

119TH CONGRESS
1ST SESSION

H. R. 4081

To amend title 18, United States Code, to establish mandatory minimum penalties for economic and defense espionage when committed on behalf of foreign adversaries.

IN THE HOUSE OF REPRESENTATIVES

JUNE 23, 2025

Mr. HARRIGAN (for himself, Mr. KNOTT, and Mr. BAIRD) introduced the following bill; which was referred to the Committee on the Judiciary

A BILL

To amend title 18, United States Code, to establish mandatory minimum penalties for economic and defense espionage when committed on behalf of foreign adversaries.

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 “Foreign Adversary
5 Federal Offense Act of 2025”.

6 **SEC. 2. ECONOMIC ESPIONAGE.**

7 Section 1831 of title 18, United States Code, is
8 amended—

1 (1) in subsection (a), in the matter following
2 paragraph (5), by striking “except as provided in
3 subsection (b),” and inserting “except as provided in
4 subsection (b) or (c),”; and

5 (2) by adding at the end the following:

6 “(c) SPECIAL PENALTIES.—The following additional
7 penalties shall apply in the case of an offense under sub-
8 section (a):

9 “(1) Whoever commits such an offense to ad-
10 vance the interests of a covered nation (as such term
11 is defined in section 4872 of title 10) shall, except
12 as otherwise provided in paragraph (2), be—

13 “(A) fined not more than \$5,000,000 or
14 imprisoned not less than 10 years and not more
15 than 15 years, or both, and shall be ineligible
16 for supervised release; or

17 “(B) if the offense resulted in severe harm
18 to economic or national security fined not more
19 than \$5,000,000 or imprisoned not less than 10
20 years and not more than 20 years, or both, and
21 shall be ineligible for supervised release.

22 “(2) In the case of an organization that com-
23 mits such an offense to advance the interests of a
24 covered nation (as such term is defined in section
25 4872 of title 10), such organization shall be fined

1 not more than the greater of \$20,000,000 or 5 times
2 the value of the stolen trade secret to the organiza-
3 tion, including expenses for research and design and
4 other costs of reproducing the trade secret that the
5 organization has thereby avoided.

6 “(d) SEVERE HARM TO ECONOMIC OR NATIONAL SE-
7 CURITY.—For purposes of subsection (c), an offense will
8 be considered to have resulted in severe harm to economic
9 or national security if the offense was relating to the
10 transmission of any nonpublic information relating to the
11 security, design, operation, or vulnerability of critical in-
12 frastructure as defined in section 1016(e) of the Uniting
13 and Strengthening America by Providing Appropriate
14 Tools Required to Intercept and Obstruct Terrorism (USA
15 PATRIOT ACT) Act of 2001 (42 U.S.C. 5195c(e)) and
16 where such information, if acted upon, would pose a sig-
17 nificant threat of the incapacitation or destruction of such
18 infrastructure.”.

19 **SEC. 3. GATHERING, TRANSMITTING OR LOSING DEFENSE**
20 **INFORMATION.**

21 Section 793 of title 18, United States Code, is
22 amended, in the matter following subsection (f), by insert-
23 ing after “imprisoned not more than ten years, or both”
24 the following: “, except that, if the violation of any of the
25 foregoing provisions of this section was committed to ad-

1 vance the interests of a covered nation (as such term is
2 defined in section 4872 of title 10), then the offender shall
3 be fined under this title or imprisoned not less than 15
4 years and not more than any term of years or for life,
5 or both”.

