

116TH CONGRESS  
1ST SESSION

# S. 1843

To amend the Securities Exchange Act of 1934 to require the disclosure of the total number of domestic and foreign employees of certain public companies, and for other purposes.

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IN THE SENATE OF THE UNITED STATES

JUNE 13, 2019

Mr. PETERS (for himself, Mr. REED, Mr. BROWN, Mrs. FEINSTEIN, and Ms. STABENOW) introduced the following bill; which was read twice and referred to the Committee on Banking, Housing, and Urban Affairs

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## A BILL

To amend the Securities Exchange Act of 1934 to require the disclosure of the total number of domestic and foreign employees of certain public companies, 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 “Outsourcing Account-  
5       ability Act of 2019”.

1 **SEC. 2. REQUIRED DISCLOSURE OF NUMBER OF DOMESTIC**  
2 **AND FOREIGN EMPLOYEES.**

3 Section 13 of the Securities Exchange Act of 1934  
4 (15 U.S.C. 78m) is amended by adding at the end the  
5 following:

6 “(s) DISCLOSURE OF NUMBER OF DOMESTIC AND  
7 FOREIGN EMPLOYEES.—

8 “(1) DEFINITION.—In this subsection, the term  
9 ‘covered subsidiary’ means, with respect to an issuer,  
10 any subsidiary of the issuer that is—

11 “(A) a consolidated subsidiary; or  
12 “(B) a subsidiary with respect to which the  
13 issuer accounts for the investment of the issuer  
14 by using the equity method of accounting.

15 “(2) REQUIREMENT.—Except as provided in  
16 paragraph (3), beginning in the first full fiscal year  
17 that begins after the date of enactment of this sub-  
18 section, each issuer that is required to file a report  
19 with the Commission under subsection (a) shall dis-  
20 close annually to the Commission and to share-  
21 holders of the issuer—

22 “(A) the total number of employees of the  
23 issuer and covered subsidiaries with respect to  
24 the issuer who are domiciled in the United  
25 States, listed by number in each State;

1                   “(B) the total number of employees of the  
2                   issuer who physically work in and are domiciled  
3                   in any country other than the United States,  
4                   listed by number in each country;

5                   “(C) the total number of employees of cov-  
6                   ered subsidiaries with respect to the issuer who  
7                   physically work in and are domiciled in any  
8                   country other than the United States, listed by  
9                   the number of employees at each such covered  
10                  subsidiary in each such country; and

11                  “(D) as compared with the previous re-  
12                  porting year, the percentage amount by which  
13                  the numbers described in subparagraphs (A),  
14                  (B), and (C) increased or decreased with re-  
15                  spect to the applicable number.

16                  “(3) EXEMPTION FOR EMERGING GROWTH COM-  
17                  PANIES.—An emerging growth company shall not be  
18                  subject to paragraph (2).

19                  “(4) RULES.—The Commission may promul-  
20                  gate such rules as the Commission considers nec-  
21                  essary to implement the requirement under para-  
22                  graph (2).”.

