

**AMENDMENT TO RULES COMM. PRINT 118–36**

**OFFERED BY MR. CURTIS OF UTAH**

At the end of title XVII, add the following:

1 **Subtitle D—Combating China’s Pil-**  
2 **fering of Intellectual Property**  
3 **Act**

4 **SEC. 1751. SHORT TITLE.**

5 This subtitle may be cited as the “Combating Chi-  
6 na’s Pilfering of Intellectual Property Act” or the “CCP  
7 IP Act”.

8 **SEC. 1752. IMPOSITION OF SANCTIONS RELATED TO THE**  
9 **THEFT OF INTELLECTUAL PROPERTY.**

10 (a) IN GENERAL.—The President shall impose the  
11 sanctions described in subsection (b) with respect to each  
12 person described in subsection (c) the President deter-  
13 mines, on or after the date of enactment of this Act, oper-  
14 ates in a sector of the People’s Republic of China’s econ-  
15 omy in which the person—

16 (1) has engaged in a pattern of significant theft  
17 of the intellectual property of a United States per-  
18 son; or

1           (2) has received the intellectual property of a  
2           United States person through a pattern of signifi-  
3           cant theft engaged in by other persons.

4           (b) SANCTIONS IMPOSED.—The sanctions described  
5           in this subsection are the following:

6           (1) ASSET BLOCKING.—The exercise of all pow-  
7           ers granted to the President by the International  
8           Emergency Economic Powers Act (50 U.S.C. 1701  
9           et seq.) to the extent necessary to block and prohibit  
10          all transactions in all property and interests in prop-  
11          erty of a person described in subsection (a) if such  
12          property and interests in property are in the United  
13          States, come within the United States, or are or  
14          come within the possession or control of a United  
15          States person.

16          (2) ALIENS INELIGIBLE FOR VISAS, ADMISSION,  
17          OR PAROLE.—

18                (A) VISAS, ADMISSION, OR PAROLE.—An  
19                alien described in subsection (a) is—

20                   (i) inadmissible to the United States;

21                   (ii) ineligible to receive a visa or other  
22                   documentation to enter the United States;

23                   and

24                   (iii) otherwise ineligible to be admitted  
25                   or paroled into the United States or to re-

1           ceive any other benefit under the Immigra-  
2           tion and Nationality Act (8 U.S.C. 1101 et  
3           seq.).

4           (B) CURRENT VISAS REVOKED.—

5           (i) IN GENERAL.—The issuing con-  
6           sular officer, the Secretary of State, or the  
7           Secretary of Homeland Security (or a des-  
8           ignee of one of such Secretaries) shall, in  
9           accordance with section 221(i) of the Im-  
10          migration and Nationality Act (8 U.S.C.  
11          1201(i)), revoke any visa or other entry  
12          documentation issued to an alien who the  
13          Secretary of State or the Secretary of  
14          Homeland Security (or a designee of one of  
15          such Secretaries) determines is described  
16          in subsection (a), regardless of when the  
17          visa or other documentation is issued.

18          (ii) EFFECT OF REVOCATION.—A rev-  
19          ocation under clause (i) shall take effect  
20          immediately and shall automatically cancel  
21          any other valid visa or entry documenta-  
22          tion that is in the alien's possession.

23          (c) PERSONS DESCRIBED.—A person described in  
24          this section is one of the following:

25               (1) An individual who—

1 (A) is a national of the People's Republic  
2 of China or acting at the direction of a national  
3 or entity of the People's Republic of China; and

4 (B) is not a United States person.

5 (2) An entity that is—

6 (A) organized under the laws of the Peo-  
7 ple's Republic of China or of any jurisdiction  
8 within the People's Republic of China;

9 (B) owned or controlled by individuals who  
10 are nationals of the People's Republic of China;

11 or

12 (C) owned or controlled by an entity de-  
13 scribed in subparagraph (A) and is not a  
14 United States person.

15 (d) PENALTIES; IMPLEMENTATION.—

16 (1) PENALTIES.—A person that violates, at-  
17 tempts to violate, conspires to violate, or causes a  
18 violation of subsection (a) or any regulation, license,  
19 or order issued to carry out subsection (a) shall be  
20 subject to the penalties set forth in subsections (b)  
21 and (c) of section 206 of the International Emer-  
22 gency Economic Powers Act (50 U.S.C. 1705) to the  
23 same extent as a person that commits an unlawful  
24 act described in subsection (a) of that section.

1           (2) IMPLEMENTATION.—The President may ex-  
2           ercise all authorities provided to the President under  
3           sections 203 and 205 of the International Emer-  
4           gency Economic Powers Act (50 U.S.C. 1702 and  
5           1704) for purposes of carrying out this section.

6           (e) WAIVER.—The President may waive the imposi-  
7           tion of sanctions under subsection (a) on a case-by-case  
8           basis with respect to a person if the President—

9           (1) certifies to the Committee on Foreign Af-  
10          fairs and the Committee on the Judiciary of the  
11          House of Representatives and the Committee on  
12          Foreign Relations and the Committee on the Judici-  
13          ary of the Senate that such waiver is in the national  
14          security interests of the United States; and

15          (2) includes a justification for such certifi-  
16          cation.

17          (f) TERMINATION OF SANCTIONS.—The President  
18          may terminate sanctions imposed under subsection (a)  
19          with respect to a person if the President certifies to the  
20          Committee on Foreign Affairs of the House of Representa-  
21          tives and the Committee on Foreign Relations of the Sen-  
22          ate that such person is no longer engaging in efforts to  
23          steal United States intellectual property.

24          (g) REPORT REQUIRED.—Not later than 180 days  
25          after the date of the enactment of this Act, the President

1 shall submit to the Committee on Foreign Affairs of the  
2 House of Representatives and the Committee on Foreign  
3 Relations of the Senate a report that specifies each person  
4 the President determines meets the criteria described in  
5 subsection (a) for the imposition of sanctions.

6 (h) DEFINITIONS.—In this section—

7 (1) the terms “admitted” and “alien” have the  
8 meanings given those terms in section 101 of the  
9 Immigration and Nationality Act (8 U.S.C. 1101);  
10 and

11 (2) the term “United States person” means—

12 (A) an individual who is a United States  
13 citizen or an alien lawfully admitted for perma-  
14 nent residence to the United States; or

15 (B) an entity organized under the laws of  
16 the United States or of any jurisdiction within  
17 the United States.

18 **SEC. 1753. RESTRICTION ON ISSUANCE OF VISAS.**

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

23 (1) Senior officials in the Chinese Communist  
24 Party, including the Politburo, the Central Com-

1           mittee, and each delegate to the 19th National Con-  
2           gress of the Chinese Communist Party.

3           (2) The spouses and children of the senior offi-  
4           cials described in paragraph (1).

5           (3) Members of the cabinet of the Government  
6           of the People's Republic of China.

7           (4) Active duty members of the People's Libera-  
8           tion Army of China.

9           (b) **APPLICABILITY.**—The restriction under sub-  
10          section (a) shall not apply for any year in which the Direc-  
11          tor of National Intelligence certifies to the Committee on  
12          the Judiciary of the House of Representatives and the  
13          Committee on the Judiciary of the Senate that the Gov-  
14          ernment of the People's Republic of China has ceased  
15          sponsoring, funding, facilitating, and actively working to  
16          support efforts to infringe on the intellectual property  
17          rights of citizens and companies of the United States.

18          (c) **REPORT REQUIRED.**—Not later than 180 days  
19          after the date of the enactment of this Act, the Secretary  
20          of State shall submit to Congress a report that—

21                 (1) details the efficacy of visa screening mecha-  
22                 nisms to mitigate intellectual property theft by the  
23                 People's Republic of China; and

24                 (2) includes a list of research institutions asso-  
25                 ciated with the People's Liberation Army and the

1 Ministry of State Security of the People's Republic  
2 of China.

