

TO EXPAND THE SHARING OF INFORMATION WITH RE-
SPECT TO SUSPECTED VIOLATIONS OF INTELLECTUAL
PROPERTY RIGHTS IN TRADE

DECEMBER 30, 2025.—Committed to the Committee of the Whole House on the State
of the Union and ordered to be printed

Mr. SMITH of Missouri, from the Committee on Ways and Means,
submitted the following

R E P O R T

[To accompany H.R. 4930]

The Committee on Ways and Means, to whom was referred the bill (H.R. 4930) to expand the sharing of information with respect to suspected violations of intellectual property rights in trade, having considered the same, reports favorably thereon with an amendment and recommends that the bill as amended do pass.

CONTENTS

	Page
I. SUMMARY AND BACKGROUND	2
A. Purpose and Summary	2
B. Background and Need for Legislation	2
C. Legislative History	3
D. Designated Hearing	3
II. EXPLANATION OF THE BILL	3
A. Reasons for Change	3
B. Explanation of Provisions	3
C. Effective Date	4
III. VOTES OF THE COMMITTEE	4
IV. BUDGET EFFECTS OF THE BILL	5
A. Committee Estimate of Budgetary Effects	5
B. Statement Regarding New Budget Authority and Tax Expenditures Budget Authority	5
C. Cost Estimate Prepared by the Congressional Budget Office	5
V. OTHER MATTERS TO BE DISCUSSED UNDER THE RULES OF THE HOUSE	5
A. Committee Oversight Findings and Recommendations	5
B. Statement of General Performance Goals and Objectives	5
C. Information Relating to Unfunded Mandates	5
D. Congressional Earmarks, Limited Tax Benefits, and Limited Tariff Benefits	6
E. Duplication of Federal Programs	6
VI. CHANGES IN EXISTING LAW MADE BY THE BILL, AS REPORTED	6

The amendment is as follows:

Strike all after the enacting clause and insert the following:

SECTION 1. SHARING OF INFORMATION WITH RESPECT TO SUSPECTED VIOLATIONS OF INTELLECTUAL PROPERTY RIGHTS.

Section 628A of the Tariff Act of 1930 (19 U.S.C. 1628a) is amended—

(1) in subsection (a)—

(A) in the matter preceding paragraph (1), by striking “suspects” and inserting “has a reasonable suspicion”;

(B) in paragraph (1)—

(i) by inserting “, packing materials, containers,” after “its packaging” the first place it appears;

(ii) by striking “and its packaging and labels” after “images of the merchandise” and inserting “, its packaging, packing materials, containers, and labels”; and

(iii) by striking “; and” and inserting a semicolon;

(C) in paragraph (2), by striking the period and inserting a semicolon; and

(D) by adding at the end the following:

“(3) may provide to the person nonpublic information about the merchandise that was generated by an online marketplace or other similar market platform, express consignment operator, freight forwarder, or any other entity that plays a role in the sale or importation of merchandise, or the facilitation thereof, into the United States that has been provided to, shared with, or obtained by U.S. Customs and Border Protection; and

“(4) in the case of the provision of nonpublic information described in paragraph (3), shall provide to the person notification of the information transmitted, in accordance with such regulations as the Secretary may prescribe.”; and

(2) in subsection (b)—

(A) in paragraph (3), by striking “; and” and inserting a semicolon;

(B) in paragraph (4), by striking the period at the end and inserting “; and”; and

(C) by adding at the end the following:

“(5) any other party with an interest in the merchandise, as determined appropriate by the Commissioner.”.

I. SUMMARY AND BACKGROUND

A. PURPOSE AND SUMMARY

H.R. 4930, a bill to expand the sharing of information with respect to suspected violations of intellectual property rights in trade, as ordered reported by the Committee on Ways and Means on December 10, 2025, would provide explicit authority for U.S. Customs and Border Protection (CBP) to share all relevant information with companies, carriers, and platforms when a shipment in question contains suspected counterfeit or pirated products. The bill also broadens the range of parties with whom CBP can disclose such information, including shipping companies and e-commerce sites where the product in question may be sold.

B. BACKGROUND AND NEED FOR LEGISLATION

CBP currently lacks explicit authority to share important information with trusted stakeholders that could be used to confirm whether imports violate American intellectual property (IP) laws. This legislation would allow CBP, if it has a reasonable suspicion that an import violates American IP laws, to share key information with a broader set of relevant stakeholders, facilitating more effective enforcement and increased coordination with the private sector to prevent imports of counterfeit and pirated products.

C. LEGISLATIVE HISTORY

Background

H.R. 4930 was introduced on August 8, 2025, and was referred to the Committee on Ways and Means.

Committee Hearings

The Committee on Ways and Means held the following hearing(s) concerning the policy in H.R. 4930:

On February 25, 2025, the Committee on Ways and Means Subcommittee on Trade held a hearing titled, “American Trade Enforcement Priorities”.

Committee Action

The Committee on Ways and Means marked up H.R. 4930, the bill to expand the sharing of information with respect to suspected violations of intellectual property rights in trade, on December 10, 2025, and favorably reported the bill, as amended, to the House of Representatives (with quorum being present).

D. DESIGNATED HEARING

Pursuant to clause 3(c)(6) of rule XIII, the following hearing was used to develop and consider H.R. 4930:

On February 25, 2025, the Committee on Ways and Means Subcommittee on Trade held a hearing titled, “American Trade Enforcement Priorities,” which, in relevant part, discussed issues concerning enforcement against pirated and counterfeit imports and enforcement of intellectual property rights.

II. EXPLANATION OF THE BILL

A. REASONS FOR CHANGE

Under current law, CBP is only allowed to provide limited information about shipments suspected to violate American IP laws. CBP also lacks the certainty it needs to share appropriate information with trusted stakeholders about such imports, undermining CBP’s ability to enforce American IP laws

B. EXPLANATION OF PROVISIONS

Section 1. Sharing of Information With Respect to Suspected Violations of Intellectual Property Rights

The bill amends Section 628A of the Tariff Act of 1930 (19 U.S.C. § 1628a) to allow better cooperation between CBP and private stakeholders with an interest in the imported goods suspected to violate American IP laws and to improve CBP’s enforcement of those laws. The bill amends subsection (a) of 19 U.S.C. § 1628a to provide explicit authority for CBP to seek assistance from relevant IP rights holders and stakeholders if CBP “has a reasonable suspicion” that merchandise presented for entry into the United States violates U.S. trademark and/or copyright laws.

The bill also amends 19 U.S.C. § 1628a by expanding the scope of information CBP is authorized to share with IP rights holders and other interested parties. The expanded scope includes images of the merchandise, its packaging, packing materials, containers,

and labels. In addition, the bill authorizes CBP to share information about the merchandise that was generated by an online marketplace or other similar market platform, express consignment operator, freight forwarder, or any other entity that plays a role in the sale, importation, or facilitation of the merchandise. The bill clarifies that, with respect to the sharing of nonpublic information to third parties, CBP shall provide notification to the rights holder of the information transmitted in accordance with regulations as CBP may prescribe.

Finally, the bill expands the definition of “person described” in subsection (b) of 19 U.S.C. § 1628a, to allow information to be shared with any party not explicitly defined who has an interest in the merchandise, as determined appropriate by CBP.

C. EFFECTIVE DATE

The bill would become effective upon enactment.

III. VOTES OF THE COMMITTEE

In compliance with the Rules of the House of Representatives, the following statement is made concerning the vote of the Committee on Ways and Means during the markup consideration of H.R. 4930, “To expand the sharing of information with respect to suspected violations of intellectual property rights in trade,” on December 10, 2025.

H.R. 4930 was ordered favorably reported to the House of Representatives as amended by a roll call vote of 40 yeas to 0 nays (with a quorum being present). The vote was as follows:

Representative	Yea	Nay	Present	Representative	Yea	Nay	Present
Mr. Smith (MO)	X	.....	.....	Mr. Neal	X	.....	.....
Mr. Buchanan	X	.....	.....	Mr. Doggett	X	.....	.....
Mr. Smith (NE)	X	.....	.....	Mr. Thompson	X	.....	.....
Mr. Kelly	X	.....	.....	Mr. Larson	X	.....	.....
Mr. Schweikert	X	.....	.....	Mr. Davis	X	.....	.....
Mr. LaHood	X	.....	.....	Ms. Sánchez .....	.....	.....	.....
Mr. Arrington	X	.....	.....	Ms. Sewell	X	.....	.....
Mr. Estes	X	.....	.....	Ms. DelBene	X	.....	.....
Mr. Smucker .....	.....	.....	.....	Ms. Chu	X	.....	.....
Mr. Hern	X	.....	.....	Ms. Moore (WI)	X	.....	.....
Mrs. Miller (WV)	X	.....	.....	Mr. Boyle	X	.....	.....
Dr. Murphy	X	.....	.....	Mr. Beyer	X	.....	.....
Mr. Kustoff	X	.....	.....	Mr. Evans .....	.....	.....	.....
Mr. Fitzpatrick	X	.....	.....	Mr. Schneider	X	.....	.....
Mr. Steube	X	.....	.....	Mr. Panetta	X	.....	.....
Ms. Tenney	X	.....	.....	Mr. Gomez	X	.....	.....
Mrs. Fischbach	X	.....	.....	Mr. Horsford .....	.....	.....	.....
Mr. Moore (UT)	X	.....	.....	Ms. Plaskett	X	.....	.....
Ms. Van Duyn	X	.....	.....	Mr. Suozzi	X	.....	.....
Mr. Feenstra	X	.....	.....				
Ms. Malliotakis	X	.....	.....				
Mr. Carey	X	.....	.....				
Mr. Yakym	X	.....	.....				
Mr. Miller (OH) .....	.....	.....	.....				
Mr. Bean	X	.....	.....				
Mr. Moran	X	.....	.....				

IV. BUDGET EFFECTS OF THE BILL

A. COMMITTEE ESTIMATE OF BUDGETARY EFFECTS

With respect to clause 3(d) of rule XIII of the Rules of the House of Representatives, a cost estimate provided by the Congressional Budget Office pursuant to section 402 of the Congressional Budget Act of 1974 was not made available to the Committee in time for the filing of this report.

B. STATEMENT REGARDING NEW BUDGET AUTHORITY AND TAX EXPENDITURES BUDGET AUTHORITY

In compliance with clause 3(c)(2) of rule XIII of the Rules of the House of Representatives, the Committee states that the bill involved no new or increased budget authority. The Committee states further that the bill involves no new or increased tax expenditures.

C. COST ESTIMATE PREPARED BY THE CONGRESSIONAL BUDGET OFFICE

With respect to the requirements of clause 3(c)(2) of rule XIII of the Rules of the House of Representatives and section 308(a) of the *Congressional Budget Act of 1974* and with respect to requirements of clause (3)(c)(3) of rule XIII of the Rules of the House of Representatives and section 402 of the *Congressional Budget Act of 1974*, the Committee has requested but not received a cost estimate for this bill from the Director of Congressional Budget Office. The Chairman of the Committee shall cause such estimate and statement to be printed in the Congressional Record upon its receipt by the Committee.

V. OTHER MATTERS TO BE DISCUSSED UNDER THE RULES OF THE HOUSE

A. COMMITTEE OVERSIGHT FINDINGS AND RECOMMENDATIONS

With respect to clause 3(c)(1) of rule XIII of the Rules of the House of Representatives, the Committee made findings and recommendations that are reflected in this report.

B. STATEMENT OF GENERAL PERFORMANCE GOALS AND OBJECTIVES

With respect to clause 3(c)(4) of rule XIII of the Rules of the House of Representatives, the Committee advises that the bill does not authorize funding, so no statement of general performance goals and objectives is required.

C. INFORMATION RELATING TO UNFUNDED MANDATES

This information is provided in accordance with section 423 of the *Unfunded Mandates Reform Act of 1995* (Pub. L. No. 104-4).

The Committee has determined that the bill does not contain Federal mandates on the private sector. The Committee has determined that the bill does not impose a Federal intergovernmental mandate on State, local, or tribal governments.

**D. CONGRESSIONAL EARMARKS, LIMITED TAX BENEFITS,
AND LIMITED TARIFF BENEFITS**

With respect to clause 9 of rule XXI of the Rules of the House of Representatives, the Committee has carefully reviewed the provisions of the bill, and states that the provisions of the bill do not contain any congressional earmarks, limited tax benefits, or limited tariff benefits within the meaning of the rule.

E. DUPLICATION OF FEDERAL PROGRAMS

In compliance with clause 3(c)(5) of rule XIII of the Rules of the House of Representatives, the Committee states that no provision of the bill establishes or reauthorizes: (1) a program of the Federal Government known to be duplicative of another Federal program; (2) a program included in any report from the Government Accountability Office to Congress pursuant to section 21 of Public Law 111–139; or (3) a program related to a program identified in the most recent Catalog of Federal Domestic Assistance, published pursuant to the Federal Program Information Act (Pub. L. No. 95–220, as amended by Pub. L. No. 98–169).

**VI. CHANGES IN EXISTING LAW MADE BY THE BILL,
AS REPORTED**

In compliance with clause 3(e) of rule XIII of the Rules of the House of Representatives, changes in existing law by the bill, as reported, are shown as follows.

CHANGES IN EXISTING LAW MADE BY THE BILL, AS REPORTED

In compliance with clause 3(e) of rule XIII of the Rules of the House of Representatives, changes in existing law made by the bill, as reported, are shown as follows (existing law proposed to be omitted is enclosed in black brackets, new matter is printed in italics, and existing law in which no change is proposed is shown in roman):

TARIFF ACT OF 1930

* * * * *

TITLE IV—ADMINISTRATIVE PROVISIONS

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Part V—Enforcement Provisions

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**SEC. 628A. EXCHANGE OF INFORMATION RELATED TO TRADE EN-
FORCEMENT.**

(a) IN GENERAL.—Subject to subsections (c) and (d), if the Commissioner of U.S. Customs and Border Protection **[suspects]** *has a reasonable suspicion* that merchandise is being imported into the United States in violation of section 526 of this Act or section 602, 1201(a)(2), or 1201(b)(1) of title 17, United States Code, and determines that the examination or testing of the merchandise by a person described in subsection (b) would assist the Commissioner in

determining if the merchandise is being imported in violation of that section, the Commissioner, to permit the person to conduct the examination and testing—

(1) shall provide to the person information that appears on the merchandise and its packaging, *packing materials, containers, and labels*, including unredacted images of the merchandise **and its packaging and labels**, *its packaging, packing materials, containers, and labels* **and**;

(2) may, subject to any applicable bonding requirements, provide to the person unredacted samples of the merchandise**and**;

(3) *may provide to the person nonpublic information about the merchandise that was generated by an online marketplace or other similar market platform, express consignment operator, freight forwarder, or any other entity that plays a role in the sale or importation of merchandise, or the facilitation thereof, into the United States that has been provided to, shared with, or obtained by U.S. Customs and Border Protection; and*

(4) *in the case of the provision of nonpublic information described in paragraph (3), shall provide to the person notification of the information transmitted, in accordance with such regulations as the Secretary may prescribe.*

(b) PERSON DESCRIBED.—A person described in this subsection is—

(1) in the case of merchandise suspected of being imported in violation of section 526, the owner of the trademark suspected of being copied or simulated by the merchandise;

(2) in the case of merchandise suspected of being imported in violation of section 602 of title 17, United States Code, the owner of the copyright suspected of being infringed by the merchandise;

(3) in the case of merchandise suspected of being primarily designed or produced for the purpose of circumventing a technological measure that effectively controls access to a work protected under that title, and being imported in violation of section 1201(a)(2) of that title, the owner of a copyright in the work**and**;

(4) in the case of merchandise suspected of being primarily designed or produced for the purpose of circumventing protection afforded by a technological measure that effectively protects a right of an owner of a copyright in a work or a portion of a work, and being imported in violation of section 1201(b)(1) of that title, the owner of the copyright**and**; *and*

(5) *any other party with an interest in the merchandise, as determined appropriate by the Commissioner.*

(c) LIMITATION.—Subsection (a) applies only with respect to merchandise suspected of infringing a trademark or copyright that is recorded with U.S. Customs and Border Protection.

(d) EXCEPTION.—The Commissioner may not provide under subsection (a) information, photographs, or samples to a person described in subsection (b) if providing such information, photo-

graphs, or samples would compromise an ongoing law enforcement investigation or national security.

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