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.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE.

This Act may be cited as the “Stop Theft of Intellectual Property Act of 2020”.
SEC. 2. IMMIGRATION CONSEQUENCES OF TRADE SECRET THEFT AND ECONOMIC ESPIONAGE.

(a) INADMISSIBILITY.—Section 212(a)(3) of the Immigration and Nationality Act (8 U.S.C. 1182(a)(3)) is amended—

(1) in subparagraph (A)(i)—

(A) by striking “(I) to violate” and inserting “that violates”; and

(B) by striking “or (II)” and all that follows and inserting a semicolon; and

(2) by adding at the end the following:

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

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

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

“(II) violates any law of the United States relating to the theft or
misappropriation of trade secrets or
economic espionage; or
“(ii) has been convicted of conspiracy
related to an activity described in clause
(i),
is inadmissible.”.

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

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

(2) by adding at the end the following:

“(G) THEFT OF SENSITIVE INFORMATION
OR TRADE SECRETS.—Any alien who—
“(i) has engaged, is engaged, or at
any time after admission engages in any
activity that—
“(I) violates or evades any law
prohibiting the export from the
United States of goods, technology, or
sensitive information; or
“(II) violates any law of the
United States relating to the theft or
misappropriation of trade secrets or
economic espionage; or
“(ii) has been convicted of conspiracy
related to an activity described in clause
(i),
is deportable.”.

SEC. 3. ANNUAL REPORT OF INADMISSIBLE AND DEPORTABLE FOREIGN NATIONALS.

Not later than 180 days after the date of the enactment of this Act, and annually thereafter, the Secretary of Homeland Security, in cooperation with the Attorney General, shall submit a report to the Chair and Ranking Member of the Committee on the Judiciary of the Senate and of the Committee on the Judiciary of the House of Representatives that identifies—

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

(2) the research institutions, United States private industries, United States Government agencies,
and taxpayer-funded organizations with which such foreign nationals were associated.