

116TH CONGRESS
2D SESSION

H. R. 8764

To prohibit certain members of the Chinese Communist Party from entering the United States until such time as the Government of the People's Republic of China ceases the theft of the intellectual property of the United States, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

NOVEMBER 17, 2020

Mrs. LESKO (for herself, Mr. GAETZ, Mr. VAN DREW, Mr. BIGGS, Mr. HICE of Georgia, Mr. PERRY, Mr. STEUBE, Mr. RIGGLEMAN, and Mr. BROOKS of Alabama) introduced the following bill; which was referred to the Committee on the Judiciary

A BILL

To prohibit certain members of the Chinese Communist Party from entering the United States until such time as the Government of the People's Republic of China ceases the theft of the intellectual property of the United States, 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 “Stop China’s IP Theft
5 Act”.

1 **SEC. 2. FINDINGS.**

2 Congress finds the following:

3 (1) China is perpetrating what Secretary of De-
4 fense Mark Esper has called “the greatest intellec-
5 tual property theft in human history”.

6 (2) A report by the Australian Strategic Policy
7 Institute has found that since 2007 approximately
8 500 Chinese military scientists were sent to the
9 United States to study. According to the report
10 China has been sending soldiers to study science and
11 engineering in Western universities including the
12 United States as part of a widespread effort to col-
13 lect military technology.

14 **SEC. 3. STATEMENT OF POLICY.**

15 It is the policy of the United States to prohibit the
16 entry of Chinese Communist Party leaders and military
17 and government officials of the People’s Republic of China
18 into the United States until the Government of the Peo-
19 ple’s Republic of China ceases its efforts to infringe on
20 the intellectual property rights of the United States.

21 **SEC. 4. RESTRICTION ON ISSUANCE OF VISAS.**

22 (a) RESTRICTION.—The Secretary of State may not
23 issue a visa to, and the Secretary of Homeland Security
24 shall deny entry to the United States of, each of the fol-
25 lowing:

1 (1) senior officials in the Chinese Communist
2 Party, including the Politburo, the Central Com-
3 mittee, and each delegate to the 19th National Con-
4 gress of the Chinese Communist Party;

5 (2) the spouses and children of the senior offi-
6 cials described in paragraph (1);

7 (3) members of the cabinet of the Government
8 of the People’s Republic of China; and

9 (4) active duty members of the People’s Libera-
10 tion Army of China.

11 (b) **APPLICABILITY.**—The restriction under sub-
12 section (a) shall not apply for any year in which the Direc-
13 tor of National Intelligence certifies to the Committees on
14 the Judiciary of the House of Representatives and the
15 Senate that the Government of the People’s Republic of
16 China has ceased sponsoring, funding, facilitating, and ac-
17 tively working to support efforts to infringe on the intellec-
18 tual property rights of citizens and companies of the
19 United States.

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