

## S 805

### Fighting Trade Cheats Act of 2023

**Congress:** 118 (2023–2025, Ended)

**Chamber:** Senate

**Policy Area:** Foreign Trade and International Finance

**Introduced:** Mar 15, 2023

**Current Status:** Read twice and referred to the Committee on Finance.

**Latest Action:** Read twice and referred to the Committee on Finance. (Mar 15, 2023)

**Official Text:** <https://www.congress.gov/bill/118th-congress/senate-bill/805>

## Sponsor

**Name:** Sen. Brown, Sherrod [D-OH]

**Party:** Democratic • **State:** OH • **Chamber:** Senate

## Cosponsors (9 total)

Cosponsor	Party / State	Role	Date Joined
Sen. Tillis, Thomas [R-NC]	R · NC		Mar 15, 2023
Sen. Baldwin, Tammy [D-WI]	D · WI		May 1, 2023
Sen. Britt, Katie Boyd [R-AL]	R · AL		May 1, 2023
Sen. Braun, Mike [R-IN]	R · IN		Jun 1, 2023
Sen. Vance, J. D. [R-OH]	R · OH		Jun 1, 2023
Sen. Fetterman, John [D-PA]	D · PA		Sep 20, 2023
Sen. Budd, Ted [R-NC]	R · NC		Sep 29, 2023
Sen. Stabenow, Debbie [D-MI]	D · MI		Oct 24, 2023
Sen. Casey, Robert P., Jr. [D-PA]	D · PA		Oct 31, 2023

## Committee Activity

Committee	Chamber	Activity	Date
Finance Committee	Senate	Referred To	Mar 15, 2023

## Subjects & Policy Tags

### Policy Area:

Foreign Trade and International Finance

## Related Bills

Bill	Relationship	Last Action
118 HR 2667	Identical bill	Dec 17, 2024: Referred to the Subcommittee on Trade.

## Fighting Trade Cheats Act of 2023

This bill increases penalties for, and establishes additional enforcement mechanisms related to, fraudulent and grossly negligent violations of U.S. customs laws.

Specifically, the bill increases the maximum civil penalty for a fraudulent violation to three times the domestic value of the merchandise. Further, the bill prohibits a person who commits a fraudulent violation from importing merchandise into the United States for a five-year period.

Additionally, the bill increases the maximum civil penalty for a grossly negligent violation to the lesser of (1) 3 times the domestic value of the merchandise; or (2) 10 times the lawful duties, taxes, and fees. It also prohibits a person who commits a grossly negligent violation from importing merchandise into the United States for a two-year period.

Further, the bill applies these importation bans to an affiliated person (e.g., a family member, partner, or employee) of the person who committed the fraudulent or grossly negligent violation.

The bill also establishes a private right of action for customs fraud or grossly negligent violations. In particular, the bill allows manufacturers, producers, wholesalers, labor unions, or trade associations to bring a civil action against a violator or any person that aids or abets a violator.

The bill prohibits any person (or an affiliated person) who commits a fraudulent or grossly negligent violation from participating in the U.S. Customs and Border Protection's Importer of Record program, and further requires their importer of record numbers to be revoked.

## Actions Timeline

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- **Mar 15, 2023:** Introduced in Senate
- **Mar 15, 2023:** Read twice and referred to the Committee on Finance.