

**AMENDMENT TO RULES COMMITTEE PRINT 119-**

**33**

**OFFERED BY MRS. HINSON OF IOWA**

At the end of subtitle B of title XVII, add the following new section:

1 **SEC. 17\_\_.** **PROTECTING AMERICAN INDUSTRY AND**  
2 **LABOR FROM INTERNATIONAL TRADE**  
3 **CRIMES.**

4 (a) **TRADE-RELATED CRIMES DEFINED.**—In this sec-  
5 tion, the term “trade-related crimes” shall be defined as  
6 violations of law that are implicated by criminal activities  
7 in furtherance of the evasion of duties, tariffs, and other  
8 import- and export-related fees, import and export restric-  
9 tions, or requirements imposed by the Tariff Act of 1930,  
10 the Trade Expansion Act of 1962, the Trade Act of 1974,  
11 or the Countering America’s Adversaries Through Sanc-  
12 tions Act, as well as all other laws and regulations involv-  
13 ing criminal activities relating to United States imports  
14 and exports, trade-based money laundering, and smug-  
15 gling.

16 (b) **ESTABLISHMENT OF NEW STRUCTURE TO PROS-**  
17 **ECUTE INTERNATIONAL TRADE CRIMES.**—

1           (1) IN GENERAL.—A task force, named pro-  
2           gram, or other similar structure to investigate and  
3           prosecute trade-related crimes, with particular em-  
4           phasis on violations of the statutes enumerated in  
5           subsection (c)(1), shall be established within the  
6           Criminal Division of the Department of Justice not  
7           later than 120 days after the date on which appro-  
8           priations are made available to carry out this sec-  
9           tion, and coordinated by a supervisory criminal trial  
10          attorney selected by the Assistant Attorney General  
11          of the Criminal Division or other official designated  
12          by the Attorney General.

13          (2) IMPLEMENTATION.—To support this effort,  
14          the Attorney General shall—

15                (A) create within the Criminal Division of  
16                the Department of Justice new positions for  
17                criminal trial attorneys and associated support  
18                personnel responsible for leading and coordi-  
19                nating trade-related crime investigations and  
20                cases, including those that may significantly im-  
21                pact more than one district;

22                (B) ensure that experienced and tech-  
23                nically qualified criminal prosecutors support  
24                the effort; and

1 (C) promote and ensure effective inter-  
2 action with law enforcement, industry rep-  
3 resentatives, and the public in matters relating  
4 to trade-related crimes.

5 (c) DUTIES AND FUNCTIONS OF NEW TRADE CRIMES  
6 STRUCTURE.—

7 (1) IN GENERAL.—Through the efforts of the  
8 task force, named program, or other structure iden-  
9 tified in subsection (b)(1), the Attorney General  
10 shall accomplish each of the following:

11 (A) Increase the capabilities and capacity  
12 of the Criminal Division of the Department of  
13 Justice to prosecute trade-related crimes.

14 (B) Increase the number of trade-related  
15 crimes being investigated and prosecuted, in-  
16 cluding pursuant to health, safety, financial,  
17 and economic trade-related crimes, including—

18 (i) section 305 of title 13, United  
19 States Code;

20 (ii) section 15 or 16 of the Toxic Sub-  
21 stances Control Act (15 U.S.C. 2614 or  
22 2615);

23 (iii) section 371 of title 18, United  
24 States Code;

- 1 (iv) section 541 of title 18, United  
2 States Code;
- 3 (v) section 542 of title 18, United  
4 States Code;
- 5 (vi) section 543 of title 18, United  
6 States Code;
- 7 (vii) section 545 of title 18, United  
8 States Code;
- 9 (viii) section 546 of title 18, United  
10 States Code;
- 11 (ix) section 554 of title 18, United  
12 States Code;
- 13 (x) section 1001 of title 18, United  
14 States Code;
- 15 (xi) section 1341 of title 18, United  
16 States Code;
- 17 (xii) section 1343 of title 18, United  
18 States Code;
- 19 (xiii) section 1349 of title 18, United  
20 States Code;
- 21 (xiv) section 1589 of title 18, United  
22 States Code;
- 23 (xv) section 1956 of title 18, United  
24 States Code;

1 (xvi) section 1957 of title 18, United  
2 States Code;

3 (xvii) section 2320 of title 18, United  
4 States Code; and

5 (xviii) section 301 of the Federal  
6 Food, Drug, and Cosmetic Act (21 U.S.C.  
7 331).

8 For the purposes of this section, this list does  
9 not include violations of national security-re-  
10 lated laws and regulations, including the Arms  
11 Export Control Act (22 U.S.C. 2771 et seq.),  
12 International Emergency Economic Powers Act  
13 (50 U.S.C. 1701 et seq.), Export Control and  
14 Reform Act (50 U.S.C. 4801 et seq.), and the  
15 Trading with the Enemy Act (50 U.S.C.  
16 4305(b)).

17 (C) Participate in basic and advanced  
18 training events with Homeland Security Inves-  
19 tigation, U.S. Customs and Border Protection,  
20 and other Federal agencies and provide tech-  
21 nical assistance, where appropriate, to Home-  
22 land Security Investigations, U.S. Customs and  
23 Border Protection, and other Federal agencies  
24 with respect to the investigation and prosecu-  
25 tion of trade-related crimes.

1 (D) Develop multi-jurisdictional responses  
2 and partnerships with respect to trade-related  
3 crimes through informational, administrative,  
4 and technological support to other Federal  
5 agencies and agencies of countries that are  
6 trading partners of the United States, as a  
7 means for such agencies to acquire the nec-  
8 essary knowledge, personnel, and specialized  
9 equipment to investigate and prosecute trade-  
10 related crimes.

11 (E) Participate in nationally coordinated  
12 investigations in any case in which the Attorney  
13 General determines such participation to be  
14 necessary, as permitted by the available re-  
15 sources of the Department of Justice.

16 (F) Ensure that all components that en-  
17 force laws against trade-related crimes regularly  
18 consult with each other.

19 (2) ABSENCE OF EXCLUSION OF PURSUING  
20 OTHER REMEDIES.—Litigation by the Criminal Divi-  
21 sion of the Department of Justice shall not preclude  
22 additional criminal prosecution or civil action  
23 against trade-related violations. Nothing in this sec-  
24 tion shall prevent the Criminal Division, Civil Divi-  
25 sion, and other Department of Justice components

1 from pursuing enforcement action where appro-  
2 priate.

3 (d) ANNUAL REPORT TO CONGRESS.—The Attorney  
4 General, in consultation with the Secretary of Homeland  
5 Security, shall submit to the Committee on the Judiciary,  
6 Committee on Ways and Means, and Committee on Finan-  
7 cial Services of the House of Representatives, and the  
8 Committee on the Judiciary and Committee on Finance  
9 of the Senate a report on the work of the Department  
10 of Justice with respect to investigation and enforcement  
11 of trade-related crimes. Specifically, the report shall—

12 (1) be submitted not later than one year after  
13 the date of the enactment of this section, and annu-  
14 ally thereafter, not later than February 1 of each  
15 year that begins after the submission of the first re-  
16 port;

17 (2) include annual statistics on the volume of  
18 publicly charged trade-related crimes and indict-  
19 ments;

20 (3) include a summary on how the funds appro-  
21 priated for trade-related crimes were utilized in the  
22 prior reporting period, including staff and operating  
23 expenses; and

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

