

117TH CONGRESS
1ST SESSION

S. _____

To designate any alien who is or has been engaged in economic espionage
or the misappropriation of trade secrets inadmissible and deportable.

IN THE SENATE OF THE UNITED STATES

Mr. GRASSLEY (for himself and Mr. WHITEHOUSE) introduced the following
bill; which was read twice and referred to the Committee on

A BILL

To designate any alien who is or has been engaged in economic espionage or the misappropriation of trade secrets inadmissible and deportable.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. SHORT TITLE.**

4 This Act may be cited as the “Stop Theft of Intellec-
5 tual Property Act of 2021”.

1 **SEC. 2. IMMIGRATION CONSEQUENCES OF TRADE SECRET**
2 **THEFT AND ECONOMIC ESPIONAGE.**

3 (a) INADMISSIBILITY.—Section 212(a)(3) of the Im-
4 migration and Nationality Act (8 U.S.C. 1182(a)(3)) is
5 amended—

6 (1) in subparagraph (A)(i)—

7 (A) by striking “(I) to violate” and insert-
8 ing “that violates”; and

9 (B) by striking “or (II)” and all that fol-
10 lows and inserting a semicolon; and

11 (2) by adding at the end the following:

12 “(H) THEFT OF SENSITIVE INFORMATION
13 OR TRADE SECRETS.—Any alien who a consular
14 officer, the Secretary of Homeland Security, the
15 Secretary of State, or the Attorney General
16 knows, or has reasonable grounds to believe—

17 “(i) has engaged in, is engaging in, or
18 is seeking admission to the United States
19 to engage in any activity that—

20 “(I) violates or evades any law
21 prohibiting the export from the
22 United States of goods, technology, or
23 sensitive information; or

24 “(II) violates any law of the
25 United States relating to the theft or

1 misappropriation of trade secrets or
2 economic espionage; or
3 “(ii) has been convicted of conspiracy
4 related to an activity described in clause
5 (i),
6 is inadmissible.”.

7 (b) DEPORTABILITY.—Section 237(a)(4) of the Im-
8 migration and Nationality Act (8 U.S.C. 1227(a)(4)) is
9 amended—

10 (1) in subparagraph (A)(i), by striking “or to
11 violate or evade any law prohibiting the export from
12 the United States of goods, technology, or sensitive
13 information,” and inserting a semicolon; and

14 (2) by adding at the end the following:

15 “(G) THEFT OF SENSITIVE INFORMATION
16 OR TRADE SECRETS.—Any alien who—

17 “(i) has engaged, is engaged, or at
18 any time after admission engages in any
19 activity that—

20 “(I) violates or evades any law
21 prohibiting the export from the
22 United States of goods, technology, or
23 sensitive information; or

24 “(II) violates any law of the
25 United States relating to the theft or

1 misappropriation of trade secrets or
2 economic espionage; or
3 “(ii) has been convicted of conspiracy
4 related to an activity described in clause
5 (i),
6 is deportable.”.

7 **SEC. 3. ANNUAL REPORT OF INADMISSIBLE AND DEPORT-**
8 **ABLE FOREIGN NATIONALS.**

9 Not later than 180 days after the date of the enact-
10 ment of this Act, and annually thereafter, the Secretary
11 of Homeland Security, in cooperation with the Attorney
12 General, shall submit a report to the Chair and Ranking
13 Member of the Committee on the Judiciary of the Senate
14 and of the Committee on the Judiciary of the House of
15 Representatives that identifies—

16 (1) the nationality and visa admission category
17 of each of the foreign nationals who was determined,
18 during the reporting period, to be inadmissible under
19 section 212(a)(3)(H) of the Immigration and Na-
20 tionality Act, as added by section 2(a), or deportable
21 pursuant to section 237(a)(4)(G) of such Act, as
22 added by section 2(b); and

23 (2) the research institutions, United States pri-
24 vate industries, United States Government agencies,

1 and taxpayer-funded organizations with which such
2 foreign nationals were associated.