

Union Calendar No. 538

118TH CONGRESS
2^D SESSION

H. R. 1398

[Report No. 118-641]

To establish the CCP Initiative program, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

MARCH 7, 2023

Mr. GOODEN of Texas (for himself, Mr. WEBER of Texas, Mr. POSEY, and Mr. LAMBORN) introduced the following bill; which was referred to the Committee on the Judiciary

AUGUST 30, 2024

Additional sponsors: Mr. FALLON, Mr. CLINE, Mr. DONALDS, Mr. NEHLS, and Mr. WILLIAMS of New York

AUGUST 30, 2024

Reported with an amendment, committed to the Committee of the Whole House on the State of the Union, and ordered to be printed

[Strike out all after the enacting clause and insert the part printed in *italie*]

[For text of introduced bill, see copy of bill as introduced on March 7, 2023]

A BILL

To establish the CCP Initiative program, 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 “Protect America’s Inno-*
5 *vation and Economic Security from CCP Act of 2024”.*

6 **SEC. 2. CCP INITIATIVE.**

7 *(a) ESTABLISHMENT.—There is established in the Na-*
8 *tional Security Division of the Department of Justice the*
9 *CCP Initiative to—*

10 *(1) counter nation-state threats to the United*
11 *States;*

12 *(2) curb spying by the Chinese Communist*
13 *Party on United States intellectual property and aca-*
14 *demie institutions in the United States;*

15 *(3) develop an enforcement strategy concerning*
16 *nontraditional collectors, including researchers in*
17 *labs, universities, and the defense industrial base, that*
18 *are being used to transfer technology contrary to*
19 *United States interests;*

20 *(4) implement the Foreign Investment Risk Re-*
21 *view Modernization Act of 2018 (title XVII of divi-*
22 *sion A of the John S. McCain National Defense Au-*
23 *thorization Act for Fiscal Year 2019 (Public Law*
24 *115–232; 132 Stat. 2173)) for the Department of Jus-*

1 *tice, including by working with the Department of the*
2 *Treasury to develop regulations under that Act;*

3 *(5) identify cases under the Foreign Corrupt*
4 *Practices Act of 1977 (Public Law 95–213; 91 Stat.*
5 *1494) involving Chinese companies that compete with*
6 *United States businesses; and*

7 *(6) prioritize—*

8 *(A) identifying and prosecuting those en-*
9 *gaged in trade secret theft, hacking, and eco-*
10 *nomics espionage; and*

11 *(B) protecting the critical infrastructure in*
12 *the United States against external threats*
13 *through foreign direct investment and supply*
14 *chain compromises.*

15 *(b) CONSULTATION.—In executing the CCP Initiative’s*
16 *objectives as set forth in subsection (a), the Attorney Gen-*
17 *eral, acting through the Assistant Attorney General for Na-*
18 *tional Security, shall consult with relevant components of*
19 *the Department of Justice as necessary, and coordinate ac-*
20 *tivities with the Federal Bureau of Investigation and any*
21 *other Federal agency as necessary.*

22 *(c) REQUIREMENT.—Under the CCP Initiative—*

23 *(1) the Initiative shall be separate from and not*
24 *under the authority or discretion of any other Depart-*

1 *ment of Justice initiative dedicated to countering na-*
2 *tion-state threats; and*

3 *(2) all resources used for the CCP Initiative shall*
4 *solely be set aside for the CCP Initiative and shall not*
5 *be combined to support any other Department of Jus-*
6 *tice program, including other programs and initia-*
7 *tives dedicated to countering nation-state threats.*

8 *(d) ANNUAL REPORT.—The Attorney General shall*
9 *submit annually a written report to the Committee on*
10 *Homeland Security and Governmental Affairs and the*
11 *Committee on the Judiciary of the Senate, and the Com-*
12 *mittee on Homeland Security and the Committee on the*
13 *Judiciary of the House of Representatives, on the progress*
14 *and challenges of the CCP Initiative over the preceding*
15 *year, including—*

16 *(1) its progress in accomplishing the objectives*
17 *set forth in subsection (a);*

18 *(2) the amount and sufficiency of resources pro-*
19 *vided to, and expended by, the CCP Initiative;*

20 *(3) the level and effectiveness of coordination*
21 *with the Federal Bureau of Investigation and other*
22 *Federal agencies;*

23 *(4) the status of efforts by the Chinese Com-*
24 *munist Party to engage in trade secret theft, hacking,*
25 *and economic espionage; and*

1 (5) *the impact of the CCP Initiative on those ef-*
2 *forts of the Chinese Communist Party.*

3 (e) *SUNSET.—This Act shall take effect on the date of*
4 *enactment of this Act and cease to be in effect on the date*
5 *that is 6 years after that date.*

6 (f) *SEVERABILITY.—If any provision of this Act, or the*
7 *application of such provision to any person or cir-*
8 *cumstance, is held to be unconstitutional, the remainder of*
9 *this Act, and the application of the provisions of such to*
10 *any person or circumstance, shall not be affected thereby.*

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