

118TH CONGRESS
2D SESSION

H. R. 1398

IN THE SENATE OF THE UNITED STATES

SEPTEMBER 16, 2024

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

AN ACT

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

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

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;

18 (4) implement the Foreign Investment Risk Re-
19 view Modernization Act of 2018 (title XVII of divi-
20 sion A of the John S. McCain National Defense Au-
21 thorization Act for Fiscal Year 2019 (Public Law
22 115–232; 132 Stat. 2173)) for the Department of
23 Justice, including by working with the Department
24 of the Treasury to develop regulations under that
25 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;

(6) prioritize—

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

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

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

(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

1 other entities are registered in or operate in the Peo-
2 ple's Republic of China.

3 (b) CONSULTATION.—In executing the CCP Initia-
4 tive's objectives as set forth in subsection (a), the Attorney
5 General, acting through the Assistant Attorney General
6 for National Security, shall consult with relevant compo-
7 nents of the Department of Justice as necessary, and co-
8 ordinate activities with the Federal Bureau of Investiga-
9 tion and any other Federal agency as necessary.

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

11 (1) the Initiative shall be separate from and not
12 under the authority or discretion of any other De-
13 partment of Justice initiative dedicated to coun-
14 tering nation-state threats; and

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

21 (d) ANNUAL REPORT.—The Attorney General shall
22 submit annually a written report to the Committee on
23 Homeland Security and Governmental Affairs and the
24 Committee on the Judiciary of the Senate, and the Com-
25 mittee on Homeland Security and the Committee on the

1 Judiciary of the House of Representatives, on the progress
2 and challenges of the CCP Initiative over the preceding
3 year, including—

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

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

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

11 (4) the status of efforts by and the financial in-
12 telligence capabilities of the Chinese Communist
13 Party to engage in trade secret theft, hacking, and
14 economic espionage;

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

21 (6) the impact of the CCP Initiative on those
22 efforts of the Chinese Communist Party;

23 (7) the level and effectiveness of coordination
24 and information sharing between Government agen-

(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.

Passed the House of Representatives September 11,
2024.

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