To amend title 18, United States Code, to make certain changes with respect to bringing a civil action for the misappropriation of a trade secret, and for other purposes.

IN THE SENATE OF THE UNITED STATES

Ms. HARRIS introduced the following bill; which was read twice and referred to the Committee on

A BILL

To amend title 18, United States Code, to make certain changes with respect to bringing a civil action for the misappropriation of a trade secret, and for other purposes.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE.

This Act may be cited as the “Deterring Espionage by Foreign Entities through National Defense Act of 2018” or the “DEFEND Act”.
SEC. 2. PROTECTION OF TRADE SECRETS.

Chapter 90 of title 18, United States Code, is amended—

(1) in section 1836—

(A) in subsection (b)(3)(C), by striking “2 times” and inserting “3 times”; and

(B) in subsection (d), in the first sentence, by striking “3 years” and inserting “5 years”;

and

(2) in section 1837—

(A) in paragraph (1), by striking “or” at the end;

(B) in paragraph (2), by striking the period at the end and inserting “; or”; and

(C) by adding at the end the following:

“(3) the offense causes substantial economic harm in the United States.”.