

**AMENDMENT IN THE NATURE OF A SUBSTITUTE
TO H.R. 1398
OFFERED BY M. _____**

Strike all after the enacting clause and insert the following:

1 SECTION 1. SHORT TITLE.

2 This Act may be cited as the “Protect America’s In-
3 novation and Economic Security from CCP Act of 2024”.

4 SEC. 2. CCP INITIATIVE.

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

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

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

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

1 (4) implement the Foreign Investment Risk Re-
2 view Modernization Act of 2018 (title XVII of divi-
3 sion A of the John S. McCain National Defense Au-
4 thorization Act for Fiscal Year 2019 (Public Law
5 115–232; 132 Stat. 2173)) for the Department of
6 Justice, including by working with the Department
7 of the Treasury to develop regulations under that
8 Act;

9 (5) identify cases under the Foreign Corrupt
10 Practices Act of 1977 (Public Law 95–213; 91 Stat.
11 1494) involving Chinese companies that compete
12 with United States businesses; and

13 (6) prioritize—

14 (A) identifying and prosecuting those en-
15 gaged in trade secret theft, hacking, and eco-
16 nomic espionage; and

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

21 (b) CONSULTATION.—In executing the CCP Initia-
22 tive’s objectives as set forth in subsection (a), the Attorney
23 General, acting through the Assistant Attorney General
24 for National Security, shall consult with relevant compo-
25 nents of the Department of Justice as necessary, and co-

1 ordinate activities with the Federal Bureau of Investiga-
2 tion and any other Federal agency as necessary.

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

4 (1) the Initiative shall be separate from and not
5 under the authority or discretion of any other De-
6 partment of Justice initiative dedicated to coun-
7 tering nation-state threats; and

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

14 (d) ANNUAL REPORT.—The Attorney General shall
15 submit annually a written report to the Committee on
16 Homeland Security and Governmental Affairs and the
17 Committee on the Judiciary of the Senate, and the Com-
18 mittee on Homeland Security and the Committee on the
19 Judiciary of the House of Representatives, on the progress
20 and challenges of the CCP Initiative over the preceding
21 year, including—

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

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

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

4 (4) the status of efforts by the Chinese Com-
5 munist Party to engage in trade secret theft, hack-
6 ing, and economic espionage; and

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

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

12 (g) SEVERABILITY.—If any provision of this Act, or
13 the application of such provision to any person or cir-
14 cumstance, is held to be unconstitutional, the remainder
15 of this Act, and the application of the provisions of such
16 to any person or circumstance, shall not be affected there-
17 by.

