

107TH CONGRESS  
1ST SESSION

# H. R. 2782

To require nationals of the United States that employ more than 20 persons in a foreign country to implement a Corporate Code of Conduct with respect to the employment of those persons, and for other purposes.

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## IN THE HOUSE OF REPRESENTATIVES

AUGUST 2, 2001

Ms. MCKINNEY (for herself, Mr. STARK, Mr. EVANS, Ms. KAPTUR, Mr. FILNER, Mr. MCGOVERN, Mr. SANDERS, Mr. HILLIARD, Mr. PHELPS, Mr. KUCINICH, Mr. CONYERS, Mr. DEFazio, Mr. HINCHEY, Ms. WOOLSEY, Mr. THOMPSON of Mississippi, Ms. CARSON of Indiana, Ms. LEE, Mr. ABERCROMBIE, Mr. JACKSON of Illinois, Mr. CUMMINGS, Mr. WATT of North Carolina, Ms. SOLIS, Mr. DAVIS of Illinois, Mr. BROWN of Ohio, and Ms. BROWN of Florida) introduced the following bill; which was referred to the Committee on International Relations, and in addition to the Committees on Government Reform, and Financial Services, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned

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## A BILL

To require nationals of the United States that employ more than 20 persons in a foreign country to implement a Corporate Code of Conduct with respect to the employment of those persons, 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,*

1 **SECTION 1. SHORT TITLE.**

2       This Act may be cited as the “Corporate Code of  
3 Conduct Act”.

4 **SEC. 2. FINDINGS.**

5       The Congress finds the following:

6           (1) On January 31, 1999, at the World Eco-  
7       nomic Forum, United Nations Secretary General  
8       Kofi Annan challenged world business leaders, in  
9       their individual corporate practices and by sup-  
10      porting appropriate public policies, to “embrace and  
11      enact” the Global Compact, an agreement that asks  
12      corporations to protect human rights, labor rights,  
13      and the environment.

14          (2)(A) On November 16, 1999, the Program on  
15      International Policy Attitudes (PIPA) issued a re-  
16      port that contained the results of a poll of 1,826  
17      randomly selected adults, weighted to be demo-  
18      graphically representative, conducted from October  
19      21–29, 1999, relating to international agreements  
20      on environmental and labor standards.

21          (B) In the poll, 93 percent of the respondents  
22      stated that “countries that are part of international  
23      trade agreements should be required to maintain  
24      minimum standards for working conditions”, 77 per-  
25      cent of the respondents believed (of which, 48 per-  
26      cent strongly believed) that there should be more

1 international agreements on environmental stand-  
2 ards, and 88 percent of the respondents agreed (of  
3 which, 67 percent strongly agreed) that “American  
4 companies that operate in other countries should be  
5 expected to abide by [United States] environmental  
6 standards.”.

7 (3) The European Parliament has passed a Eu-  
8 ropean Code of Conduct calling for European busi-  
9 nesses to abide by European Union laws in oper-  
10 ations outside of Europe.

11 (4) The protests in 2000 against the World  
12 Trade Organization (WTO) in Seattle, Washington,  
13 and the World Bank and International Monetary  
14 Fund (IMF) in Washington, D.C., demonstrate a  
15 growing constituency against the unregulated expan-  
16 sion of globalization.

17 (5) Unfortunately, too many United States  
18 businesses with operations abroad are notorious for  
19 their blatant disregard for the well being of the citi-  
20 zens of their host nations who are employees of the  
21 businesses.

22 (6) Many United States businesses recklessly  
23 pollute the local environment of foreign countries,  
24 pose serious health risks to local citizens, and  
25 threaten the cultural heritage of local citizens.

1           (7) 70 percent of workers in United States pro-  
2           duction factories abroad are women. Many of these  
3           women face mandatory pregnancy testing on a  
4           monthly basis and are forced to take birth control  
5           provided by their employer.

6           (8) Public confidence has declined substantially  
7           in the capacity and effectiveness of government at  
8           all levels to counteract unfair economic competition  
9           and to command greater corporate responsibility in-  
10          side and outside of the marketplace.

11          (9) At the same time, public concern is growing  
12          regarding the increasing concentration of unaccount-  
13          able corporate power and the declining corporate re-  
14          sponsibility across national borders.

15          (10) Yet every year the United States Govern-  
16          ment provides a wide array of taxpayer-financed  
17          services and financial subsidies as well as special tax  
18          breaks as assistance to United States-based multi-  
19          national corporations, especially to enable such cor-  
20          porations to invest overseas, to create jobs in foreign  
21          countries, and to expand their access to foreign mar-  
22          kets.

1 **SEC. 3. RESPONSIBLE BUSINESS PRACTICES OF UNITED**  
2 **STATES NATIONALS IN FOREIGN COUNTRIES.**

3 (a) REQUIREMENT.—A national of the United States  
4 that employs more than 20 persons in a foreign country,  
5 either directly or through subsidiaries, subcontractors, af-  
6 filiates, joint ventures, partners, or licensees (including  
7 any security forces of the national), shall take the nec-  
8 essary steps to implement the Corporate Code of Conduct  
9 described in subsection (b) with respect to the employment  
10 of those persons.

11 (b) CORPORATE CODE OF CONDUCT.—The Corporate  
12 Code of Conduct described in this subsection is as follows:

13 (1) Provide a safe and healthy workplace.

14 (2)(A) Ensure fair employment, including the  
15 prohibition of the use of child and forced labor, the  
16 prohibition of discrimination based upon race, gen-  
17 der, national origin, or religious beliefs, respect for  
18 freedom of association and the right to organize  
19 independently and bargain collectively, and the pay-  
20 ment of a living wage to all workers, including, at  
21 a minimum, a living wage that would meet the basic  
22 needs of an average-size family and provide some  
23 discretionary income for an average-size family.

24 (B) Prohibit mandatory overtime work by em-  
25 ployees under the age of 18.

1           (C) Prohibit the practice of pregnancy testing  
2 of employees, including the forced usage of birth  
3 control, and further prohibit the dismissal or dis-  
4 crimination of employees based on pregnancy.

5           (D) Prohibit retaliation against any employee  
6 who conveys information, either internally, publicly,  
7 or to government regulators in the country involved  
8 or the United States, relating to a violation or al-  
9 leged violation of any provision of this subsection.

10          (3) Promote good governance and good business  
11 practices, including prohibiting illicit payments, en-  
12 suring fair competition, and revocation of corporate  
13 charters when corporations fail to serve the public  
14 good and general welfare.

15          (4)(A) Maintain, through leadership at all lev-  
16 els, a corporate culture that respects free expression  
17 consistent with legitimate business concerns, does  
18 not condone political coercion in the workplace, en-  
19 courages good corporate citizenship and makes a  
20 positive contribution to the communities in which  
21 the national of the United States operates, and pro-  
22 motes ethical conduct that is recognized, valued, and  
23 exemplified by all employees.

24          (B) In addition, comply with internationally  
25 recognized worker rights and core labor standards.

1           (5) Uphold responsible environmental protection  
2           and environmental practices, including compliance  
3           with internationally recognized environmental stand-  
4           ards and with all Federal environmental laws for  
5           similar operations that would be applicable to the  
6           national of the United States if the operations of the  
7           national were located in the United States.

8           (6) Comply with minimum international human  
9           rights standards.

10          (7)(A) Require, under terms of contract, part-  
11          ners, suppliers, and subcontractors of the national of  
12          the United States (including any security forces of  
13          the national) to adopt and adhere to the principles  
14          described in paragraphs (1) through (6).

15          (B) In addition, require full public disclosure of  
16          information relating to location and address, cor-  
17          porate name, applicable financial agreements, worker  
18          rights practices and labor standards, working condi-  
19          tions, environmental performance, and applicable in-  
20          vestments of partners, suppliers, subsidiaries, con-  
21          tractors, and subcontractors of the national of the  
22          United States (including any security forces of the  
23          national).

24          (8) Implement and monitor compliance with the  
25          principles described in paragraphs (1) through (7)

1 through a self-financing program internal to the  
2 business that is designed to prevent and detect con-  
3 duct that is not in compliance with such principles  
4 by any employee of the national of the United  
5 States, or any employee of the partner, supplier, or  
6 subcontractor of the national, and that includes—

7 (A) standards for ethical conduct of such  
8 employees which refer to the principles;

9 (B) procedures for assignment of appro-  
10 priately qualified personnel at the management  
11 level to monitor and enforce compliance with  
12 the principles;

13 (C) procedures for reporting violations of  
14 the principles by such employees;

15 (D) procedures for disciplinary action in  
16 response to violations of the principles;

17 (E) procedures designed to ensure that, in  
18 cases in which a violation of the principles has  
19 been detected, reasonable steps are taken to  
20 correct the violation and prevent similar viola-  
21 tions from occurring;

22 (F) procedures for providing educational  
23 and employment-related counseling to any em-  
24 ployee in violation of the principles; and



(G) communication of all standards and procedures with respect to the principles to every employee—

(i) by requiring the employee to participate in a training program; or

(ii) by disseminating information in writing in the appropriate local language that explains the standards and procedures.

(c) DEFINITIONS.—In this section:

(1) BASIC NEEDS OF AN AVERAGE-SIZE FAMILY.—The term “basic needs of an average-size family”—

(A) means nutritious food, clothing, health care, education, potable water, child care, transportation, housing, and energy; and

(B) shall be determined by wage studies that measure the purchasing power necessary to provide for the needs described in subparagraph (A).

(2) INTERNATIONALLY RECOGNIZED ENVIRONMENTAL STANDARDS.—The term “internationally recognized environmental standards” includes standards relating to—

(A) mitigation of global climate change;

1 (B) reduction in the consumption and pro-  
2 duction of ozone-depleting substances;

3 (C) reduction in ship pollution of the  
4 oceans from such sources as oil, noxious bulk  
5 liquids, hazardous freight, sewage, and garbage;

6 (D) the ban on international ocean dump-  
7 ing of high-level radioactive waste, chemical  
8 warfare agents, and hazardous substances;

9 (E) government control of the  
10 transboundary movement of hazardous waste  
11 materials and their disposal for the purpose of  
12 reducing global pollution due to such materials;

13 (F) preservation of endangered species;

14 (G) conservation of biological diversity;

15 (H) promotion of biodiversity; and

16 (I) preparation of oil-spill contingency  
17 plans.

18 (3) MINIMUM INTERNATIONAL HUMAN RIGHTS  
19 STANDARDS.—The term “minimum international  
20 human rights standards” means standards contained  
21 in the following United Nations instruments relating  
22 to international human rights: the Universal Dec-  
23 laration of Human Rights, the International Cov-  
24 enant on Civil and Political Rights, the Convention  
25 Against Torture and Other Cruel, Inhuman or De-

1 grading Treatment or Punishment, the Convention  
2 on the Prevention and Punishment of the Crime of  
3 Genocide, the Slavery Convention, the Supple-  
4 mentary Convention on the Abolition of Slavery, the  
5 Slave Trade and Institutions and Practices Similar  
6 to Slavery, and the International Convention on the  
7 Elimination of All Forms of Racial Discrimination.

8 (4) INTERNATIONALLY RECOGNIZED WORKER  
9 RIGHTS AND CORE LABOR STANDARDS.—The term  
10 “internationally recognized worker rights and core  
11 labor standards” means standards contained in the  
12 following International Labor Organization (ILO)  
13 conventions:

14 (A) Freedom of Association and Protection  
15 of the Right to Organize Convention (No. 87).

16 (B) Right to Organize and Collective Bar-  
17 gaining Convention (No. 98).

18 (C) Forced Labour Convention (No. 29).

19 (D) Abolition of Forced Labour Conven-  
20 tion (No. 105).

21 (E) Discrimination (Employment and Oc-  
22 cupation) Convention (No. 111).

23 (F) Equal Remuneration Convention (No.  
24 100).

25 (G) Minimum Age Convention (No. 138).

1 (H) Occupational Safety and Health (No.  
2 155).

3 (I) Convention on the Worst Forms of  
4 Child Labor (No. 182).

5 (5) NATIONAL OF THE UNITED STATES.—The  
6 term “national of the United States” means—

7 (A) a citizen of the United States or an  
8 alien lawfully admitted for permanent residence  
9 in the United States; or

10 (B) a corporation, partnership, or other  
11 business association that is organized under the  
12 laws of the United States.

13 (6) UNITED STATES.—The term “United  
14 States” means the States of the United States, the  
15 District of Columbia, the Commonwealth of Puerto  
16 Rico, and any territory or possession of the United  
17 States.

18 **SEC. 4. PREFERENCE IN AWARD OF CONTRACTS AND PRO-**  
19 **VISION OF CERTAIN FOREIGN TRADE AND IN-**  
20 **VESTMENT ASSISTANCE.**

21 (a) PREFERENCE IN AWARD OF CONTRACTS.—

22 (1) IN GENERAL.—In entering into contracts  
23 with entities described in subsection (c) to procure  
24 goods or services, the head of an executive agency  
25 shall give a preference to contracting with entities

1 that have adopted and are enforcing the Corporate  
2 Code of Conduct described in section 3(b).

3 (2) STANDARDS.—The Federal Acquisition  
4 Regulations shall include standards with respect to  
5 the preference required by this subsection.

6 (b) PREFERENCE IN PROVIDING CERTAIN FOREIGN  
7 TRADE AND INVESTMENT ASSISTANCE.—

8 (1) DEPARTMENT OF COMMERCE.—

9 (A) IN GENERAL.—In providing entities  
10 described in subsection (c) that are also United  
11 States exporters with introduction to contacts  
12 in foreign countries pursuant to section  
13 2301(b)(4) of the Omnibus Trade and Competi-  
14 tiveness Act of 1988 (15 U.S.C. 4721(b)(4)),  
15 and in coordinating trade missions with entities  
16 described in subsection (c), the Secretary of  
17 Commerce shall give preference to entities that  
18 have adopted the Corporate Code of Conduct  
19 set forth in section 3(b).

20 (B) REGULATIONS.—The Secretary of  
21 Commerce shall promulgate regulations con-  
22 taining standards with respect to the preference  
23 required by this paragraph.

24 (2) OVERSEAS PRIVATE INVESTMENT CORPORA-  
25 TION.—

1 (A) IN GENERAL.—In providing financing  
2 and issuing investment insurance, reinsurance,  
3 and guaranties to entities described in sub-  
4 section (c) pursuant to title IV of chapter 2 of  
5 part I of the Foreign Assistance Act of 1961  
6 (22 U.S.C. 2191 et seq.), the Overseas Private  
7 Investment Corporation shall give preference to  
8 entities that have adopted the Corporate Code  
9 of Conduct set forth in section 3(b).

10 (B) REGULATIONS.—The Board of Direc-  
11 tors of the Overseas Private Investment Cor-  
12 porations shall promulgate regulations con-  
13 taining standards with respect to the preference  
14 required by this paragraph.

15 (3) TRADE AND DEVELOPMENT AGENCY.—

16 (A) IN GENERAL.—In providing assistance  
17 to entities described in subsection (c) under sec-  
18 tion 661 of the Foreign Assistance Act of 1961  
19 (22 U.S.C. 2421(b)), the Trade and Develop-  
20 ment Agency shall give preference to entities  
21 that have adopted the Corporate Code of Con-  
22 duct set forth in section 3(b).

23 (B) REGULATIONS.—The Director of the  
24 Trade and Development Agency shall promul-  
25 gate regulations containing standards with re-

1           spect to the preference required by this para-  
2           graph.

3           (4) EXPORT-IMPORT BANK OF THE UNITED  
4           STATES.—

5           (A) IN GENERAL.—In providing guaran-  
6           tees, insurance, and credit, and in participating  
7           in extensions of credit, for entities described in  
8           subsection (c), the Export-Import Bank of the  
9           United States shall give preference to entities  
10          that have adopted the Corporate Code of Con-  
11          duct set forth in section 3(b).

12          (B) REGULATIONS.—The Board of Direc-  
13          tors of the Export-Import Bank shall promul-  
14          gate regulations containing standards with re-  
15          spect to the preference required by this para-  
16          graph.

17          (c) ENTITIES DESCRIBED.—The entities described in  
18          this subsection are nationals of the United States that em-  
19          ploy more than 20 persons in a foreign country, either  
20          directly or through subsidiaries, subcontractors, affiliates,  
21          joint ventures, partners, or licensees (including any secu-  
22          rity forces of the national).

1 **SEC. 5. INVESTIGATIONS OF COMPLIANCE WITH COR-**  
2 **PORATE CODE OF CONDUCT.**

3 (a) DEFINITION.—In this section, the term “appro-  
4 priate Federal official” means the Secretary of Commerce,  
5 the Secretary of Labor, the Secretary of State, or the Ad-  
6 ministrator of the Environmental Protection Agency.

7 (b) PETITIONS.—

8 (1) IN GENERAL.—Any person may at any time  
9 file a petition with the appropriate Federal official  
10 requesting that action be taken under section 6 and  
11 setting forth the allegations in support of the re-  
12 quest. A petition alleging the failure of an entity to  
13 comply with the Corporate Code of Conduct adopted  
14 by the entity pursuant to section 3 may seek—

15 (A) the termination of a contract awarded  
16 or of assistance provided to an entity that re-  
17 ceived a preference under section 4 in the  
18 award of a contract or in the provision of as-  
19 sistance;

20 (B) the withdrawal, suspension, or limita-  
21 tion of the eligibility of an entity for a pref-  
22 erence under section 6; or

23 (C) action under both subparagraphs (A)  
24 and (B).

25 (2) REVIEW; DETERMINATION TO INITIATE IN-  
26 VESTIGATION.—The appropriate Federal official



1 shall review the allegations in any petition filed  
2 under paragraph (1) and, not later than 45 days  
3 after the date on which the petition is received, shall  
4 initiate an investigation unless the petition is dis-  
5 missed under paragraph (3).

6 (3) DETERMINATION NOT TO INITIATE INVES-  
7 TIGATION.—

8 (A) IN GENERAL.—The appropriate Fed-  
9 eral official may determine not to initiate an in-  
10 vestigation with respect to a petition filed under  
11 paragraph (1) only upon issuing a finding that  
12 the petition is frivolous. This finding shall be  
13 made without regard to whether similar allega-  
14 tions were made in a previously reviewed peti-  
15 tion and shall focus exclusively on whether the  
16 facts alleged in a petition, if true, would fail to  
17 establish a prima facie case for noncompliance  
18 with the Corporate Code of Conduct set forth in  
19 section 3. Only if the facts alleged in a petition,  
20 if true, fail to make out a prima facie case, or  
21 if a petition contains only conclusory allegations  
22 with no allegation of supporting facts, shall a  
23 petition be dismissed as frivolous.

24 (B) NOTIFICATION.—If the appropriate  
25 Federal official finds a petition to be frivolous,

1           such official shall issue a written decision indi-  
2           cating the specific reasons therefor and shall  
3           publish notice of the determination, together  
4           with a summary of such reasons, in the Federal  
5           Register. A copy of the decision shall be sent to  
6           the petitioner and shall be made available for  
7           public review.

8           (4) SPECIAL COMMITTEES.—The Secretary of  
9           Commerce, the Secretary of Labor, the Secretary of  
10          State, and the Administrator of the Environmental  
11          Protection Agency may establish one or more special  
12          committees to review petitions filed under paragraph  
13          (1) that are under investigation and make written  
14          recommendations with respect to each petition. The  
15          written recommendations shall be available to the  
16          public. The members of the special committees may  
17          be drawn from other agencies within the executive  
18          branch, and each member shall have the necessary  
19          expertise relevant to the issues raised in any peti-  
20          tions to be considered.

21          (5) INVESTIGATIONS.—

22                (A) IN GENERAL.—In initiating an inves-  
23                tigation of a petition under this subsection, the  
24                appropriate Federal official shall publish a sum-  
25                mary of the petition in the Federal Register,

1 along with a request for any person to submit  
2 information relevant to the petition. Following  
3 such publication, such official shall conduct an  
4 independent investigation and gather informa-  
5 tion from all available resources. As part of the  
6 review process, the appropriate Federal official  
7 shall, as soon as practicable, and in no event  
8 later than 90 days after the date on which the  
9 petition is filed, provide opportunity for the  
10 presentation of information concerning the  
11 issues involved, including a public hearing at  
12 which all interested parties may participate.

13 (B) PETITIONS ALLEGING NONCOMPLI-  
14 ANCE.—With respect to any petition alleging  
15 noncompliance, the appropriate Federal official  
16 shall determine whether such violations have oc-  
17 curred or are occurring. Such official in the  
18 preceding sentence shall provide written rec-  
19 ommendations regarding the disposition of the  
20 allegations that shall be entered in the record of  
21 the investigation. The appropriate Federal offi-  
22 cial, or any member of any special committee  
23 established under paragraph (4), may also seek  
24 advice from experts in the fields of human  
25 rights, worker rights, environmental protection,

1           and equal opportunity employment. The advice  
2           may be in writing or taken as oral testimony at  
3           a public hearing and shall be entered in the  
4           record of the investigation.

5           (6) DECISIONS.—After completion of the inves-  
6           tigation, and in no event later than 270 days after  
7           the date on which the petition was filed, the appro-  
8           priate Federal official shall issue a decision whether  
9           to grant the relief requested in the petition. The de-  
10          cision shall be in writing and clearly reference the  
11          issues presented, the factual findings regarding the  
12          allegations, and the standard applied in determining  
13          whether the facts as found required action under  
14          section 6. A copy of the decision shall be provided  
15          to the petitioner, the entity involved in the petition,  
16          and any other party that submitted information rel-  
17          evant to the petition, and shall be made available for  
18          public review. A summary of the decision shall be  
19          published in the Federal Register.

20          (c) INITIATION OF INVESTIGATION BY MEANS OTHER  
21          THAN PETITION.—If the appropriate Federal official de-  
22          termines that an investigation should be initiated with re-  
23          spect to any matter in order to determine whether the  
24          matter requires action under section 6, such official shall  
25          publish such determination in the Federal Register and

1 shall initiate such investigation using the procedures of  
2 paragraphs (5) and (6) of subsection (b), to the extent  
3 appropriate.

4 (d) PROMULGATION OF REGULATIONS.—The Sec-  
5 retary of Commerce shall promulgate regulations to imple-  
6 ment this section. The regulations may include—

- 7 (1) procedures for the creation of special com-  
8 mittees under subsection (b)(4);  
9 (2) coordinating investigations with other agen-  
10 cies;  
11 (3) consolidating multiple petitions concerning  
12 the same contract or entity; and  
13 (4) holding hearings on similar petitions at the  
14 same time in order to efficiently gather information.

15 (e) JUDICIAL REVIEW OF DETERMINATIONS.—Any  
16 final decision dismissing or denying a petition requesting  
17 action under section 6, or any final decision that results  
18 in an action against an entity under section 6, may be  
19 appealed by the petitioner or the entity to the appropriate  
20 United States Court of Appeals for review. The decision  
21 shall be reviewed as a final agency action.

1 **SEC. 6. TERMINATION OF CONTRACTS OR ASSISTANCE AND**  
2 **WITHDRAWAL, SUSPENSION, OR LIMITATION**  
3 **OF PREFERENCE.**

4 (a) **TERMINATION OF CONTRACT OR ASSISTANCE.—**  
5 Based upon a determination from an investigation initi-  
6 ated under section 5 and notwithstanding any other provi-  
7 sion of law, the Secretary of Commerce, the Secretary of  
8 Labor, the Secretary of State, or the Administrator of the  
9 Environmental Protection Agency shall terminate a con-  
10 tract entered into by the executive agency involved with  
11 an entity described in section 4(c) for the procurement of  
12 goods or services by the agency, and the appropriate Fed-  
13 eral official or entity described in paragraph (1), (2), (3),  
14 or (4) of section 4(b) shall terminate foreign trade and  
15 investment assistance from the United States Government  
16 (as described in section 4(b)) provided to an entity de-  
17 scribed in section 4(c), if the entity or contractor or other  
18 recipient of the assistance is not in compliance with the  
19 Corporate Code of Conduct described in section 3(b).

20 (b) **WITHDRAWAL, SUSPENSION, OR LIMITATION OF**  
21 **PREFERENCE.—**The designation of an entity as eligible to  
22 receive a preference under section 4 shall be withdrawn,  
23 suspended, or limited if the entity is no longer in complete  
24 compliance with the Corporate Code of Conduct described  
25 in section 3(b).

1 **SEC. 7. REPORTING REQUIREMENTS.**

2 (a) REPORTS TO CERTAIN FEDERAL DEPARTMENTS  
3 AND AGENCIES.—Each entity described in section 4(c)  
4 that enters into a contract with an executive agency for  
5 the procurement of goods or services by the agency, and  
6 each entity described in section 4(c) that receives certain  
7 foreign trade and investment assistance from the United  
8 States Government (as described in section 4(b)), shall  
9 prepare and submit to the Secretary of Commerce, the  
10 Secretary of Labor, the Secretary of State, and the Ad-  
11 ministrator of the Environmental Protection Agency an  
12 annual report, which shall be made available to the public,  
13 that contains a description of the monitoring program es-  
14 tablished and carried out by the entity pursuant to section  
15 3(b)(8) and any progress made toward full compliance  
16 with the principles described in paragraphs (1) through  
17 (7) of section 3(b) by the individuals described in section  
18 3(b)(8).

19 (b) REPORTS TO CONGRESS.—The Secretary of Com-  
20 merce, the Secretary of Labor, the Secretary of State, and  
21 the Administrator of the Environmental Protection Agen-  
22 cy shall jointly prepare and submit to the Congress, at  
23 the same time the annual Department of State Country  
24 Reports on Human Rights Practices is submitted, an an-  
25 nual report, which shall be made available to the public,  
26 that contains a compilation of the reports received from

1 each entity under subsection (a) for the prior year (includ-  
2 ing a compilation of the petitions submitted to the appro-  
3 priate Federal officials under section 5 for the prior year)  
4 and that contains an analysis of the extent to which each  
5 such entity is in compliance with the Corporate Code of  
6 Conduct described in section 3(b).

7 **SEC. 8. ENFORCEMENT AND ADMINISTRATIVE PROVISIONS.**

8 (a) **REGULATORY AUTHORITY.**—The President shall  
9 issue such rules, regulations, licenses, and orders as are  
10 necessary to carry out the provisions of this Act.

11 (b) **ENFORCEMENT AND PENALTIES.**—

12 (1) **IN GENERAL.**—The President, with respect  
13 to his authorities under subsection (a), shall take the  
14 necessary steps to ensure compliance (including the  
15 monitoring of compliance) with the provisions of this  
16 Act and any rules, regulations, licenses, and orders  
17 issued to carry out this Act.

18 (2) **LIABILITY.**—Beginning 2 years after the  
19 date of the enactment of this Act, any person who  
20 is in violation of any provision of this Act (or any  
21 rule, regulation, license, or order issued to carry out  
22 this Act) shall be liable for damages in a civil cause  
23 of action initiated in an appropriate United States  
24 district court to any individual aggrieved by the act  
25 or omission of the person in question, or to the



- 1 heirs, estate, or other legal representative of the in-
- 2 dividual.

