

117TH CONGRESS  
1ST SESSION

# H. R. 3390

To amend the Foreign Agents Registration Act of 1938 to repeal the exemption from registration under such Act for persons providing private and nonpolitical representation of trade and commercial interests, and the exemption from registration under such Act for persons filing disclosure reports under the Lobbying Disclosure Act of 1995, in connection with the representation of business organizations organized under the laws of or having their principal place of business in the People's Republic of China, and for other purposes.

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## IN THE HOUSE OF REPRESENTATIVES

MAY 20, 2021

Mr. GALLAGHER introduced the following bill; which was referred to the Committee on the Judiciary

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## A BILL

To amend the Foreign Agents Registration Act of 1938 to repeal the exemption from registration under such Act for persons providing private and nonpolitical representation of trade and commercial interests, and the exemption from registration under such Act for persons filing disclosure reports under the Lobbying Disclosure Act of 1995, in connection with the representation of business organizations organized under the laws of or having their principal place of business in the People's Republic of China, 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 “Chinese Communist  
 5       Party Influence Transparency Act”.

6       **SEC. 2. REPEALING CERTAIN EXEMPTIONS FROM REG-**  
 7                               **ISTRATION UNDER FOREIGN AGENTS REG-**  
 8                               **ISTRATION ACT OF 1938 BY AGENTS REP-**  
 9                               **RESENTING CHINESE BUSINESS ORGANIZA-**  
 10                              **TIONS.**

11       (a) IN GENERAL.—The Foreign Agents Registration  
 12       Act of 1938, as amended (22 U.S.C. 611 et seq.) is  
 13       amended by inserting after section 3 the following:

14       **“SEC. 3A. SPECIAL RULES FOR AGENTS REPRESENTING**  
 15                              **CHINESE BUSINESS ORGANIZATIONS.**

16       “(a) REPEAL OF EXEMPTION FROM REGISTRATION  
 17       FOR PERSONS PROVIDING PRIVATE AND NONPOLITICAL  
 18       REPRESENTATION OF BONA FIDE TRADE OR COMMER-  
 19       CIAL INTERESTS.—Section 3(d)(1) shall not apply to an  
 20       agent of a covered Chinese business organization.

21       “(b) REPEAL OF EXEMPTION FROM REGISTRATION  
 22       FOR PERSONS FILING DISCLOSURE REPORTS UNDER  
 23       LOBBYING DISCLOSURE ACT OF 1995.—

24               “(1) REPEAL.—Section 3(h) shall not apply to  
 25       an agent of a covered Chinese business organization.

1           “(2) TIMING FOR FILING OF REGISTRATION  
2       STATEMENTS.—In the case of an agent of a covered  
3       Chinese business organization who has registered  
4       under the Lobbying Disclosure Act of 1995 (2  
5       U.S.C. 1601 et seq.), after the agent files the first  
6       registration required under section 2(a) in connec-  
7       tion with the agent’s representation of the covered  
8       Chinese business organization, the agent shall file all  
9       subsequent statements, information, or documents  
10      required under section 2 at the same time, and in  
11      the same frequency, as the reports filed with the  
12      Clerk of the House of Representatives or the Sec-  
13      retary of the Senate (as the case may be) under sec-  
14      tion 5 of the Lobbying Disclosure Act of 1995 (2  
15      U.S.C. 1604) in connection with the agent’s rep-  
16      resentation of the covered Chinese business organi-  
17      zation.

18       “(c) COVERED CHINESE BUSINESS ORGANIZATION  
19      DEFINED.—In this section, the term ‘covered Chinese  
20      business organization’ means—

21           “(1) an entity described in section 1(b)(3)  
22       which is organized under the laws of, or has its prin-  
23       cipal place of business in, the People’s Republic of  
24       China (including any subsidiary or affiliate of such  
25       an entity), except that such term does not include a

1 subsidiary or affiliate of an entity which is organized  
2 under the laws of, and has its principal place of  
3 business in, a country other than the People's Re-  
4 public of China; or

5 “(2) an entity designated by the Attorney Gen-  
6 eral as subject to the extrajudicial direction of the  
7 Chinese Communist Party.”.

8 (b) CONFORMING AMENDMENTS.—

9 (1) REPEAL OF EXEMPTION.—Section 3 of such  
10 Act (22 U.S.C. 613) is amended—

11 (A) in subsection (d)(1), by striking “in  
12 private” and inserting “except as provided in  
13 section 3A(a), in private”; and

14 (B) in subsection (h), by striking “Any  
15 agent” and inserting “Except as provided in  
16 section 3A(b), any agent”.

17 (2) TIMING OF FILING OF REGISTRATION  
18 STATEMENTS.—Section 2(b) of such Act (22 U.S.C.  
19 612(b)) is amended in the first sentence by striking  
20 “six months succeeding such filing” and inserting  
21 “six months succeeding such filing (except as pro-  
22 vided in section 3A(b)(2))”.

1       (c) EFFECTIVE DATE.—The amendments made by  
2 this Act shall take effect 180 days after the date of enact-  
3 ment of this Act.

