

AUGUST 29, 2024

## **RULES COMMITTEE PRINT 118-45**

### **TEXT OF H.R. 1398, PROTECT AMERICA'S INNOVATION AND ECONOMIC SECURITY FROM CCP ACT**

**[Showing the text of H.R. 1398, as ordered reported by the Committee on the Judiciary]**

#### **1 SECTION 1. SHORT TITLE.**

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

#### **4 SEC. 2. CCP INITIATIVE.**

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

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

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

13 (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;

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;

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;

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 (e) 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 (f) 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.

