

117TH CONGRESS  
1ST SESSION

**S.** \_\_\_\_\_

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 SENATE OF THE UNITED STATES

---

Mr. CRUZ introduced the following bill; which was read twice and referred to the Committee on \_\_\_\_\_

---

**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 or the Secretary of  
8 Homeland Security knows, or has reasonable  
9 ground to believe, that the alien—

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 by striking “(other than para-  
15 graphs (3)(A)(i)(I), (3)(A)(ii), (3)(A)(iii), (3)(C), and  
16 clauses (i) and (ii) of paragraph (3)(E) of such sub-  
17 section)” each place such phrase appears and inserting  
18 “(other than subparagraphs (A)(i)(I), (A)(ii), (A)(iii),  
19 (A)(iv), (C), (E)(i), and (E)(ii) of paragraph (3) of such  
20 subsection)”.