116TH CONGRESS
2D SESSION

H. R.

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.

IN THE HOUSE OF REPRESENTATIVES

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

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.
Be it enacted by the Senate and House of Representa-
tives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE.

This Act may be cited as the “Chinese Communist
Party Influence Transparency Act”.

SEC. 2. REPEALING CERTAIN EXEMPTIONS FROM REG-
ISTRATION UNDER FOREIGN AGENTS REG-
ISTRATION ACT OF 1938 BY AGENTS REP-
RESENTING CHINESE BUSINESS ORGANIZA-
TIONS.

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

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

“(a) Repeal of Exemption From Registration
for Persons Providing Private and Nonpolitical
Representation of Bona Fide Trade or Commer-
cial Interests.—Section 3(d)(1) shall not apply to an
agent of a covered Chinese business organization.

“(b) Repeal of Exemption From Registration
for Persons Filing Disclosure Reports Under
Lobbying Disclosure Act of 1995.—

“(1) Repeal.—Section 3(h) shall not apply to
an agent of a covered Chinese business organization.
“(2) Timing for filing of registration statements.—In the case of an agent of a covered Chinese business organization who has registered under the Lobbying Disclosure Act of 1995 (2 U.S.C. 1601 et seq.), after the agent files the first registration required under section 2(a) in connection with the agent’s representation of the covered Chinese business organization, the agent shall file all subsequent statements, information, or documents required under section 2 at the same time, and in the same frequency, as the reports filed with the Clerk of the House of Representatives or the Secretary of the Senate (as the case may be) under section 5 of the Lobbying Disclosure Act of 1995 (2 U.S.C. 1604) in connection with the agent’s representation of the covered Chinese business organization.

“(c) Covered Chinese business organization defined.—In this section, the term ‘covered Chinese business organization’ means—

“(1) an entity described in section 1(b)(3) which is organized under the laws of, or has its principal place of business in, the People’s Republic of China (including any subsidiary or affiliate of such an entity), except that such term does not include a
subsidiary or affiliate of an entity which is organized
under the laws of, and has its principal place of
business in, a country other than the People’s Re-
public of China; or

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

(b) CONFORMING AMENDMENTS.—

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

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

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

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

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