

117TH CONGRESS  
1ST SESSION

# H. R. 4912

To amend chapter 190 of title 28, United States Code, to require businesses owned in whole or in part by the Chinese Communist Party or other organs of the People’s Republic of China to register an agent for the service of process in the United States, and for other purposes.

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## IN THE HOUSE OF REPRESENTATIVES

AUGUST 3, 2021

Ms. LETLOW introduced the following bill; which was referred to the  
Committee on the Judiciary

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## A BILL

To amend chapter 190 of title 28, United States Code, to require businesses owned in whole or in part by the Chinese Communist Party or other organs of the People’s Republic of China to register an agent for the service of process in the United States, and for other purposes.

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 “CCP Businesses Reg-  
5 istered Agent Act”.

1 **SEC. 2. REGISTRATION OF AGENT.**

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

5 **“§ 5002. Registration of an agent for the service of**  
6 **process on covered entities**

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

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

16 “(2) is traded in shares and such shares are  
17 held in majority by any individual or group of indi-  
18 viduals who are officers, members, or affiliates of  
19 the Chinese Communist Party, the People’s Libera-  
20 tion Army of China, or any governmental organ of  
21 the People’s Republic of China, including regional  
22 and local governments;

23 “(3) is owned by individuals or other entities  
24 who reside or are headquartered outside of the  
25 United States and the majority of business earnings  
26 of the covered entity are derived from commerce

1 with entities owned by officers, members, or affili-  
2 ates of the Chinese Communist Party, the People’s  
3 Liberation Army of China, or any governmental  
4 organ of the People’s Republic of China, including  
5 regional and local governments of the Chinese Com-  
6 munist Party, of the People’s Liberation Army of  
7 China, or in the People’s Republic of China; or

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

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

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

15 “(2) the departure of the previously registered  
16 agent from employment or contract with the covered  
17 entity.

18 “(c) PURPOSE OF REGISTERED AGENT.—

19 “(1) AVAILABILITY.—A covered entity shall en-  
20 sure that not less than one registered agent on  
21 whom process may be served is available at the busi-  
22 ness address of the registered agent each day from  
23 9 a.m. to 5 p.m. in the time zone of the business ad-  
24 dress, excluding Saturdays, Sundays, and Federal  
25 holidays.

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

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

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

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

15           “(2) The name of the Chief Executive Officer,  
16 President, Partner, Chairman, or other controlling  
17 individual of the covered entity.

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

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

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

1           “(6) Contact information, including an email  
2           address and phone number for the individual who is  
3           being registered as the agent for the service of proc-  
4           ess.

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

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

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

17          “(h) DEFINITIONS.—In this section:

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

20                         “(A) a corporation, partnership, associa-  
21                         tion, organization, or other combination of per-  
22                         sons established for the purpose of commercial  
23                         activities; or

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

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

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

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

