

AMENDMENT TO
RULES COMMITTEE PRINT 117-13
OFFERED BY MS. LETLOW OF LOUISIANA

Add at the end of title LX the following:

1 **SEC. ____ . REGISTRATION OF AGENT FOR SERVICE OF**
2 **PROCESS.**

3 (a) IN GENERAL.—Chapter 190 of title 28, United
4 States Code, is amended by adding at the end the fol-
5 lowing new section:

6 **“§ 5002. Registration of an agent for the service of**
7 **process on covered entities**

8 “(a) IN GENERAL.—A covered entity conducting
9 business in the United States shall register with the De-
10 partment of Commerce not less than one agent residing
11 in the United States if the covered entity—

12 “(1) is owned by officers, members, or affiliates
13 of the Chinese Communist Party, the People’s Lib-
14 eration Army of China, or any governmental organ
15 of the People’s Republic of China, including regional
16 and local governments;

17 “(2) is traded in shares and such shares are
18 held in majority by any individual or group of indi-
19 viduals who are officers, members, or affiliates of

1 the Chinese Communist Party, the People’s Libera-
2 tion Army of China, or any governmental organ of
3 the People’s Republic of China, including regional
4 and local governments;

5 “(3) is owned by individuals or other entities
6 who reside or are headquartered outside of the
7 United States and the majority of business earnings
8 of the covered entity are derived from commerce
9 with entities owned by officers, members, or affili-
10 ates of the Chinese Communist Party, the People’s
11 Liberation Army of China, or any governmental
12 organ of the People’s Republic of China, including
13 regional and local governments of the Chinese Com-
14 munist Party, of the People’s Liberation Army of
15 China, or in the People’s Republic of China; or

16 “(4) is organized under the laws of, or has its
17 principal place of business in, the People’s Republic
18 of China.

19 “(b) FILING.—A registration required under sub-
20 section (a) shall be filed with the Department of Com-
21 merce not later than 30 days after—

22 “(1) the date of enactment of this Act; or

23 “(2) the departure of the previously registered
24 agent from employment or contract with the covered
25 entity.

1 “(c) PURPOSE OF REGISTERED AGENT.—

2 “(1) AVAILABILITY.—A covered entity shall en-
3 sure that not less than one registered agent on
4 whom process may be served is available at the busi-
5 ness address of the registered agent each day from
6 9 a.m. to 5 p.m. in the time zone of the business ad-
7 dress, excluding Saturdays, Sundays, and Federal
8 holidays.

9 “(2) COMMUNICATION.—The registered agent
10 shall be required to be available to accept service of
11 process on behalf of the covered entity under which
12 the agent is registered by the means of any commu-
13 nication included in the registration submitted to the
14 Department of Commerce.

15 “(d) COOPERATION.—A registered agent shall co-
16 operate in good faith with the United States Government
17 and representatives of other individuals and entities.

18 “(e) REQUIRED INFORMATION.—The registration
19 submitted to the Department of Commerce shall include
20 the following information:

21 “(1) The name of the covered entity registering
22 an agent under this section.

23 “(2) The name of the Chief Executive Officer,
24 President, Partner, Chairman, or other controlling
25 individual of the covered entity.

1 “(3) The name of the individual who is being
2 registered as the agent for the service of process.

3 “(4) The business address of the covered entity
4 registering an agent under this section.

5 “(5) The business address of the individual who
6 is being registered as the agent for the service of
7 process.

8 “(6) Contact information, including an email
9 address and phone number for the individual who is
10 being registered as the agent for the service of proc-
11 ess.

12 “(7) The date on which the agent shall begin
13 to accept service of process under this section.

14 “(f) WEBSITE.—The information submitted to the
15 Department of Commerce pursuant to this section shall
16 be made available on a publicly accessible database on the
17 website of the Department of Commerce.

18 “(g) PERSONAL JURISDICTION.—A covered entity
19 that registers an agent under this section thereby consents
20 to the personal jurisdiction of the State or Federal courts
21 of the State in which the registered agent is located for
22 the purpose of any regulatory proceeding or civil action
23 relating to such covered entity.

24 “(h) DEFINITIONS.—In this section:

1 “(1) COVERED ENTITY.—The term ‘covered en-
2 tity’ means—

3 “(A) a corporation, partnership, associa-
4 tion, organization, or other combination of per-
5 sons established for the purpose of commercial
6 activities; or

7 “(B) a trust or a fund established for the
8 purpose of commercial activities.

9 “(2) DEPARTMENT OF COMMERCE.—The term
10 ‘Department of Commerce’ means the United States
11 Department of Commerce.”.

12 (b) CLERICAL AMENDMENT.—The table of sections
13 for chapter 190 of title 28, United States Code, is amend-
14 ed by adding at the end the following:

“5002. Registration of an agent for the service of process on covered entities.”.

