

Executive Summary: Alliance for Trade EnforcementNOW

For Congressional Staff and Policy Advisors

V. November 13, 2025

I. Overview

CPA's Alliance for Trade EnforcementNOW brings together U.S. businesses harmed by trade crime and failed enforcement. With 40 corporate signatories representing billions in gross output across multiple industries, the Alliance backs five immediate steps—1) Improved process and transparent enforcement results reporting by responsible agencies; 2) the PAIL Act (H.R. 1869); 3) the Fighting the Trade Cheats Act (H.R. 1284)(S.1185); 4) the Manifest Modernization Act (S.1259)(H.R. 2653); and, 5) Non-Resident Importer Revocation—to begin dismantling the culture of impunity. The Alliance is building verified company endorsements organized by state, district, and committee to drive targeted engagement with the White House, government agencies, and Congress.

II. The Problem: Trade Crime at Industrial Scale

- \$194+ billion in estimated Section 301 tariff fraud between 2018 and 2024
- 4.4+ million manufacturing jobs lost since 2000
- 65,000+ manufacturing businesses closed since 2000

III. Current Enforcement Failures

Documented Pattern: Companies win legal cases but lose in practice • **Charlotte Pipe:** 10/10 EAPA victories, \$44.5M in duties still evaded • **M&B Hangers:** 25+ years fighting, 35+ eAllegations filed, 5/5 EAPA wins, competitors still operating • **KCMA:** 7/8 staff-level EAPA wins overturned by senior CBP leadership, \$10M+ in legal fees spent • **Plews & Edelmann:** Worked through DOJ Civil, CBP and DOJ Trade Fraud Task Force over 3 years before DHS conducted a raid on premises in January 2024, despite perfect evidence, competitor still operating in Ohio • **Ship8:** Witnessing systematic destruction of American retail through digital invasion

System-Wide Issues: • 7,100+ eAllegations filed with CBP (2022-2025), minimal response rate • False Claims Act cases take 10+ years, median settlement only \$3M, 15 cases settled between 2023 and 2024 • EAPA enforcement mechanism compromised by shell company shifting • Most of 70+ cases (per AG Garland's April 2024 testimony) attributed to the DOJ TTF remain uncharged

IV. The Solution: Five-Step Approach

1. Immediate: White House-Led Working Group on Trade Law Enforcement Metrics & Accountability

Create a White House-led Working Group on Trade Law Enforcement Metrics & Accountability to make U.S. trade-law enforcement measurable, coordinated, and accountable. The group—chaired by the Assistant to the President for Economic Policy and co-chaired with the Domestic Policy, National Security, and Trade & Manufacturing offices—brings together DOJ, DHS (CBP & HSI), Treasury, Commerce, USTR, OMB, NEC, and the Federal Maritime Commission to evaluate the most critical enforcement workstreams and propose a redesign to the White House. The Working Group will mandate periodic public reporting on enforcement outcomes by responsible agencies (cases charged, dollars recovered, prison sentences) to drive accountability and urgency. Detailed list of suggested metrics provided.

2. 2025: Pass the PAIL Act

- Establishes \$20M Trade Crime Unit in DOJ Criminal Division • Provides national charging authority and interagency coordination • Requires annual reporting to Congress through Attorney General

3. 2026: Pass the Fighting Trade Cheats Act

- Creates private right of action for companies under existing AD/CVD orders • Authorizes treble damages and injunctive relief • Implements 5-year import bans for repeat violators

4. Manifest Modernization Act of 2025

- Close decades-old loophole affecting half of U.S. imports • Make shipping records for air, truck, and rail imports public (like ocean shipments) • Amendment #3850 provides commonsense fix to 30-year drafting error • Give law enforcement full picture of what's entering the U.S.

5. Non-Resident Importer Revocation

- Eliminate non-resident importer (NRI) provision • Make foreign sellers fully subject to U.S. customs and trade laws • Close major loophole that lets overseas companies evade scrutiny • Remove liability evasion from foreign sellers

V. Political Landscape

Bipartisan Support Already Exists: • **PAIL Act:** Passed House in 118th Congress, reintroduced in 119th with 41 cosponsors • **Fighting Trade Cheats Act:** Reintroduced in 119th with 31 cosponsors from both parties •

Manifest Modernization Act: Amendment #3850 supported for NDAA inclusion • House Select Committee on CCP actively supporting enforcement

VI. Why This Matters Now

1. **Economic Security:** Trade crime undermines fair competition and American industrial capacity
2. **Rule of Law:** Current enforcement failures signal that trade laws are optional
3. **Bipartisan Issue:** Spans multiple administrations, affects red and blue districts
4. **Ready Solutions:** Bills already drafted, coalition already built, momentum already building
5. **Digital Invasion:** Cross-border e-commerce fraud threatening American retail sector

VII. Key Resources

- **Website:** <https://enforcementnow.com/> • **Living Petition:** Executive endorsements from impacted companies
- **Case Studies:** Detailed documentation of enforcement failures across industries • **Policy Recommendations:** Specific legislative text and implementation guidance • **Recent Developments:** Tracking current enforcement initiatives and outcomes

VIII. Bottom Line

This alliance represents the combination of: • Real-world business impact with documented losses across multiple industries • Specific, implementable policy solutions with existing legislative vehicles • Existing bipartisan legislative support with growing momentum • Current political momentum for action with clear enforcement mandate • Comprehensive approach addressing both traditional and digital trade fraud