

116TH CONGRESS
2D SESSION

H. R. 7326

To amend section 212 of the Immigration and Nationality Act to ensure that efforts to engage in espionage or technology transfer are considered in visa issuance, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

JUNE 25, 2020

Mrs. HARTZLER (for herself, Mr. GALLAGHER, Mr. GAETZ, Mr. BURGESS, Mr. ROGERS of Alabama, Mr. POSEY, Mr. GOSAR, Mr. PERRY, Mr. MULLIN, Mr. SPANO, Mr. GIANFORTE, Mr. WRIGHT, and Mr. LAMALFA) introduced the following bill; which was referred to the Committee on the Judiciary

A BILL

To amend section 212 of the Immigration and Nationality Act to ensure that efforts to engage in espionage or technology transfer are considered in visa issuance, and for other purposes.

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 “Protecting America
5 From Spies Act”.

1 **SEC. 2. EXPANDING INADMISSIBILITY ON SECURITY AND**
2 **RELATED GROUNDS.**

3 (a) IN GENERAL.—Section 212(a)(3)(A) of the Im-
4 migration and Nationality Act (8 U.S.C. 1182(a)(3)(A))
5 is amended to read as follows:

6 “(A) IN GENERAL.—Any alien is inadmis-
7 sible who a consular officer or the Secretary of
8 Homeland Security knows, or has reasonable
9 ground to believe—

10 “(i) engages, has engaged, or will en-
11 gage in any activity—

12 “(I) in violation of any law of the
13 United States relating to espionage or
14 sabotage; or

15 “(II) that would violate any law
16 of the United States relating to espio-
17 nage or sabotage if the activity oc-
18 curred in the United States;

19 “(ii) engages, has engaged, or will en-
20 gage in any activity in violation or evasion
21 of any law prohibiting the export from the
22 United States of goods, technology, or sen-
23 sitive information;

24 “(iii) seeks to enter the United States
25 to engage solely, principally, or incidentally
26 in any other unlawful activity;

1 “(iv) seeks to enter the United States
2 to engage solely, principally, or incidentally
3 in any activity a purpose of which is the
4 opposition to, or the control or overthrow
5 of, the Government of the United States by
6 force, violence, or other unlawful means; or
7 “(v) is the spouse or child of an alien
8 who is inadmissible under this subpara-
9 graph, if the activity causing the alien to
10 be found inadmissible occurred within the
11 last 5 years.”.

12 (b) WAIVER AUTHORITY.—Section 212(d)(3)(A) of
13 the Immigration and Nationality Act (8 U.S.C.
14 1182(d)(3)(A)) is amended—

15 (1) by striking “(3)(A)(i)(I), (3)(A)(ii),” each
16 place such term appears; and

17 (2) by inserting “(3)(A)(iv),” after
18 “(3)(A)(iii),” each place such term appears.

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