AMENDMENT TO
RULES COMMITTEE PRINT 117–31
OFFERED BY MS. LETLOW OF LOUISIANA

Add at the end the following:

DIVISION M—REGISTERED BUSINESS AGENTS

SEC. 120001. REGISTRATION OF AGENTS.

(a) IN GENERAL.—Chapter 190 of title 28, United States Code, is amended by adding at the end the following new section:

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

“(a) IN GENERAL.—A covered entity conducting business in the United States shall register with the Department of Commerce not less than one agent residing in the United States if the covered entity—

“(1) is owned by officers, members, or affiliates of the Chinese Communist Party, the People’s Liberation Army of China, or any governmental organ of the People’s Republic of China, including regional and local governments;

“(2) is traded in shares and such shares are held in majority by any individual or group of indi-
individuals who are officers, members, or affiliates of the Chinese Communist Party, the People’s Liberation Army of China, or any governmental organ of the People’s Republic of China, including regional and local governments;

“(3) is owned by individuals or other entities who reside or are headquartered outside of the United States and the majority of business earnings of the covered entity are derived from commerce with entities owned by officers, members, or affiliates of the Chinese Communist Party, the People’s Liberation Army of China, or any governmental organ of the People’s Republic of China, including regional and local governments of the Chinese Communist Party, of the People’s Liberation Army of China, or in the People’s Republic of China; or

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

“(b) FILING.—A registration required under subsection (a) shall be filed with the Department of Commerce not later than 30 days after—

“(1) the date of enactment of this Act; or
“(2) the departure of the previously registered agent from employment or contract with the covered entity.

“(c) PURPOSE OF REGISTERED AGENT.—

“(1) AVAILABILITY.—A covered entity shall ensure that not less than one registered agent on whom process may be served is available at the business address of the registered agent each day from 9 a.m. to 5 p.m. in the time zone of the business address, excluding Saturdays, Sundays, and Federal holidays.

“(2) COMMUNICATION.—The registered agent shall be required to be available to accept service of process on behalf of the covered entity under which the agent is registered by the means of any communication included in the registration submitted to the Department of Commerce.

“(d) COOPERATION.—A registered agent shall cooperate in good faith with the United States Government and representatives of other individuals and entities.

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

“(1) The name of the covered entity registering an agent under this section.
“(2) The name of the Chief Executive Officer, President, Partner, Chairman, or other controlling individual of the covered entity.

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

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

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

“(6) Contact information, including an email address and phone number for the individual who is being registered as the agent for the service of process.

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

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

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

“(h) DEFINITIONS.—In this section:

“(1) COVERED ENTITY.—The term ‘covered entity’ means—

“(A) a corporation, partnership, association, organization, or other combination of persons established for the purpose of commercial activities; or

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

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

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

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