the  
17 Foreign Service Act of 1980, as amended by  
18 section 5; and

19           (B) includes the members of the Foreign  
20 Service who—

21                   (i) are trained specialists in commer-  
22 cial diplomacy; and

23                   (ii) are members of the Commercial  
24 Diplomatic Service.

1           (4) DEPARTMENT.—The term “Department”  
2 means the Department of State.

3           (5) FOREIGN SERVICE.—The term “Foreign  
4 Service” means the Foreign Service of the United  
5 States as constituted under section 103 of the For-  
6 eign Service Act of 1980 (22 U.S.C. 3903).

7           (6) SECRETARY.—The term “Secretary” means  
8 the Secretary of State.

9           (7) SENIOR FOREIGN SERVICE.—The term  
10 “Senior Foreign Service” has the meaning provided  
11 under section 103(3) of the Foreign Service Act of  
12 1980 (22 U.S.C. 3903).