

A BILL

To abolish the Bureau of Industry and Security, repeal the provisions of law establishing the Bureau of Industry and Security, and for other purposes.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE.

This Act may be cited as the “Bureau of Industry and Security Abolition Act of 2026”.

SECTION 2. FINDINGS.

Congress finds the following:

- (1) The Bureau of Industry and Security (BIS), a component of the Department of Commerce, administers export controls on commercial and dual-use goods and technology and enforces antiboycott rules.
- (2) By licensing and restricting the sale and transfer of goods and technology, including transfers occurring within the United States that are deemed exports, the BIS regulates activities that are local and intrastate in character, exceeding the power granted in Article I, Section 8, Clause 3 “To regulate Commerce with foreign Nations, and among the several States, and with the Indian Tribes,” a power that, as understood at ratification, reaches trade and exchange across State lines and not production, local activity, or the internal affairs of the States.
- (3) The functions of the BIS are not “necessary and proper for carrying into Execution” any power vested by the Constitution in the Government of the United States and therefore find no support in Article I, Section 8, Clause 18, which Madison in Federalist No. 44 described as a means of executing powers already granted rather than a source of new ones, as the Anti-Federalist writer Brutus warned in his first essay of 1787 it would otherwise become.
- (4) The BIS exercises lawmaking power by issuing rules and standards that carry the force of law, contrary to Article I, Section 1, which vests “All legislative Powers herein granted” in the Congress alone, which may not transfer them to officers unaccountable to the people at the ballot box.
- (5) By restricting the publication and sharing of technical information as controlled exports, the BIS infringes the freedom of speech, secured by the First Amendment, which provides that “Congress shall make no law respecting an establishment of religion, or prohibiting the free exercise thereof; or abridging the freedom of speech, or of the press; or the right of the people peaceably to assemble, and to petition the Government for a redress of grievances.”

(6) By licensing and restricting the sale and transfer of goods and technology, including transfers occurring within the United States that are deemed exports, the BIS violates the Due Process Clause of the Fifth Amendment, which provides that no person shall “be deprived of life, liberty, or property, without due process of law”.

(7) By imposing civil penalties through administrative proceedings without a jury, the BIS denies Americans the Seventh Amendment’s guarantee that “In Suits at common law, where the value in controversy shall exceed twenty dollars, the right of trial by jury shall be preserved.”

(8) By imposing civil penalties and denial orders that can bar persons from commerce, the BIS subjects Americans to penalties and forfeitures that may be grossly disproportionate to any offense, contrary to the Eighth Amendment’s command that excessive fines shall not be “imposed.”

(9) In carrying out its functions, the BIS disregards the Ninth Amendment, which provides that “The enumeration in the Constitution, of certain rights, shall not be construed to deny or disparage others retained by the people,” including the right of the people to order their own lives, property, and affairs free of federal direction in matters the Constitution does not commit to the Federal Government.

(10) The Constitution delegates to the United States no power over domestic transactions in goods and technology. By licensing and restricting the sale and transfer of goods and technology, including transfers occurring within the United States that are deemed exports, the BIS exercises powers that the Tenth Amendment reserves “to the States respectively, or to the people,” contrary to Federalist No. 45, in which Madison described the powers delegated to the Federal Government as “few and defined” and those remaining in the States as “numerous and indefinite.”

(11) The Declaration of Independence affirms that governments are instituted to secure the unalienable rights of the people and derive “their just powers from the consent of the governed,” and it charged the Crown with having “erected a multitude of New Offices, and sent hither swarms of Officers to harass our people, and eat out their substance.” The BIS perpetuates the centralized administration the Declaration condemned.

(12) Abolishing the Bureau of Industry and Security and repealing the provisions of law establishing it will reduce the size and cost of the Federal Government, return to the States and to the people the powers the Constitution reserves to them, and restore the constitutional principles of limited government and enumerated powers.

SECTION 3. ABOLITION OF THE BUREAU OF INDUSTRY AND SECURITY.

(a) In General.—The Bureau of Industry and Security, a component of the Department of Commerce, is hereby abolished effective immediately following the enactment of this Act.

(b) Wind-Down Operations.—Immediately following the enactment of this Act, the President shall designate an appropriate official to expeditiously wind down the operations of the Bureau of Industry and Security, ceasing all functions, none of which shall be transferred to any other department or agency of the Federal Government.

(c) Transfer of Assets and Liabilities.—All assets, liabilities, contracts, property, and records of the Bureau of Industry and Security shall be transferred to the designated official under subsection (b) for appropriate disposition.

(d) Employee Transition.—Employees of the Bureau of Industry and Security shall be offered opportunities for reassignment within the federal government or provided with severance and retraining assistance as prescribed by existing federal law.

SECTION 4. REPEAL OF PROVISIONS OF LAW ESTABLISHING THE BUREAU OF INDUSTRY AND SECURITY.

(a) In General.—The provisions of law establishing the Bureau of Industry and Security, and any provision of law vesting functions in the Bureau of Industry and Security, are hereby repealed.

(b) Conforming Amendments.—The United States Code and all other relevant Federal laws are amended by—

(1) striking all references to the Bureau of Industry and Security and to any office, officer, or function established in or vested in the Bureau of Industry and Security;

(2) terminating every function of the Bureau of Industry and Security, no part of which shall be reassigned to any other department or agency of the Federal Government; and

(3) making such other conforming changes as necessary to reflect the repeal and the permanent abolition of the Bureau of Industry and Security.

(c) Effective Date.—The repeal under this section shall take effect immediately following the enactment of this Act.

SECTION 5. TRANSITION PROVISIONS.

(a) No Restoration of Prior Structures.—No element of the Bureau of Industry and Security shall revert to its organizational structure as it existed prior to the establishment of the Bureau of Industry and Security, and no function of the Bureau of Industry and Security shall be restored to any predecessor department, agency, or office.

(b) Permanent Abolition.—No department, agency, office, or other entity shall be established to carry out the functions of the Bureau of Industry and Security abolished by this Act.

SECTION 6. SEVERABILITY.

If any provision of this Act, or the application thereof to any person or circumstance, is held invalid, the remainder of the Act and the application of such provision to other persons or circumstances shall not be affected thereby.