

**AMENDMENT IN THE NATURE OF A SUBSTITUTE  
TO H.R. 9151  
OFFERED BY M. \_\_\_\_\_**

Strike all that follows the enacting clause and insert the following:

**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.

1 **SEC. 3. ESTABLISHMENT OF NEW STRUCTURE TO PROS-**  
2 **ECUTE INTERNATIONAL TRADE CRIMES.**

3 (a) IN GENERAL.—A task force, named program, or  
4 other similar structure to investigate and prosecute trade-  
5 related crimes, with particular emphasis on violations of  
6 the statutes enumerated in section 4(a)(2), shall be estab-  
7 lished within the Criminal Division of the Department of  
8 Justice not later than 120 days after the date on which  
9 appropriations are made available to carry out this Act,  
10 and coordinated by a supervisory criminal trial attorney  
11 selected by the Assistant Attorney General of the Criminal  
12 Division or other official designated by the Attorney Gen-  
13 eral.

14 (b) IMPLEMENTATION.—To support this effort, the  
15 Attorney General shall—

16 (1) create within the Criminal Division of the  
17 Department of Justice new positions for criminal  
18 trial attorneys and associated support personnel re-  
19 sponsible for leading and coordinating trade-related  
20 crime investigations and cases, including those that  
21 may significantly impact more than one district;

22 (2) ensure that experienced and technically  
23 qualified criminal prosecutors support the effort; and

24 (3) promote and ensure effective interaction  
25 with law enforcement, industry representatives, and

1 the public in matters relating to trade-related  
2 crimes.

3 **SEC. 4. DUTIES AND FUNCTIONS OF NEW TRADE CRIMES**  
4 **STRUCTURE.**

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

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

12 (2) Increase the number of trade-related crimes  
13 being investigated and prosecuted, including pursu-  
14 ant to health, safety, financial, and economic trade-  
15 related crimes, including—

16 (A) section 305 of title 13, United States  
17 Code;

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

20 (C) section 371 of title 18, United States  
21 Code;

22 (D) section 541 of title 18, United States  
23 Code;

24 (E) section 542 of title 18, United States  
25 Code;

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

3 (G) section 545 of title 18, United States  
4 Code;

5 (H) section 546 of title 18, United States  
6 Code;

7 (I) section 554 of title 18, United States  
8 Code;

9 (J) section 1001 of title 18, United States  
10 Code;

11 (K) section 1341 of title 18, United States  
12 Code;

13 (L) section 1343 of title 18, United States  
14 Code;

15 (M) section 1349 of title 18, United States  
16 Code;

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

19 (O) section 1957 of title 18, United States  
20 Code

21 (P) section 2320 of title 18, United States  
22 Code; and

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

1 For the purposes of this Act, this list does not in-  
2 clude violations of national security-related laws and  
3 regulations, including the Arms Export Control Act  
4 (22 U.S.C. 2771 et seq.), International Emergency  
5 Economic Powers Act (50 U.S.C. 1701 et seq.), Ex-  
6 port Control and Reform Act (50 U.S.C. 4801 et  
7 seq.), and the Trading with the Enemy Act (50  
8 U.S.C. 4305(b)).

9 (3) Participate in basic and advanced training  
10 events with Homeland Security Investigations, U.S.  
11 Customs and Border Protection, and other Federal  
12 agencies and provide technical assistance, where ap-  
13 propriate, to Homeland Security Investigations, U.S.  
14 Customs and Border Protection, and other Federal  
15 agencies with respect to the investigation and pros-  
16 ecution of trade-related crimes.

17 (4) Develop multi-jurisdictional responses and  
18 partnerships with respect to trade-related crimes  
19 through informational, administrative, and techno-  
20 logical support to other Federal agencies and agen-  
21 cies of countries that are trading partners of the  
22 United States, as a means for such agencies to ac-  
23 quire the necessary knowledge, personnel, and spe-  
24 cialized equipment to investigate and prosecute  
25 trade-related crimes.

1           (5) Participate in nationally coordinated inves-  
2           tigations in any case in which the Attorney General  
3           determines such participation to be necessary, as  
4           permitted by the available resources of the Depart-  
5           ment of Justice.

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

9           (b) ABSENCE OF EXCLUSION OF PURSUING OTHER  
10          REMEDIES.—Litigation by the Criminal Division of the  
11          Department of Justice shall not preclude additional crimi-  
12          nal prosecution or civil action against trade-related viola-  
13          tions. Nothing in this Act shall prevent the Criminal Divi-  
14          sion, Civil Division, and other Department of Justice com-  
15          ponents from pursuing enforcement action where appro-  
16          priate.

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

18          The Attorney General, in consultation with the Sec-  
19          retary of Homeland Security, shall submit to the Com-  
20          mittee on the Judiciary, Committee on Ways and Means,  
21          and Committee on Financial Services of the House of Rep-  
22          resentatives, and the Committee on the Judiciary and  
23          Committee on Finance of the Senate a report on the work  
24          of the Department of Justice with respect to investigation

1 and enforcement of trade-related crimes. Specifically, the  
2 report shall—

3 (1) be submitted not later than one year after  
4 the date of the enactment of this Act, and annually  
5 thereafter, not later than February 1 of each year  
6 that begins after the submission of the first report;

7 (2) include annual statistics on the volume of  
8 publicly charged trade-related crimes and indict-  
9 ments;

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

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

