

118TH CONGRESS
1ST SESSION

H. R. 6286

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

NOVEMBER 8, 2023

Mr. CLINE 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 if a consular officer, an immigration offi-
8 cer, the Secretary of Homeland Security, or the
9 Attorney General knows, or has reasonable
10 ground to believe, that the alien—

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

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

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

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

1 “(iii) seeks to enter the United States
2 to engage solely, principally, or incidentally
3 in any other unlawful activity;

4 “(iv) seeks to enter the United States
5 to engage solely, principally, or incidentally
6 in any activity a purpose of which is the
7 opposition to, or the control or overthrow
8 of, the Government of the United States by
9 force, violence, or other unlawful means; or

10 “(v) is the spouse or child of an alien
11 who is inadmissible under this subpara-
12 graph, if the activity causing the alien to
13 be found inadmissible occurred within the
14 last 5 years.”.

15 (b) WAIVER AUTHORITY.—Section 212(d)(3)(A) of
16 the Immigration and Nationality Act (8 U.S.C.
17 1182(d)(3)(A)) is amended by striking “(other than para-
18 graphs (3)(A)(i)(I), (3)(A)(ii), (3)(A)(iii), (3)(C), and
19 clauses (i) and (ii) of paragraph (3)(E) of such sub-
20 section)” each place such phrase appears and inserting
21 “(other than subparagraphs (A)(i)(I), (A)(ii), (A)(iii),
22 (A)(iv), (C), (E)(i), and (E)(ii) of paragraph (3) of such
23 subsection)”.

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