

104TH CONGRESS  
1ST SESSION

# S. 576

To prohibit the provision of certain trade assistance to United States subsidiaries of foreign corporations that lack effective prohibitions on bribery.

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IN THE SENATE OF THE UNITED STATES

MARCH 16, 1995

Mr. FEINGOLD introduced the following bill; which was read twice and referred to the Committee on Foreign Relations

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## A BILL

To prohibit the provision of certain trade assistance to United States subsidiaries of foreign corporations that lack effective prohibitions on bribery.

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. PROHIBITION ON TRADE ASSISTANCE.**

4 (a) PROHIBITION.—Notwithstanding any other provi-  
5 sion of law, an agency referred to in subsection (b) may  
6 not provide economic support (including export assistance,  
7 subsidization, financing, financial assistance, or trade ad-  
8 vocacy) to or for any foreign corporation or any United  
9 States subsidiary of a foreign corporation unless the head  
10 of such agency certifies to Congress that the foreign cor-

1 poration has adopted and enforces a corporate-wide policy  
2 that prohibits the bribery of foreign public officials in con-  
3 nection with international business transactions of the cor-  
4 porations and its subsidiaries.

5 (b) COVERED AGENCIES.—Subsection (a) applies to  
6 assistance provided by the following agencies:

7 (1) The Trade and Development Agency.

8 (2) The Overseas Private Investment Corpora-  
9 tion.

10 (3) The Export-Import Bank.

11 (4) The Agency for International Development.

12 (c) DEFINITIONS.—In this section:

13 (1) The term “bribery”, in the case of a cor-  
14 poration, means the direct or indirect offer or provi-  
15 sion by the corporation of any undue pecuniary or  
16 other advantage to or for an individual in order to  
17 procure business and business contracts for the cor-  
18 poration or its subsidiaries.

19 (2) The term “foreign corporation” means any  
20 corporation created or organized under the laws of  
21 a foreign country.

22 (3) The term “United States subsidiary” means  
23 any subsidiary of a foreign corporation which sub-  
24 sidiary has its principal place of business in the

- 1 United States or which is organized under the laws
- 2 of a State.

