

118<sup>TH</sup> CONGRESS  
2<sup>D</sup> SESSION

# H. R. 9151

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IN THE SENATE OF THE UNITED STATES

DECEMBER 4, 2024

Received; read twice and referred to the Committee on the Judiciary

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## AN ACT

To strengthen the Department of Justice's enforcement  
against trade-related crimes.

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 “Protecting American  
3 Industry and Labor from International Trade Crimes Act  
4 of 2024”.

5 **SEC. 2. TRADE-RELATED CRIMES DEFINED.**

6 In this Act, the term “trade-related crimes” shall be  
7 defined as violations of law that are implicated by criminal  
8 activities in furtherance of the evasion of duties, tariffs,  
9 and other import- and export-related fees, import and ex-  
10 port restrictions, or requirements imposed by the Tariff  
11 Act of 1930, the Trade Expansion Act of 1962, the Trade  
12 Act of 1974, or the Countering America’s Adversaries  
13 Through Sanctions Act, as well as all other laws and regu-  
14 lations involving criminal activities relating to United  
15 States imports and exports, trade-based money laun-  
16 dering, and smuggling.

17 **SEC. 3. ESTABLISHMENT OF NEW STRUCTURE TO PROS-  
18 ECUTE INTERNATIONAL TRADE CRIMES.**

19 (a) IN GENERAL.—A task force, named program, or  
20 other similar structure to investigate and prosecute trade-  
21 related crimes, with particular emphasis on violations of  
22 the statutes enumerated in section 4(a)(2), shall be estab-  
23 lished within the Criminal Division of the Department of  
24 Justice not later than 120 days after the date on which  
25 appropriations are made available to carry out this Act,  
26 and coordinated by a supervisory criminal trial attorney

1 selected by the Assistant Attorney General of the Criminal  
2 Division or other official designated by the Attorney Gen-  
3 eral.

4 (b) IMPLEMENTATION.—To support this effort, the  
5 Attorney General shall—

6 (1) create within the Criminal Division of the  
7 Department of Justice new positions for criminal  
8 trial attorneys and associated support personnel re-  
9 sponsible for leading and coordinating trade-related  
10 crime investigations and cases, including those that  
11 may significantly impact more than one district;

12 (2) ensure that experienced and technically  
13 qualified criminal prosecutors support the effort; and

14 (3) promote and ensure effective interaction  
15 with law enforcement, industry representatives, and  
16 the public in matters relating to trade-related  
17 crimes.

18 **SEC. 4. DUTIES AND FUNCTIONS OF NEW TRADE CRIMES**

19 **STRUCTURE.**

20 (a) IN GENERAL.—Through the efforts of the task  
21 force, named program, or other structure identified in sec-  
22 tion 3(a), the Attorney General shall accomplish each of  
23 the following:

1           (1) Increase the capabilities and capacity of the  
2 Criminal Division of the Department of Justice to  
3 prosecute trade-related crimes.

4           (2) Increase the number of trade-related crimes  
5 being investigated and prosecuted, including pursu-  
6 ant to health, safety, financial, and economic trade-  
7 related crimes, including—

8                   (A) section 305 of title 13, United States  
9 Code;

10                   (B) section 15 or 16 of the Toxic Sub-  
11 stances Control Act (15 U.S.C. 2614 or 2615);

12                   (C) section 371 of title 18, United States  
13 Code;

14                   (D) section 541 of title 18, United States  
15 Code;

16                   (E) section 542 of title 18, United States  
17 Code;

18                   (F) section 543 of title 18, United States  
19 Code;

20                   (G) section 545 of title 18, United States  
21 Code;

22                   (H) section 546 of title 18, United States  
23 Code;

24                   (I) section 554 of title 18, United States  
25 Code;

1 (J) section 1001 of title 18, United States  
2 Code;

3 (K) section 1341 of title 18, United States  
4 Code;

5 (L) section 1343 of title 18, United States  
6 Code;

7 (M) section 1349 of title 18, United States  
8 Code;

9 (N) section 1956 of title 18, United States  
10 Code;

11 (O) section 1957 of title 18, United States  
12 Code;

13 (P) section 2320 of title 18, United States  
14 Code; and

15 (Q) section 301 of the Federal Food,  
16 Drug, and Cosmetic Act (21 U.S.C. 331).

17 For the purposes of this Act, this list does not in-  
18 clude violations of national security-related laws and  
19 regulations, including the Arms Export Control Act  
20 (22 U.S.C. 2771 et seq.), International Emergency  
21 Economic Powers Act (50 U.S.C. 1701 et seq.), Ex-  
22 port Control and Reform Act (50 U.S.C. 4801 et  
23 seq.), and the Trading with the Enemy Act (50  
24 U.S.C. 4305(b)).

1           (3) Participate in basic and advanced training  
2 events with Homeland Security Investigations, U.S.  
3 Customs and Border Protection, and other Federal  
4 agencies and provide technical assistance, where ap-  
5 propriate, to Homeland Security Investigations, U.S.  
6 Customs and Border Protection, and other Federal  
7 agencies with respect to the investigation and pros-  
8 ecution of trade-related crimes.

9           (4) Develop multi-jurisdictional responses and  
10 partnerships with respect to trade-related crimes  
11 through informational, administrative, and techno-  
12 logical support to other Federal agencies and agen-  
13 cies of countries that are trading partners of the  
14 United States, as a means for such agencies to ac-  
15 quire the necessary knowledge, personnel, and spe-  
16 cialized equipment to investigate and prosecute  
17 trade-related crimes.

18           (5) Participate in nationally coordinated inves-  
19 tigations in any case in which the Attorney General  
20 determines such participation to be necessary, as  
21 permitted by the available resources of the Depart-  
22 ment of Justice.

23           (6) Ensure that all components that enforce  
24 laws against trade-related crimes regularly consult  
25 with each other.

1 (b) ABSENCE OF EXCLUSION OF PURSUING OTHER  
2 REMEDIES.—Litigation by the Criminal Division of the  
3 Department of Justice shall not preclude additional crimi-  
4 nal prosecution or civil action against trade-related viola-  
5 tions. Nothing in this Act shall prevent the Criminal Divi-  
6 sion, Civil Division, and other Department of Justice com-  
7 ponents from pursuing enforcement action where appro-  
8 priate.

9 **SEC. 5. ANNUAL REPORT TO CONGRESS.**

10 The Attorney General, in consultation with the Sec-  
11 retary of Homeland Security, shall submit to the Com-  
12 mittee on the Judiciary, Committee on Ways and Means,  
13 and Committee on Financial Services of the House of Rep-  
14 resentatives, and the Committee on the Judiciary and  
15 Committee on Finance of the Senate a report on the work  
16 of the Department of Justice with respect to investigation  
17 and enforcement of trade-related crimes. Specifically, the  
18 report shall—

19 (1) be submitted not later than one year after  
20 the date of the enactment of this Act, and annually  
21 thereafter, not later than February 1 of each year  
22 that begins after the submission of the first report;

23 (2) include annual statistics on the volume of  
24 publicly charged trade-related crimes and indict-  
25 ments;

1 (3) include a summary on how the funds appro-  
2 priated for trade-related crimes were utilized in the  
3 prior reporting period, including staff and operating  
4 expenses; and

5 (4) provide an estimate of any additional fund-  
6 ing needed to combat trade-related crimes.

Passed the House of Representatives December 3,  
2024.

Attest: KEVIN F. MCCUMBER,  
*Clerk.*