

109TH CONGRESS
2D SESSION

H. R. 5376

To require nationals of the United States that employ individuals in a foreign country to provide full transparency and disclosure in all their operations.

IN THE HOUSE OF REPRESENTATIVES

MAY 11, 2006

Ms. MCKINNEY introduced the following bill; which was referred to the
Committee on International Relations

A BILL

To require nationals of the United States that employ individuals in a foreign country to provide full transparency and disclosure in all their operations.

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 “Transparency and Re-
5 sponsibility for United States Trade Health Act of 2006”
6 or “TRUTH Act of 2006”.

1 **SEC. 2. TRANSPARENCY AND DISCLOSURE REQUIREMENTS**
2 **FOR UNITED STATES NATIONALS IN FOREIGN**
3 **COUNTRIES.**

4 (a) REQUIREMENT.—A national of the United States
5 that employs 1 or more individuals in a foreign country,
6 either directly or through subsidiaries, subcontractors, af-
7 filiates, joint ventures, partners, or licensees (including
8 any security forces of the national), shall take the nec-
9 essary steps to provide transparency and disclosure in all
10 its operations, including the full public disclosure of the
11 following:

12 (1) Information relating to location, address,
13 and corporate name of all facilities abroad, including
14 such information of all subsidiaries, subcontractors,
15 affiliates, joint ventures, partners, suppliers, or li-
16 censees (including any security forces of the na-
17 tional).

18 (2) Applicable financial agreements, and invest-
19 ments of partners, suppliers, subsidiaries, contrac-
20 tors, and subcontractors of the national of the
21 United States (including any security forces of the
22 national).

23 (3) Worker rights practices and labor stand-
24 ards, including any complaints from employees and
25 violations of local labor laws.

1 (4) Age, gender, and number of employees in
2 each facility.

3 (5) Wages paid to employees, including policies
4 on overtime pay.

5 (6) Working conditions based on current stand-
6 ards of the Occupational Safety and Health Organi-
7 zation for similar operations.

8 (7) Programs that educate employees about
9 dangers and safety precautions of any chemical used
10 in the workplace.

11 (8) Environmental performance, including toxic
12 release inventory of all pollutants released into the
13 local land, water, or air and disclosure of the
14 amount of natural resources that are extracted,
15 processed, or purchased abroad.

16 (9) The existence of security arrangements with
17 state police and military forces or with third party
18 military or paramilitary forces.

19 (10) The human rights policy of the national,
20 any complaints received from local communities, and
21 any human rights lawsuits filed against the national.

22 (b) DEFINITIONS.—In this section:

23 (1) NATIONAL OF THE UNITED STATES.—The
24 term “national of the United States” means—

1 (A) a citizen of the United States or an
2 alien lawfully admitted for permanent residence
3 in the United States; or

4 (B) a corporation, partnership, or other
5 business association that is organized under the
6 laws of the United States.

7 (2) UNITED STATES.—The term “United
8 States” means the States of the United States, the
9 District of Columbia, the Commonwealth of Puerto
10 Rico, and any territory or possession of the United
11 States.

12 **SEC. 3. ENFORCEMENT AND ADMINISTRATIVE PROVISIONS.**

13 (a) REGULATORY AUTHORITY.—The President shall
14 issue such rules and regulations as are necessary to carry
15 out the provisions of this Act.

16 (b) ENFORCEMENT.—The President, with respect to
17 his authorities under subsection (a), shall take the nec-
18 essary steps to ensure compliance (including the moni-
19 toring of compliance) with the provisions of this Act and
20 any rules and regulations issued to carry out this Act.

21 (c) LIABILITY.—Any person who is in violation of any
22 provision of this Act (or any rule, regulation, license, or
23 order issued to carry out this Act) shall be liable for dam-
24 ages in a civil cause of action initiated in an appropriate
25 United States district court to any individual aggrieved

- 1 by the act or omission of the person in question, or to
- 2 the heirs, estate, or other legal representative of the indi-
- 3 vidual.

