

Smith (MO)
Smith (NE)
Smith (NJ)
Smucker
Spartz
Stauber
Steel
Stefanik
Steil
Steube
Strong

NOT VOTING—21

Babin
Baird
Barragán
Blumenauer
Brownley
Crow
Donalds

□ 1636

So the motion to recommit was rejected.

The result of the vote was announced as above recorded.

The SPEAKER pro tempore. The question is on the passage of the bill.

The question was taken; and the Speaker pro tempore announced that the ayes appeared to have it.

Mr. THOMPSON of Mississippi. Mr. Speaker, on that I demand the yeas and nays.

The yeas and nays were ordered.

The SPEAKER pro tempore. This is a 5-minute vote.

The vote was taken by electronic device, and there were—yeas 249, nays 161, not voting 20, as follows:

[Roll No. 408]

YEAS—249

Aderholt
Alford
Allen
Allred
Amodel
Armstrong
Arrington
Babin
Bacon
Baird
Balderson
Banks
Barr
Bean (FL)
Bentz
Bergman
Bice
Biggs
Bilirakis
Bishop (GA)
Bishop (NC)
Blunt Rochester
Boebert
Bost
Breechen
Buchanan
Bucshon
Budzinski
Burchett
Burgess
Burlison
Calvert
Cammack
Caraveo
Carey
Carl
Carter (GA)
Carter (TX)
Cartwright
Chavez-DeRemer
Ciscomani
Cline
Cloud
Clyde
Cole
Collins
Comer
Costa
Craig
Crane

Crawford
Crenshaw
Cuellar
Curtis
D'Esposito
Davids (KS)
Davidson
Davis (NC)
De La Cruz
DesJarlais
Diaz-Balart
Duarte
Duncan
Dunn (FL)
Edwards
Ellzey
Emmer
Estes
Ezell
Fallon
Feenstra
Ferguson
Finstad
Fischbach
Fitzgerald
Fitzpatrick
Fleischmann
Flood
Fong
Foxy
Franklin, Scott
Fry
Fulcher
Gallego
Garbarino
Garcia, Mike
Gimenez
Golden (ME)
Gonzales, Tony
Gonzalez, V.
Good (VA)
Gooden (TX)
Gosar
Gottheimer
Graves (LA)
Graves (MO)
Green (TN)
Greene (GA)
Griffith
Grothman

Guest
Guthrie
Hageman
Harder (CA)
Harris
Harshbarger
Hern
Higgins (LA)
Hill
Hinson
Houchin
Houlahan
Hudson
Huizenga
Hunt
Issa
Jackson (TX)
James
Johnson (SD)
Jordan
Joyce (OH)
Joyce (PA)
Kaptur
Kean (NJ)
Kelly (MS)
Kelly (PA)
Kennedy
Kiggans (VA)
Kiley
Kim (CA)
Kustoff
LaHood
LaLota
LaMalfa
Lamborn
Landsman
Langworthy
Latta
LaTurner
Lawler
Lee (FL)
Lesko
Letlow
Lopez
Loudermilk
Lucas
Luna
Luttrell
Lynch
Mace

Malliotakis
Maloy
Mann
Manning
Massie
Mast
McCaul
McClain
McClintock
McCormick
McHenry
Meuser
Miller (IL)
Miller (OH)
Miller (WV)
Miller-Meeks
Mills
Mollnaro
Moolenaar
Mooney
Moore (UT)
Moran
Moskowitz
Mrvan
Murphy
Nehls
Newhouse
Norcross
Norman
Nunn (IA)
Obernolte
Ogles
Owens

Adams
Aguilar
Amo
Auchincloss
Balint
Beatty
Bera
Beyer
Bonamici
Bowman
Boyle (PA)
Brown
Bush
Cabajal
Cárdenas
Carson
Carter (LA)
Casar
Case
Casten
Castor (FL)
Castro (TX)
Cherfilus-
McCormick
Chu
Clark (MA)
Clarke (NY)
Cleaver
Clyburn
Cohen
Connolly
Correa
Courtney
Crockett
Davis (IL)
Dean (PA)
DeGette
DeLauro
DelBene
Deluzio
DeSaulnier
Dingell
Doggett
Eshoo
Españillat
Fletcher
Foster
Foushee
Frankel, Lois
Frost
Garcia (IL)
Garcia (TX)
Goldman (NY)
Gomez
Green, Al (TX)

Barragán
Blumenauer
Brownley
Crow
Donalds
Escobar
Evans

Palmer
Panetta
Pappas
Pence
Perez
Perry
Petersen
Pfluger
Posey
Rescenhthaler
Rodgers (WA)
Rogers (AL)
Rogers (KY)
Rose
Rosendale
Rouzer
Roy
Rulli
Rutherford
Ryan
Salazar
Scalise
Scholten
Schweikert
Scott, Austin
Scott, David
Self
Sessions
Simpson
Slotkin
Smith (MO)
Smith (NE)
Smith (NJ)

NAYS—161

Hayes
Himes
Horsford
Hoyer
Hoyle (OR)
Huffman
Ivey
Jackson (IL)
Jackson (NC)
Jacobs
Jeffries
Johnson (GA)
Kamlager-Dove
Keating
Kelly (IL)
Khanna
Kildee
Kilmer
Kim (NJ)
Krishnamoorthi
Kuster
Larsen (WA)
Larson (CT)
Lee (CA)
Lee (NV)
Lee (PA)
Leger Fernandez
Levin
Lofgren
Magaziner
Matsui
McBath
McClellan
McCollum
McGarvey
McGovern
Meeks
Menendez
Meng
Mfume
Moore (WI)
Morelle
Moulton
Mullin
Nadler
Napolitano
Neal
Neguse
Nickel
Ocasio-Cortez
Omar
Pallone
Pelosi
Peters
Phillips

NOT VOTING—20

Gaetz
Garamendi
Garcia, Robert
Granger
Grijalva
Jayapal
Lieu

Smucker
Sorensen
Spartz
Stauber
Steel
Stefanik
Steil
Steube
Strong
Suozzi
Tenney
Thompson (PA)
Tiffany
Timmons
Turner
Valadao
Van Drew
Van Duyne
Van Orden
Vasquez
Wagner
Waltz
Weber (TX)
Webster (FL)
Wenstrup
Westerman
Williams (NY)
Williams (TX)
Wilson (SC)
Wittman
Womack
Yakym
Zinke

□ 1644

So the bill was passed.
The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

PROTECT AMERICA'S INNOVATION AND ECONOMIC SECURITY FROM CCP ACT OF 2024

GENERAL LEAVE

Mr. GOODEN of Texas. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to revise and extend their remarks and to insert extraneous material on H.R. 1398.

The SPEAKER pro tempore. Pursuant to House Resolution 1430 and rule XVIII, the Chair declares the House in the Committee of the Whole House on the state of the Union for the consideration of the bill, H.R. 1398.

The Chair appoints the gentleman from Colorado (Mr. LOPEZ) to preside over the Committee of the Whole.

□ 1650

IN THE COMMITTEE OF THE WHOLE

Accordingly, the House resolved itself into the Committee of the Whole House on the state of the Union for the consideration of the bill (H.R. 1398) to establish the CCP Initiative program, and for other purposes, with Mr. LOPEZ in the chair.

The Clerk read the title of the bill.

The CHAIR. Pursuant to the rule, the bill is considered read the first time.

General debate shall be confined to the bill and shall not exceed 1 hour equally divided and controlled by the chair and ranking minority member of the Committee on the Judiciary or their respective designees.

The gentleman from Texas (Mr. GOODEN) and the gentleman from New York (Mr. NADLER) each will control 30 minutes.

The Chair recognizes the gentleman from Texas.

Mr. GOODEN of Texas. Mr. Chair, I yield myself such time as I may consume.

Mr. Chair, H.R. 1398, the Protect America's Innovation and Economic Security from CCP Act focuses our attention on the single greatest threat to the American people: the Chinese Communist Party.

Our intelligence community has been raising these concerns for years, labeling China the defining threat of our generation. These concerns were also echoed in FBI Director Wray's testimony before our House Judiciary Committee back in July.

China's multipronged war against our people, economy, and infrastructure has caused the CCP to infiltrate our communities, sow disharmony, and steal our hard-earned successes. The CCP achieves this by aggressively targeting and recruiting civilians to spy on other Chinese nationals and to steal critical data from their employers.

Trade theft alone costs our economy over half a trillion dollars annually, with China behind most of it. This bill addresses this problem by creating a dedicated program under the DOJ called the CCP Initiative, prioritizing the focus on countering economic espionage.

The initiative establishes an enforcement strategy to protect critical sectors most vulnerable to the CCP's thievery: academic institutions, R&D labs, and the defense industrial base.

The rollback of the China Initiative left us lacking a dedicated approach and no oversight on issues of critical national interest. This bill fixes the administration's mistakes by adopting a clear, multifaceted approach. It builds a framework of multiagency cooperation and mutual consultation, ensuring that effective measures against our Nation's greatest threat are never compromised by an incompetent executive wing.

To ensure DOJ's cooperation and dedication of at least some resources in this area, an annual reporting requirement has been included that secures congressional oversight and involvement. The bill also requires no additional funding from Congress and has a negligible impact on the DOJ's current budget under the program.

I would like to underline that the worst affected by this rollback are people of Asian descent. People of Chinese origin in the United States, especially Chinese-American citizens, are identified and disproportionately targeted by the CCP for their schemes. The CCP ruthlessly targets and harasses people, especially those who refuse to bow down and are considered dissidents.

Letting this continue without a strong counter leaves our people extremely vulnerable to the CCP's cruelty, which emboldens China. Passing this bill will not only counter existing cases and deter new attempts to infiltrate our country but also signals that the CCP's days of targeting our communities are over.

Mr. Chair, I urge my colleagues to vote in favor of safeguarding our economy, our people, and our future against the greatest threat of our lifetimes. Join me in supporting H.R. 1398. I reserve the balance of my time.

Mr. NADLER. Mr. Chair, I yield myself such time as I may consume.

Mr. Chairman, I rise in strong opposition to H.R. 1398. This legislation, which would establish a so-called CCP Initiative within the national security division of the DOJ, is simply a rehash of the Trump administration's failed China Initiative by another name. Resurrecting this misguided program, as this bill would do, represents a clear step backwards.

When the Trump Justice Department launched what it called the China Initiative in 2018, it claimed its purpose was to counter efforts by the Chinese Government to steal American intellectual property. This might have been a laudable goal, but what actually re-

sulted was little more than a series of unsupportable cases against Chinese academics at the height of their careers that left their reputations in tatters.

The government was forced to drop many of these prosecutions. Others failed in court. Even more were overturned on appeal. No matter how you look at the data, a postmortem analysis shows that the China Initiative was an undisputed failure. From the flimsy cases brought under this program to the so-called brain drain of scientists of Chinese descent who left American research labs, the China Initiative hurt our interests here at home.

The Trump DOJ devoted significant resources to targeting professors of Chinese descent working in the United States, diverting crucial funding and personnel that could have been used to combat actual economic espionage and trade secret theft.

However, the China Initiative did not just waste valuable resources. If you were a person of Chinese descent working in American higher education, you were a suspect. Rather than keeping America safe, the China Initiative divided workplaces, ruined careers, and contributed to anti-Asian hate at the height of the pandemic.

The resulting chilling effect hampered American innovation by discouraging foreign talent from moving to American companies and disincentivizing Chinese researchers from accepting positions at our institutions of higher learning.

It is foolhardy to punish China by harming American innovation, but by discouraging researchers from working here, that is exactly what the Trump administration did with the China Initiative. Countries around the world send their best and brightest to the United States for education and to perform valuable research in our academic institutions.

Instead of welcoming their contributions to our economy and to our society, programs like the China Initiative encouraged them to take their training and their talents elsewhere.

We cannot quantify those missed opportunities. There is no way to know what inventions never came to be, but we can realize when we made a mistake and move on. This bill would prevent us from doing so.

Despite its well documented failures, reviving the China Initiative is a key plank of the ultraconservative Project 2025 agenda, the blueprint for a potential new Trump administration. Republicans cannot credibly argue that resurrecting this program is about keeping Americans and our business secrets safe because we know that racially profiling professors of Chinese descent was unsuccessful. It did, however, contribute to an us versus them mentality that divided Americans and heightened tensions across the country.

It is particularly disappointing that we are engaging in this partisan exercise because the fact is that Democrats

and Republicans largely agree that China poses a threat to the United States. There are bipartisan bills ready for markup, ones that could pass on suspension today, but instead the majority has chosen to take up bills that divide us.

Since the end of the China Initiative, the DOJ has embraced a broader strategy to counter threats from hostile nations, not just China, but Iran, North Korea, and Russia. For example, the Disruptive Technology Strike Force has been lauded by both sides of the aisle for doing what the China Initiative failed to do. It collaborates across agencies to prevent nation-state actors from illicitly acquiring our most sensitive technology by successfully investigating and prosecuting illegal procurement networks.

We are on the right path to protecting our Nation's secrets and keeping Americans safe. This legislation would take us in the opposite direction.

I oppose this legislation. I encourage my colleagues to do the same, and I reserve the balance of my time.

Mr. GOODEN of Texas. Mr. Chair, I have heard a lot about the ruined lives of intellectuals and academics. I have also heard about the conviction rate. It is true there were only eight convictions, but one of the comments made was we should focus resources on actual problems.

What happened when we did that, when we took away this China Initiative and replaced it with nothing? In the last 2 years we have only had two convictions. Our Department of Justice has really failed to protect our domestic industry. It has really failed to protect those who have been preyed on by China, and the CCP Initiative serves to correct that.

Mr. Chair, I yield 3 minutes to the gentleman from Virginia (Mr. CLINE).

□ 1700

Mr. CLINE. Mr. Chair, I thank the gentleman from Texas for offering the bill, and I rise in support of it.

The ranking member of the committee indicated that we are moving in the right direction, but in looking at the numbers coming out of this Justice Department, this Biden-Harris Justice Department, it is clear that we are not moving in the right direction. It is clear that we are not moving at all. We are standing still.

According to the Department of Justice, approximately 80 percent of all economic espionage cases prosecuted by DOJ involved theft of trade secrets by the Chinese Government or its instrumentalities or agents.

Approximately 60 percent of all trade secret misappropriation cases brought in the United States have a nexus to the People's Republic of China under the CCP.

This is a strategic and intentional campaign by the CCP of intellectual property theft against the United States that has an annual cost estimated at approximately \$500 billion.

During the Trump administration, the DOJ established the China Initiative within the Department to address the risks posed by the CCP and to prioritize prosecution of IP theft cases.

Despite the success of the China Initiative, the Biden administration bowed to pressure from radical leftists and canceled the program, and although they continue to claim that they have stood up a new program, it has not reached the successes of the China Initiative. In fact, the DOJ opened zero new economic espionage cases in 2022.

I am concerned by this administration's approach to IP theft and economic espionage by the CCP. In fact, under current law, spies operating on behalf of the CCP who have been expelled from the U.S. can immediately reapply for visas. The CCP exploits this loophole as part of their whole-of-nation approach to steal sensitive information from American companies and universities. I have a bill to close this loophole, and I thank my colleague, Mr. GOODEN, for cosponsoring it.

As the cosponsor of the bill before us today, I believe it is important that we statutorily require that the DOJ resumes its important work that was being conducted by the DOJ's China Initiative during the Trump administration. I support this legislation.

Mr. NADLER. Mr. Chair, I yield 2 minutes to the distinguished gentleman from Georgia (Mr. JOHNSON), a member of the committee.

Mr. JOHNSON of Georgia. Mr. Chair, we have seen this movie before, and it did not end well.

On the Courts, Intellectual Property, and the Internet Subcommittee where I am ranking member, we have discussed with real concern economic espionage and theft of trade secrets by the Government of China. While we have legitimate concerns, this bill is a foolish attempt and a damaging way to address those concerns.

The Department of Justice already had a China Initiative from 2018 to 2022. It failed to achieve any convictions related to economic espionage or trade secrets, yet it did cause significant real-world harm.

Many academics faced long-term personal and professional damage, and there was a chilling effect on researchers of Chinese descent. Chinese-American scientists, American citizens, mind you, reported that fear of discrimination kept them from pursuing cutting-edge research and made them avoid Federal grant applications. That chilling effect spread beyond Chinese and Chinese-American professionals.

A 2021 survey of thousands of physicists found that 43 percent of early career researchers believed that the U.S. was unwelcoming for international students and scholars.

America has thrived because it has been a land of innovation, and the China Initiative stifled that innovation.

Wisely, DOJ canceled that program in 2022. It was a failure then and it

would be a failure now. Let's leave it in the past where it belongs.

Mr. GOODEN of Texas. Mr. Chair, I yield myself such time as I may consume.

I want to say first, the current DOJ, the Biden DOJ, performed their own review, and they found not a single case was handled or considered with bias or prejudice. They concluded that all decisions were borne out of genuine national security concerns. That is in response to this claim that lives have been ruined and that these were racist pursuits.

The other thing I want to say is this bill is race, gender, and nationality neutral. Investigations are conducted based on the factual reality of the situation.

Foreign nationals tend to favor recruiting people of their own origin, and that is especially so with the CCP. A full review by the current DOJ—again, this is the Biden DOJ—found not one case of bias or prejudice.

Everything we have heard today about all these racist pursuits were based in bad intentions, which was actually unfounded and proven incorrect by the current Biden DOJ. They said that there was not one single case of bias or prejudice.

Mr. Chair, I reserve the balance of my time.

Mr. NADLER. Mr. Chair, I yield 2 minutes to the distinguished gentleman from California (Ms. CHU).

Ms. CHU. As chair of the Congressional Asian Pacific American Caucus, I rise in strong opposition to the deceptively named Protect America's Innovation and Economic Security from CCP Act. It brings back the shameful China Initiative, which is the new McCarthyism.

Rather than protecting America's innovation, this bill would hurt it with a Trump-era China Initiative, a program that assumed that researchers and scholars in America should be investigated if they had a nexus with China, such as being born there or having relatives from there. They targeted them and arrested them, but here is what you need to know: Most of the cases overwhelmingly failed to prosecute actual cases of economic espionage or trade secret theft. Nearly all cases had no connection to national security or espionage but rather paperwork mistakes. Many cases were dropped or withdrawn without explanation.

For so many researchers and professors, the damage was already done. By racially profiling innocent Asian-American scientists because of their ethnicity, the China Initiative ruined their reputations, finances, and lives. They were traumatized, arrested in front of their families, fired, and went into deep debt.

McCarthyism had deadly effects in the 1950s, and so does the China Initiative, harming our country's competitive edge by casting a chilling effect on our academic community. Let me be clear. While we all want to stop Amer-

ican secrets from being stolen, investigations should be based on evidence of criminal activity, not race and ethnicity.

This bill brings back the shameful mistakes of the China Initiative. It would stoke anti-Asian xenophobia, and it would hurt American innovation by contributing to the reverse brain drain of talent from the U.S. to the PRC from which only the CCP itself stands to benefit.

I urge my colleagues to vote "no."

Mr. GOODEN of Texas. Mr. Chair, I yield myself such time as I may consume.

I would think the Chair of the Congressional Asian Pacific American Caucus would want to stand against China with me, but I will do it alone on behalf of those who are willing to stand up against the Chinese Communist Party.

I denounce everything that has been said about this bill being racist. I absolutely denounce the false claims of racism. They are baseless.

I actually join with the Biden DOJ in saying that with the Trump prosecutions there was no bias, there was no racism. I actually would like to stand up for Chinese-American citizens that are being prosecuted, persecuted, searched after, and in some cases destroyed while some of our friends across the aisle do nothing. They get on the mike and say you guys are racist for pushing this legislation, and I think folks are tired of it. I really do.

I am really tired of seeing Chinese police stations in cities across our Nation. I am really tired of turning on the news and seeing that a spy in the New York Governor's office has been signing orders and doing all kinds of stuff in the name of the Chinese Communist Party. I am really tired of hearing stories about American citizens, Chinese-American citizens, living here—these are our people, these are our people—being persecuted by the Chinese Communist Party. That is what this bill seeks to do.

You can get up here and say this is racist and the last administration wasn't successful, but the facts are Republicans want to do something. We want to stand up to China, and we want to stand up for the Chinese-American citizens who in many cases are seeing their Representatives get on the microphone and say, you know what, we are not going to do anything. We are going to say that China is a threat, but we are not going to support any legislation that would do something about it.

I am really excited about this bill. I am even more excited about the Trump administration that is coming up because we are going to really go after China. Chinese Americans across the United States should really, really be excited about Donald Trump taking over as President because they will finally have an advocate in the White House after 4 years of being disregarded.

Mr. Chair, I reserve the balance of my time.

Mr. NADLER. Mr. Chair, I have two comments before I call on the next speaker. Number one, I wouldn't count on the next Trump administration—maybe, but I wouldn't count on it.

Number two, during the Trump administration, anti-Asian crimes spiked, and as I recall, we passed an anti-Asian crimes bill, which was signed into law by President Biden.

Mr. Chair, I yield 2 minutes to the distinguished gentleman from Texas (Mr. VEASEY).

Mr. VEASEY. Mr. Chair, I rise today to oppose the consideration of H.R. 1398, the Protect America's Innovation and Economic Security from the CCP Act.

This bill aims to combat Chinese espionage, protect intellectual property and trade secrets, and monitor threats to U.S. infrastructure posed by China.

While these are very important goals—I don't want anyone to be mistaken—the program this bill lays out closely mirrors a Trump administration program called the China Initiative, which targeted academics at American institutions for crimes allegedly related to economic espionage.

Despite the initiative's goal of combating that espionage, no one was convicted or even charged with spying in any China Initiative case.

However, what the program did do was stoke a lot of fear in the Asian-American communities and contributed to a rise in anti-Asian hate, something that I think that all of us, regardless of party, should be against.

For this reason, at the appropriate time, I will offer a motion to recommit this bill back to committee. If the House rules permitted, I would have offered the motion with an important amendment to this bill.

My amendment would be composed of H.R. 3130, the Protecting Election Administration from Interference Act which I co-led with my good friend COLIN ALLRED, also from north Texas.

What this bill would do is strengthen our democracy by establishing greater safeguards against potential election subversion efforts, something that unfortunately became very real, as most of us recall, in January 2021.

It would ensure that elections and vote counting are performed fairly, transparently, and without partisan influence.

The bill expands crucial protections for election administrators engaged in vote counting, canvassing, and election certification. It also allows a framework for punishment for people who seek to intimidate, threaten, or coerce election workers.

The CHAIR. The time of the gentleman has expired.

Mr. NADLER. Mr. Chair, I yield the gentleman an additional 1 minute.

Mr. VEASEY. Mr. Chair, the bill also expands protections for election administrators, again, that are engaged in vote counting, canvassing, and election certification. It allows for a framework of punishment for people that seek to intimidate these workers.

The bill also recognizes missing pieces from existing law in terms of protections for digital election records. In an increasingly technological world that we all live in, we must keep our laws up to date with the times.

Mr. Chair, I hope my colleagues will join me in voting for the motion to recommit, and I include in the RECORD the text of the amendment.

Mr. Veasey moves to recommit the bill H.R. 1398 to the Committee on the Judiciary with instructions to report the same back to the House forthwith, with the following amendment:

Strike the text and insert the following:

SECTION 1. SHORT TITLE.

This Act may be cited as the "Protecting Election Administration from Interference Act of 2023".

SEC. 2. ENHANCEMENT OF PROTECTIONS FOR ELECTION RECORDS, PAPERS, AND EQUIPMENT.

(a) PRESERVATION OF RECORDS, PAPER, AND EQUIPMENT.—Section 301 of the Civil Rights Act of 1960 (52 U.S.C. 20701) is amended—

(1) by striking "Every officer" and inserting the following:

"(a) IN GENERAL.—Every officer";

(2) by striking "records and papers" and inserting "records (including electronic records), papers, and election equipment" each place the term appears;

(3) by striking "record or paper" and inserting "record (including electronic record), paper, or election equipment";

(4) by inserting "(but only under the direct administrative supervision of an election officer). Notwithstanding any other provision of this section, the paper record of a voter's cast ballot shall remain the official record of the cast ballot for purposes of this title" after "upon such custodian";

(5) by inserting ", or acts in reckless disregard of," after "fails to comply with"; and

(6) by inserting after subsection (a) the following:

"(b) ELECTION EQUIPMENT.—The requirement in subsection (a) to preserve election equipment shall not be construed to prevent the reuse of such equipment in any election that takes place within twenty-two months of a Federal election described in subsection (a), provided that all electronic records, files, and data from such equipment related to such Federal election are retained and preserved.

"(c) GUIDANCE.—Not later than 1 year after the date of the enactment of this subsection, the Director of the Cybersecurity and Infrastructure Security Agency of the Department of Homeland Security, in consultation with the Election Assistance Commission and the Attorney General, shall issue guidance regarding compliance with subsections (a) and (b), including minimum standards and best practices for retaining and preserving records (including electronic records), papers, and election equipment in compliance with subsections (a) and (b). Such guidance shall also include protocols for enabling the observation of the preservation, security, and transfer of records (including electronic records), papers, and election equipment described in subsection (a) by the Attorney General and by a representative of each party, as defined by the Attorney General."

(b) PENALTY.—Section 302 of the Civil Rights Act of 1960 (52 U.S.C. 20702) is amended—

(1) by inserting ", or whose reckless disregard of section 301 results in the theft, destruction, concealment, mutilation, or alteration of," after "or alters"; and

(2) by striking "record or paper" and inserting "record (including electronic record), paper, or election equipment".

(c) INSPECTION, REPRODUCTION, AND COPYING.—Section 303 of the Civil Rights Act of 1960 (52 U.S.C. 20703) is amended by striking "record or paper" and inserting "record (including electronic record), paper, or election equipment" each place the term appears.

(d) NONDISCLOSURE.—Section 304 of the Civil Rights Act of 1960 (52 U.S.C. 20704) is amended by striking "record or paper" and inserting "record (including electronic record), paper, or election equipment".

(e) JURISDICTION TO COMPEL PRODUCTION.—Section 305 of the Civil Rights Act of 1960 (52 U.S.C. 20705) is amended by striking "record or paper" and inserting "record (including electronic record), paper, or election equipment" each place the term appears.

SEC. 3. JUDICIAL REVIEW FOR ELECTION RECORDS.

Title III of the Civil Rights Act of 1960 (52 U.S.C. 20701 et seq.), is amended—

(1) by redesignating section 306 as section 307; and

(2) by inserting after section 305 the following:

"SEC. 306. JUDICIAL REVIEW TO ENSURE COMPLIANCE.

"(a) RIGHT OF ACTION.—The Attorney General, a representative of the Attorney General, or a candidate in a Federal election described in section 301 may bring an action in the district court of the United States for the judicial district in which a record (including electronic record), paper, or election equipment is located, or in the United States District Court for the District of Columbia, to compel compliance with the requirements of section 301.

"(b) DUTY TO EXPEDITE.—It shall be the duty of the court to advance on the docket, and to expedite to the greatest possible extent the disposition of, the action and appeal under this section."

SEC. 4. CRIMINAL PENALTIES FOR INTIMIDATION OF TABULATION, CANVASS, OR CERTIFICATION EFFORTS.

Section 12(1) of the National Voter Registration Act of 1993 (52 U.S.C. 20511(1)) is amended—

(1) in subparagraph (B), by striking "or" at the end; and

(2) by adding at the end the following:

"(D) processing or scanning ballots, or tabulating, canvassing, or certifying voting results; or".

Mr. GOODEN of Texas. Mr. Chair, I reserve the balance of my time.

Mr. NADLER. Mr. Chair, I yield 2 minutes to the gentleman from Illinois (Mr. KRISHNAMOORTHY).

□ 1715

Mr. KRISHNAMOORTHY. Mr. Chair, today I rise in opposition to the partisan H.R. 1398. Unfortunately, this new "CCP initiative" that this bill creates is simply a knockoff version of the China Initiative created by Donald Trump which was notorious for racially profiling researchers of Asian descent.

Of the individuals charged under that initiative, the vast majority of cases did not result in a finding of guilt. The lives of far too many of those charged but not convicted of a crime were ruined simply because they were "researching while Chinese."

The China Initiative was not only weak, it was pernicious and wrong.

The current administration shut down the China Initiative and in its place stood up a new task force which has effectively cracked down, among

other things, crimes involving CCP's theft of U.S. AI and missile detection technology.

Another way we can protect our security is to pass the bipartisan, bicameral international trade crimes bill that I introduced alongside my colleagues on the Select Committee on the CCP. This bill creates a new unit at Department of Justice to criminally prosecute trade crimes committed by the CCP and others which seriously harm our innovators, companies, and workers.

It is essential that we confront the CCP's economic threat. There is a legitimate competition that we must win against the CCP, but H.R. 1398 does not take the initiative in doing so.

Mr. Chair, I strongly urge my colleagues to vote "no" on 1398.

Mr. NADLER. Mr. Chair, I reserve the balance of my time.

Mr. GOODEN of Texas. Mr. Chair, I reserve the balance of my time.

Mr. NADLER. Mr. Chair, I yield 2 minutes to the distinguished gentlewoman from Hawaii (Ms. TOKUDA).

Ms. TOKUDA. Mr. Chair, there is no denial that the CCP has worked for decades to steal our intellectual property and research in critical technologies. We should be here today finding real solutions, not putting up false choices to combat those efforts and defend our national security.

Instead, Republicans are obsessed with starting a racially charged witch hunt against Asian Americans across the country. They want to revive the Trump administration's failed China Initiative, which overwhelmingly targeted people of Chinese descent, destroying careers and spreading fear.

Despite years of damage, with Asian Americans across the country have been telling us that the China Initiative was racially profiling them and infringing on their civil rights, yet House Republicans' proposal for a restarted CCP initiative includes no language that would address those concerns. I filed an amendment to try and address this issue, but House Republicans refused to allow my amendment to be considered.

In their single-minded focus on the CCP, they have forgotten the lessons of our country's history in targeting Asian Americans and the lives that have been destroyed as a result of it.

According to a recent national academic survey, 86 percent have said that it is harder to recruit international students than just 5 years ago, 72 percent do not feel safe as an academic researcher, and 61 percent have thought of leaving the U.S. altogether.

We already know the harmful, chilling impacts of the China Initiative on our scientific enterprise and ultimately our national security. For years, the CCP has been focused on recruiting scientific talent. Thanks to the CCP initiative's reverse brain drain, we are now driving our best scientists straight into the arms of the CCP.

The bottom line is that this bill is not just unnecessary, it undermines and destroys our research competitiveness and our national security. It is harmful to the civil rights that generations of Asian Americans have fought so hard to defend. I find it amusing that my colleague on the other side of the aisle feels that Republicans and Trump did so much for our Chinese Americans. From what I saw and what I felt as an Asian-American woman all we got from Trump was xenophobia, anti-Asian hate and racism. We are not going to go back. We will not be re-victimized again, and it is downright un-American.

Mr. Chair, I urge my colleagues to stand for Asian Americans across the country and vote against this egregious bill.

Mr. NADLER. Mr. Chair, I reserve the balance of my time.

The CHAIR. Members are reminded to refrain from engaging in personalities toward nominees for the Office of President.

Mr. GOODEN of Texas. Mr. Chair, I yield myself such time as I may consume.

Mr. Chair, I am sorry that my colleagues are amused because Republicans are horrified. We are sickened by what China is doing to Chinese Americans. If the Asian Pacific American Caucus would love to put their sign up there while they denounce this fantastic bill, if they would like a member of their caucus who will fight for and on behalf of Chinese-American citizens, then I would be happy to join. Get me an application. However, until that happens, until all Members of this Chamber wake up and realize that China is the real threat here and realize that the main talking point, what they do as they come, and any time someone stands up against China, they start playing the race card because they know if they play the race card, they will get folks to shut up.

China just loves it. I am sure they are watching this debate in Beijing and laughing every time someone gets up and calls this policy racist. I am sure they are just loving it to see folks get up and talk about the China Initiative that the Biden DOJ so fantastically got rid of and what a success it was for China.

The Biden DOJ has even said since then that there was no bias and there was no racism.

So everything we are hearing today is just false. I am not going to call someone a liar, but I am going to tell you that what we are hearing today, Mr. Chair, is false. I heard from Mr. NADLER before he reserved a while ago. He said crimes against Asian Americans were up in the Trump era.

What person with a brain in America thinks that Donald Trump is the reason crime is up anywhere?

Joe Biden is the reason, and KAMALA HARRIS is the reason that crime is through the roof in this Nation. Americans are unsafe.

Mr. NADLER said: I wouldn't count on a Trump victory.

Frankly, I am not going to count on anything in the days we live in, but I can count on the American people to not hold Donald Trump responsible for the crime epidemic that we are experiencing in this Nation.

I am baffled by the opposition to this bill and the silliness on the other side that insinuates Donald Trump as somehow behind some kind of crime spike. Give me a break. The American people know who is behind this crime, and they are going to watch her talk about it tonight. If she won't talk about it, then I hope Mr. President, Donald Trump, will, as I know all Americans believe he is the one to stand against this spike in crime that I am so happy Democrats acknowledge exist.

Mr. Chair, I reserve the balance of my time.

Mr. NADLER. Mr. Chair, I yield myself such time as I may consume.

Mr. Chair, it has been said that figures don't lie but liars figure. The figures are very clear. Crime has gone down under the Biden administration. I don't care what anybody in this Chamber says. Those are the statistics. Consult the FBI and crime statistics. Crime has gone down every single year since the Biden administration took office. No one can debate that, at least no one can debate that if you believe the FBI statistics or any other statistics, unless you are getting your information from the Trump campaign or from Project 2025 or other less than honest sources.

Having said that, I urge the defeat of this bill, and I reserve the balance of my time.

Mr. GOODEN of Texas. Mr. Chair, I will just say this: If you believe that crime is down under Joe Biden, then you probably believe the border is secure.

Mr. Chair, I reserve the balance of my time.

Mr. NADLER. Mr. Chair, I yield myself the balance of my time to close.

Mr. Chairman, using fear and division for political benefit while pushing policies that hurt American innovation and American ideals is irresponsible and dangerous. However, that is exactly what we are doing here today.

The China Initiative was a divisive program that made Americans afraid of one another and produced zero benefits. Donald Trump and the MAGA movement had 4 years to come up with new policy solutions, but they decided to play politics instead.

Just last week, we learned that the Russian Government was paying conservative influencers in an attempt to manipulate our elections. We also know that they are not the only hostile foreign nation trying to do so.

We should be working to address that threat. We should be working to protect our elections. Instead, we are taking part in a partisan exercise that does nothing except take our eye off the ball to the real dangers to our people, our government, and our businesses.

There is so much we could do together. Under the Biden-Harris administration we enacted the bipartisan Chips and Science Act which has sparked tremendous investment in domestic manufacturing of computer chips crucial to national security. That is what actual leadership and that is what actual policy solutions look like. Unfortunately, Republicans have chosen the politics of division.

Instead of looking forward and developing new strategies for taking on the threats that face this Nation, the Republican majority wants to take us back to the failed policies of the past. The Chinese Government poses real threats, but this bill would do nothing to address them while setting back our efforts to take meaningful action.

The China Initiative failed to address any of the actual threats posed by the Chinese Government and only succeeded in ruining the careers of academics and scientists of Chinese descent while stifling American innovation.

Mr. Chair, I urge my colleagues to oppose this legislation, and I yield back the balance of my time.

Mr. GOODEN of Texas. Mr. Chair, I yield myself the balance of my time.

Mr. Chair, fear and division is what the Chinese Communist Party hopes that we will become all about.

This bill seeks to stop China and the Chinese Communist Party's efforts to destroy this Nation. That is their ultimate goal. Every time a Member of Congress gets up and says that any effort to defeat China is a racist effort is really unfortunate.

However, I do believe that common sense will prevail. I do believe we will pass this tomorrow, and I want to thank everyone for their support.

This bill is an important tool. It is one of many tools we are passing this week.

We are spreading the word and sharing with the American people that Republicans are serious about standing up to China, that Donald Trump is serious about standing up to China. Despite the fact that we have taken the last 4 years off and let China climb ahead, and we have opened our borders and said send as many millions of folks that you want, I do believe the American people deserve better, and I think they will vote for better. We have let the crime rate spike, we have just let it happen, and it is a real shame.

Mr. Chair, I appreciate my colleagues' consideration, I urge a "yes" vote, and I yield back the balance of my time.

The CHAIR. All time for general debate has expired.

Pursuant to the rule, the bill shall be considered for amendment under the 5-minute rule.

In lieu of the amendment in the nature of a substitute recommended by the Committee on the Judiciary, printed in the bill, an amendment in the nature of a substitute consisting of the text of Rules Committee Print 118-45, shall be considered as adopted.

The bill, as amended, shall be considered as the original bill for the purpose of further amendment under the 5-minute rule and shall be considered as read.

The text of the bill, as amended, is as follows:

H.R. 1398

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 "Protect America's Innovation and Economic Security from CCP Act of 2024".

SEC. 2. CCP INITIATIVE.

(a) *ESTABLISHMENT.*—There is established in the National Security Division of the Department of Justice the CCP Initiative to—

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

(2) curb spying by the Chinese Communist Party on United States intellectual property and academic institutions in the United States;

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

(4) implement the Foreign Investment Risk Review Modernization Act of 2018 (title XVII of division A of the John S. McCain National Defense Authorization Act for Fiscal Year 2019 (Public Law 115-232; 132 Stat. 2173)) for the Department of Justice, including by working with the Department of the Treasury to develop regulations under that Act;

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

(6) prioritize—

(A) identifying and prosecuting those engaged in trade secret theft, hacking, and economic espionage; and

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

(b) *CONSULTATION.*—In executing the CCP Initiative's objectives as set forth in subsection (a), the Attorney General, acting through the Assistant Attorney General for National Security, shall consult with relevant components of the Department of Justice as necessary, and coordinate activities with the Federal Bureau of Investigation and any other Federal agency as necessary.

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

(1) the Initiative shall be separate from and not under the authority or discretion of any other Department of Justice initiative dedicated to countering nation-state threats; and

(2) all resources used for the CCP Initiative shall solely be set aside for the CCP Initiative and shall not be combined to support any other Department of Justice program, including other programs and initiatives dedicated to countering nation-state threats.

(d) *ANNUAL REPORT.*—The Attorney General shall submit annually a written report to the Committee on Homeland Security and Governmental Affairs and the Committee on the Judiciary of the Senate, and the Committee on Homeland Security and the Committee on the Judiciary of the House of Representatives, on the progress and challenges of the CCP Initiative over the preceding year, including—

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

(2) the amount and sufficiency of resources provided to, and expended by, the CCP Initiative;

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

(4) the status of efforts by the Chinese Communist Party to engage in trade secret theft, hacking, and economic espionage; and

(5) the impact of the CCP Initiative on those efforts of the Chinese Communist Party.

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

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

The CHAIR. No further amendment to the bill, as amended, shall be in order except those printed in part A of House Report 118-656. Each such further amendment may be offered only in the order printed in the report, by a Member designated in the report, shall be considered read, shall be debatable for the time specified in the report equally divided and controlled by the proponent and an opponent, shall not be subject to amendment, and shall not be subject to a demand for division of the question.

AMENDMENT NO. 1 OFFERED BY MR. GOTTHEIMER

The CHAIR. It is now in order to consider amendment No. 1 printed in part A of House Report 118-656.

Mr. GOTTHEIMER. Mr. Chair, I have an amendment at the desk.

The CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

Page 4, line 6, strike "and" at the end.

Page 4, line 8, strike the period at the end and insert "; and".

Page 4, insert after line 8 the following:

(6) the level and effectiveness of coordination and information sharing between Government agencies and private companies about economic espionage threats.

The CHAIR. Pursuant to House Resolution 1430, the gentleman from New Jersey (Mr. GOTTHEIMER) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from New Jersey.

Mr. GOTTHEIMER. Mr. Chair, I rise in support of my amendment, which would require the Department of Justice's report, as mandated under this bill, to examine public-private sector coordination regarding economic espionage threats.

According to the Center for Strategic and International Studies, there have been 224 documented cases of Chinese espionage directed at the United States since 2000, and that doesn't even count the more than 1,200 cases of intellectual property theft lawsuits brought by American companies against Chinese stakeholders. These tactics cost Americans billions, yes, billions with a b, each year.

Individuals tied to the Chinese Government have been caught spying on companies that are producing our Nation's critical infrastructure. In 2022, a Chinese national was convicted of spying while working as an engineer at General Electric. Back in 2024, the Department of Justice charged five Chinese military hackers for spying on U.S. Steel, Westinghouse Electric, and more.

From energy to consumer electronics to advanced technologies, CCP-backed individuals aim to steal secrets that give Chinese industry a leg up over American industry and undermine our country and economy.

This espionage is as much a national security threat as it is an economic issue. As a member of both the Intelligence and Financial Services Committees, I believe it is critical that the public and private sectors work together to detect, coordinate, and develop responses to espionage.

Private-sector companies are the hardest hit by this espionage, and they have been on the front lines of responding to breaches and hackers. We in the Federal Government have much to gain by coordinating with the private sector.

With this amendment, we are making it clear that protecting American innovation is a team effort. We need everyone, business leaders, the intelligence community, lawmakers, and researchers, working together to stop economic espionage, maintain America's economic leadership, and guarantee our national security.

Mr. Chair, I urge my colleagues to join me in supporting this common-sense amendment, and I reserve the balance of my time.

□ 1730

Mr. GOODEN of Texas. Mr. Chair, I claim the time in opposition, even though I am not opposed to the amendment.

The CHAIR. Without objection, the gentleman is recognized for 5 minutes.

Mr. GOODEN of Texas. Mr. Chair, the amendment would require the annual report to Congress in this bill to include a description of the level and effectiveness of coordination and information sharing between government entities and private companies about economic espionage threats.

American companies and innovation have led the way for over a century, and the first line of defense to preventing economic espionage and intellectual property theft is the vigilance of the owners of this property. Including this information in the report will ensure that Congress can adequately oversee the CCP Initiative and ensure that it is meeting its objectives.

Mr. Chair, I yield back the balance of my time.

Mr. GOTTHEIMER. Mr. Chair, I yield back the balance of my time.

The CHAIR. The question is on the amendment offered by the gentleman from New Jersey (Mr. GOTTHEIMER).

The amendment was agreed to.

AMENDMENT NO. 2 OFFERED BY MR. GOTTHEIMER
The CHAIR. It is now in order to consider amendment No. 2 printed in part A of House Report 118-656.

Mr. GOTTHEIMER. Mr. Chair, I have an amendment at the desk.

The CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

Page 4, line 4, insert “and the financial intelligence capabilities of” after “the status of efforts by”.

The CHAIR. Pursuant to House Resolution 1430, the gentleman from New Jersey (Mr. GOTTHEIMER) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from New Jersey.

Mr. GOTTHEIMER. Mr. Chair, I rise in support of my amendment, which would require the Department of Justice report, as mandated under this bill, to examine the Chinese Communist Party's financial intelligence capabilities and, more broadly, the role of China's intelligence agencies and economic espionage.

Let me start by outlining the scope of the problem. China is the main source of economic espionage against the United States. About 80 percent of the economic espionage cases that the Department of Justice prosecutes involve China and its affiliates. Anything that we can do to monitor the Chinese intelligence ecosystem will help in our fight to stop economic espionage here at home.

As a member of the House Committee on Financial Services and the Permanent Select Committee on Intelligence, I am keenly aware of the public-private sector fusion in China. Because of its 2017 intelligence law, the CCP and Chinese intelligence agencies have disproportionate power over the country's industry. As we have seen with TikTok, industry and government are working in concert, at the direction and funding of the CCP, to undermine our country.

Chinese intelligence agencies are the linchpin to understand the coordinated campaign to steal and profit from American trade secrets. That is precisely why I have offered my amendment. We need the United States Federal Government to monitor these agencies' role in economic espionage.

Maintaining America's economic competitiveness is something that we can all agree on. I urge my colleagues on both sides of the aisle to support this amendment so that we can get a fuller picture of Chinese intelligence agencies' role in economic espionage and actually stop them in the process.

Mr. Chair, I reserve the balance of my time.

Mr. GOODEN of Texas. Mr. Chair, I claim the time in opposition, even though I am not opposed to the amendment.

The CHAIR. Without objection, the gentleman is recognized for 5 minutes. There was no objection.

Mr. GOODEN of Texas. Mr. Chair, this amendment would require the annual report to Congress in this bill to include a description of the CCP's financial intelligence capabilities.

The CCP has decided that the fastest way to catch up to the technological leadership of the United States is to steal U.S. intellectual property. This theft is not only an economic issue but also a national security issue.

Technological success often leads to financial success. By engaging in financial intelligence activities, the CCP can ascertain which companies and entities have the most valuable intellectual property.

To appropriately counter the economic and national security threats posed by the CCP, we need to understand their ability to conduct financial intelligence activities.

Mr. Chair, I yield back the balance of my time.

Mr. GOTTHEIMER. Mr. Chair, I thank Mr. GOODEN for the support of these two amendments, and I yield back the balance of my time.

The CHAIR. The question is on the amendment offered by the gentleman from New Jersey (Mr. GOTTHEIMER).

The amendment was agreed to.

AMENDMENT NO. 3 OFFERED BY MR. MOLINARO

The CHAIR. It is now in order to consider amendment No. 3 printed in part A of House Report 118-656.

Mr. MOLINARO. Mr. Chair, I have an amendment at the desk.

The CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

Page 4, line 6, strike “and” at the end.

Page 4, line 8, strike the period at the end and insert “; and”.

Page 4, insert after line 8 the following:

(6) an assessment of the economic loss to the United States as a result of hacking and trade secret theft by the Chinese Communist Party.

The CHAIR. Pursuant to House Resolution 1430, the gentleman from New York (Mr. MOLINARO) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from New York.

Mr. MOLINARO. Mr. Chair, you pronounced my name better than my own grandmother.

Mr. Chair, the underlying bill, the Protect America's Innovation and Economic Security from CCP Act of 2024, importantly counters the Chinese Communist Party's illegal and grossly unethical practice of stealing trade secrets, economic espionage, and hacking against American companies.

The bill does this, as we note, by establishing a special office at the Department of Justice whose sole purpose is to identify and prosecute those who engage in this illegal behavior. The office will also work to protect critical infrastructure in the United States against external threats from China.

The bill also requires a report from the Attorney General to Congress. My amendment includes in this report an assessment of the economic loss to the United States as a result of hacking and trade secret theft by China.

We currently don't have an accurate number as to how much economic damage the Chinese Communist Party has caused the United States through economic espionage, hacking, and intellectual property theft. My amendment will allow us to quantify the true monetary toll China is causing to our economy and our businesses and allow us to

see how impactful this underlying legislation really is.

The United States is the biggest economy in the world because we encourage innovation and entrepreneurship. China doesn't and instead relies on stealing our innovations, our ideas, for their benefit. This amendment will highlight just how damaging China is to our economy.

Mr. Chair, I urge my colleagues to adopt this amendment, and I reserve the balance of my time.

Mr. NADLER. Mr. Chair, I claim the time in opposition, even though I am not opposed to the amendment.

The CHAIR. Without objection, the gentleman from New York is recognized for 5 minutes.

There was no objection.

Mr. NADLER. Mr. Chair, this amendment would add to the annual report a study on the impact of hacking and trade secret theft by the PRC on the United States economy.

If anything, this amendment highlights the magnitude of agreement between Republicans and Democrats on the danger from the Government of China to our economy and our security. I have no problem with the Department of Justice increasing its reporting to us. I, too, would like to know how hacking by PRC-affiliated groups impacts the United States economy.

For that matter, I would like to know how it impacts our elections and our national security, too. If this bill only consisted of its annual report section, we could all agree and move on. Agreement, however, is not a possibility under this partisan exercise.

The China Initiative is part of the Trump Project 2025 agenda not because of its potential for good bipartisan work, but, rather, when the China Initiative was an active program, it divided Americans and encouraged foreign scientists to leave our research labs.

This bill would do the same, and improving the reporting section unfortunately will not change that.

Mr. Chair, I reserve the balance of my time.

Mr. MOLINARO. Mr. Chair, I appreciate my colleague's support of my amendment. I look forward to bipartisan support of the bill in chief, and I yield back the balance of my time.

Mr. NADLER. Mr. Chair, I yield back the balance of my time.

The CHAIR. The question is on the amendment offered by the gentleman from New York (Mr. MOLINARO).

The amendment was agreed to.

AMENDMENT NO. 4 OFFERED BY MR. MOLINARO

The CHAIR. It is now in order to consider amendment No. 4 printed in part A of House Report 118-656.

Mr. MOLINARO. Mr. Chair, I have an amendment at the desk.

The CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

Page 2, line 16, strike "and" at the end.

Page 2, line 20, strike the period at the end and insert "; and".

Page 2, insert after line 20, the following:

(C) identifying Chinese Communist Party theft of intellectual property from small businesses.

The CHAIR. Pursuant to House Resolution 1430, the gentleman from New York (Mr. MOLINARO) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from New York.

Mr. MOLINARO. Mr. Chair, my amendment at the desk adds a requirement to the bill in chief that the Department of Justice identifies all cases of intellectual property theft of American small businesses by the Chinese Communist Party. Even in upstate New York, we have businesses that have reported firsthand how their innovations have been completely stolen by the Chinese Communist Party.

Now, just because China doesn't believe in capitalism doesn't mean they can steal our Nation's best and brightest ideas and the hard work of good Americans, all of this created through the opportunities of capitalism and what capitalism provides.

This amendment will help us better understand the true scope to which China is harming our small businesses and our economy and will provide us with information needed to best target the criminal actors behind these cowardly crimes.

Mr. Chair, I urge my colleagues to adopt the amendment, and I reserve the balance of my time.

Mr. NADLER. Mr. Chair, I claim the time in opposition, even though I am not opposed to the amendment.

The CHAIR. Without objection, the gentleman from New York is recognized for 5 minutes.

There was no objection.

Mr. NADLER. Mr. Chair, this amendment would require agencies to identify intellectual property theft of small businesses by the CCP. I have no concerns with adding this to the legislation, and I agree that it is important that we root out instances of intellectual property theft of small businesses.

Unfortunately, adding this provision to H.R. 1398 does not make small businesses any safer from IP theft by the Government of China. In fact, it puts them in even more danger.

Since the end of the China Initiative, the Department of Justice has implemented the Strategy for Countering Nation-State Threats and the Disruptive Technology Strike Force, which have been effective at rooting out economic espionage and trade theft by nation-states, including China.

The China Initiative was a total failure. Adding this well-intentioned amendment to Frankenstein's monster is not going to make this program less of a failure when we resurrect it.

Moreover, by requiring the DOJ to create a duplicate program and then attempting to impose limitations on the use of resources, this bill dilutes and ultimately reduces the ability of

prosecutors and investigators to respond to the range of foreign threats faced by the United States.

Again, I support this amendment and the spirit with which it is offered, even though it would not improve the underlying bill.

Mr. Chair, I reserve the balance of my time.

Mr. MOLINARO. Mr. Chair, I appreciate my colleague's full-throated endorsement of my amendment, and I yield back the balance of my time.

Mr. NADLER. Mr. Chair, I yield back the balance of my time.

The CHAIR. The question is on the amendment offered by the gentleman from New York (Mr. MOLINARO).

The amendment was agreed to.

AMENDMENT NO. 5 OFFERED BY MR. MILLS

The CHAIR. It is now in order to consider amendment No. 5 printed in part A of House Report 118-656.

Mr. MILLS. Mr. Chair, I rise as the designee for the gentleman from Florida (Mr. DONALDS), and I have an amendment at the desk.

The CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

Page 4, line 6, strike "; and" and insert a semicolon.

Page 4, after line 6, insert the following (and redesignate accordingly):

() an analysis of the use of unmanned aircraft and associated elements (including communication links and the components that control the unmanned aircraft required for the operator to operate safely and efficiently in the national airspace system) by the CCP; and

The CHAIR. Pursuant to House Resolution 1430, the gentleman from Florida (Mr. MILLS) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Florida.

Mr. MILLS. Mr. Chair, I thank the gentleman from Texas (Mr. GOODEN) for crafting this legislation that protects America's innovation and economic security from CCP activity.

I rise today in support of this bill, as well as to offer an amendment on behalf of Congressman BYRON DONALDS, my fellow Florida man.

This amendment would modify the underlying bill to include an analysis of the national security risks of the CCP's unmanned aircraft and associated elements in the national airspace system.

Chinese drones are accounting for about 70 percent of the global drone market and 90 percent of the U.S. drone market. Additionally, Chinese drones have actively been undercutting U.S. Government contracts and U.S. companies by at least 50 percent.

Federal, State, and local governments use these Chinese drones for activities that include highly sensitive information for evaluating critical infrastructure and military operations.

Data stored from Chinese drones are subject to Chinese cybersecurity law, which requires New York operators to store select data within China and allows Chinese authorities to receive critical data notification.

China also dominates in critical manufacturing parts, including the semiconductors and communications equipment that are found in almost every drone today.

China has been known to have the capabilities to track and affect flights of the CCP drones, which could become problematic even to American aircraft.

If you haven't picked it up yet, the Chinese drones are a major national and economic security risk to the United States. This amendment will provide a crucial analysis of CCP unmanned aircraft and associated elements in the national airspace system, which will enable the United States to craft solutions to defend ourselves from these national and economic risks.

□ 1745

Congressman DONALDS is right to be concerned with the proliferation of Chinese drone technology and the security threats which they pose. I am proud to offer this amendment on behalf of the gentleman from Florida (Mr. DONALDS), and I urge all Members who want to protect America's innovation and economic security to join me in supporting it and the underlying legislation.

Mr. Chair, I reserve the balance of my time.

Mr. NADLER. Mr. Chairman, I claim the time in opposition to the amendment, even though I am not opposed to it.

The CHAIR. Without objection, the gentleman from New York is recognized for 5 minutes.

There was no objection.

Mr. NADLER. Mr. Chairman, this amendment would require an analysis of the use of unmanned aircraft by the PRC, as well as related elements, such as communication links and components required to operate safely and efficiently in national airspace.

I appreciate that the gentleman from Florida is curious about spying by the PRC in the United States. I think we all are. As with all of these other amendments, even if, by themselves, they were a good or even just neutral idea, they cannot make the China Initiative redux any better. I have said this repeatedly throughout this process. We agree on the threat from the government of China, so what is the purpose of bringing up a bill that divides us?

I would also note that the investigation into the PRC's use of CUAS to spy on the United States is being conducted by multiple agencies, including the Pentagon, the Department of Homeland Security, and the FBI.

Some Republicans in Congress have fought to defund the FBI and CISA over the past 2 years. Agencies that are working to counter nation-state threats are the very same ones that some of my colleagues across the aisle want to destroy.

If we want to keep America safe and our economy strong, the best action we

can take is to fund the government entirely and in a bipartisan fashion, but, instead, we are here in this Chamber playing politics instead.

Mr. Chair, I yield back the balance of my time.

Mr. MILLS. Mr. Chair, I thank the gentleman from New York (Mr. NADLER) for his support, endorsement, and also understanding that I hear what the gentleman is saying, but I say one thing: We must be reminded of the China Initiative established in 2018, which was eliminated by the Biden-Harris administration in February of 2022, where over \$500 billion prior to that had been stolen by the Chinese CCP and the PRC.

I want to caution the fact that support for H.R. 1398 does, in fact, help us and is not considered to be an anti-Asian bill, as Members on the other side of the aisle tried to establish.

Mr. Chair, I yield back the balance of my time.

The CHAIR. The question is on the amendment offered by the gentleman from Florida (Mr. MILLS).

The amendment was agreed to.

AMENDMENT NO. 6 OFFERED BY MR. MILLS

The CHAIR. It is now in order to consider amendment No. 6 printed in part A of House Report 118-656.

Mr. MILLS. Mr. Chair, I have an amendment at the desk.

The CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

Page 2, line 12, strike "and" at the end.

Page 2, line 20, strike the period at the end and insert "; and".

Page 2, insert after line 20 the following:

(7) investigate investments made by Chinese companies included on the Entity List maintained by the Bureau of Industry and Security of the Department of Commerce or the People's Republic of China Military Companies list maintained by the Department of Defense, and report to the Secretary of Commerce and the Secretary of Defense on any findings of such investigations, including findings related to subsidiaries or other entities controlled by such companies, whether or not such subsidiaries or other entities are registered in or operate in the People's Republic of China.

The CHAIR. Pursuant to House Resolution 1430, the gentleman from Florida (Mr. MILLS) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Florida.

Mr. MILLS. Mr. Chairman, I thank, once again, the gentleman from Texas (Mr. GOODEN), for yielding me the time and putting together this important bill, the Protect America's Innovation and Economic Security from CCP Act.

Mr. Chair, I rise today in support of this legislation as well as to offer an amendment to it.

As has been noted, the annual cost of intellectual property theft is estimated to be around \$500 billion annually. What are we doing about it?

The Trump administration created a program to counteract this espionage and prosecute individuals that were taking advantage of American inge-

nuity and innovation. However, the Biden-Harris administration canceled yet another program that was working.

It is ironic how this has happened so many times, Mr. Chairman. Trump policies at the border are keeping Americans safe; we better cancel them.

Trump policies are working to grow the economy and people's paychecks; we better cancel them.

Trump policies are promoting peace around the world. We can't have that.

Following the Biden-Harris shutdown of the China Initiative, there were zero, I repeat, zero, new economic espionage cases that were opened in 2022. It reminds me of the progressive DAs in Democrat-run cities that have stopped prosecuting crimes and that are saying: Look, crime is down. You are safe with me now.

Well, we are not safe in this country, Mr. Chairman, nor are we safe from the threats abroad with the Biden-Harris administration.

My amendment is very straightforward. When the DOJ prosecutes bad actors linked to the Chinese Communist Party, and they certainly will, they are directed to share that information with the Department of Defense and the Department of Commerce so they can update their blacklist and further protect American companies.

This includes down to the subsidiary level where CCP entities get caught trying to evade detection through corporate proxies. For example, we have seen, when the Aviation Industry Corporation of China, also called AVIC, and the China Airborne Missile Academy was placed on the DOD's Chinese military companies list. While the DOD and defense contractors are prohibited from acquiring materials from AVIC, equipment made by the sanctioned company continues to find its way into our defense supply chains through a subsidiary company and part of AVIC.

This abuse is not specific to any one company or any one subsidiary, but it is a tactic utilized by the CCP to obscure its economic warfare and to fog financial connections.

We simply can't allow this, Mr. Chairman. I urge adoption of this amendment and the underlying bill to better protect America, Americans, and American interests.

Mr. Chair, I reserve the balance of my time.

Mr. NADLER. Mr. Chairman, I claim the time in opposition to the amendment.

The CHAIR. Without objection, the gentleman from New York is recognized for 5 minutes.

Mr. NADLER. Mr. Chair, this amendment would require prosecutors to investigate investments made by Chinese companies and subsidiaries listed on the Bureau of Industry and Security's Entity List and the DOD's PRC Military Companies List.

Mr. Chair, I oppose this amendment primarily because the language here exemplifies the broader problem with

the entire legislation. By requiring an agency to investigate certain parties, the China Initiative did not give prosecutors leeway to prioritize cases or to choose where to expend resources. This all-or-nothing approach resulted in a culture of fear in research labs across America with few successful prosecutions to show for it.

This approach is what led to investigations of grant applications for paperwork errors. Rather than looking for the individuals seeking to commit trade crimes, the requirement to investigate relegated many DOJ prosecutors to the role of meter maids handing out parking tickets.

Mr. Chair, I am also opposed to this amendment because we already do something very similar. The Committee on Foreign Investment in the United States already looks at all pending Chinese investments into the United States.

This amendment would duplicate this work, causing a further strain on the limited resources available at the Department of Justice.

Finally, the language is unclear as to the limit of these investigations. This broad mandate for investigations into existing investments without any clear objective, again, could lead to the kind of overreach the original China Initiative suffered from.

Mr. Chair, I oppose this amendment and encourage my colleagues to do the same, and I reserve the balance of my time.

Mr. MILLS. Mr. Chair, I appreciate the gentleman from New York (Mr. NADLER) sharing his concerns. I argue that whatever the 2018 China Initiative had actually rendered with regards to the amount of investigations or findings is still far better than what the Biden-Harris administration has done, where they have had zero, Mr. Chairman, since 2022, when they canceled this.

I also remind everyone that this is a simple thing for us. What are we asking for here? We are asking for the DOJ to do their job, to prosecute bad actors of the Chinese Communist Party, not something that seems unreasonable, and to direct the shared information to the Department of Defense and the Department of Commerce.

Mr. Chair, if CFIUS works so well, then I would have argued that they would have blocked the sale of U.S. Steel to Nippon Steel to allow us to have an actual advantage and control our resources and economic capabilities, but they don't.

That is why I offer this amendment in an area to ensure that those companies that have been blacklisted can no longer circumvent the system and that the Department of Defense and the Department of Commerce are aware of the investigations that should be held by the Department of Justice.

Mr. Chair, I yield back the balance of my time.

Mr. NADLER. Mr. Chair, I yield back the balance of my time.

The CHAIR. The question is on the amendment offered by the gentleman from Florida (Mr. MILLS).

The amendment was agreed to.

The CHAIR. There being no further amendment, under the rule, the Committee rises.

Accordingly, the Committee rose; and the Speaker pro tempore (Ms. MALOY) having assumed the chair, Mr. LOPEZ, Chair of the Committee of the Whole House on the state of the Union, reported that that Committee, having had under consideration the bill (H.R. 1398) to establish the CCP Initiative program, and for other purposes, and, pursuant to House Resolution 1430, reports the bill, as amended by that resolution, back to the House with sundry further amendments adopted in the Committee of the Whole.

The SPEAKER pro tempore. Under the rule, the previous question is ordered.

Is a separate vote demanded on any amendment reported from the Committee of the Whole?

If not, the Chair will put them en gros.

The amendments were agreed to.

The SPEAKER pro tempore. The question is on the engrossment and third reading of the bill.

The bill was ordered to be engrossed and read a third time, and was read the third time.

The SPEAKER pro tempore. Pursuant to clause 1(c) of rule XIX, further consideration of H.R. 1398 is postponed.

IN HONOR OF PRIVATE LAWRENCE HOO-LEE

(Mr. BURCHETT asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. BURCHETT. Madam Speaker, I rise to honor Private Lawrence Hoo-lee, an American hero who served in World War II. In 1943, after graduating from high school, he joined the Marine Corps and began basic training at Parris Island, South Carolina, at 18 years old.

After basic training, he was assigned to the 4th Marine Division and sent to Hawaii. He was with the 24th Regiment that landed at Roi-Namur Island. His unit took part in the invasion of Eniwetok, and then prepared for the invasion of Iwo Jima.

Private Hoo-lee's next mission was the invasion of the Japanese home islands. On the way to capture the Japanese island of Sasebo, located 35 miles from Nagasaki, of course the United States dropped the first atomic bomb on Hiroshima. A day or two later, they dropped the second one on Nagasaki.

He got back to the United States on Christmas Eve, 1945. After being discharged in 1946, he went to work at the VA Hospital in Rhode Island and was instrumental in helping the area get a nursing home and a national VA cemetery.

Private Hoo-lee was married with two sons and moved to Tennessee in

1999, where he lives today. He will turn a young 100 years old this November, Madam Speaker.

It is my honor to recognize Private Lawrence Hoo-lee as Tennessee's Second District 2024 Veteran of the Month. I thank Private Hoo-lee for his service. If my dad were alive, he would say Semper Fi.

IN RECOGNITION OF DETECTIVE TIM HAYES AND K9 REMY

(Mr. LAWLER asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. LAWLER. Madam Speaker, today I rise to recognize Detective Tim Hayes and K9 Remy, the first certified electronics detection dog in Rockland County history.

Remy is a 1-year-old black lab, named after Welles Remy Crowther, a Nyack native known as the man in the red bandana, who selflessly gave his life saving as many as 18 lives on September 11, 2001.

Welles Remy Crowther was a hero, and I am glad that the Rockland County District Attorney's Office recognized him in this way.

Remy and Tim work at the Rockland County District Attorney's Office, where they are tasked with identifying laptops, cell phones, SD cards, and USB drives that contain illegal content at crime scenes.

Tim is a former U.S. Army paratrooper and veteran of Operation Enduring Freedom. Following his service in the military, he joined the NYPD, working his way up to the rank of detective before joining the Rockland County District Attorney's Office.

On this 23rd anniversary of September 11, we remember and honor Welles Remy Crowther, and I thank Tim and Remy for their service.

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ONGOING WATER CRISIS IN THE KLAMATH BASIN

(Mr. LAMALFA asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. LAMALFA. Madam Speaker, today, I will talk about the ongoing water crisis manmade in the Klamath Basin.

Over a decade ago, water levels in Upper Klamath Lake were set to support the endangered suckerfish. Yet, we have no new adult suckerfish that can be counted as having been produced during that time.

Meanwhile, the impact on the basin's wildlife and farmers is severe. On and off, once-thriving wetlands are now dry, leading to massive die-offs of ducks, geese, etc., from avian botulism. Also, the waterfowl population has dropped to record lows. You see it farther down in the valley with fewer waterfowl in the rice lands.