

106TH CONGRESS  
2D SESSION

# H. R. 4596

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

JUNE 7, 2000

Ms. MCKINNEY (for herself, Mr. SANDERS, Mr. KUCINICH, Mr. JACKSON of Illinois, Mr. WYNN, Ms. CARSON, Mrs. MEEK of Florida, Mr. STARK, Mr. EVANS, Mrs. MINK of Hawaii, Mr. OWENS, Mr. DEFazio, Mr. FILNER, Mr. PAYNE, and Mr. NADLER) introduced the following bill; which was referred to the Committee on International Relations, and in addition to the Committees on Government Reform, and Banking 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 on 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,*

### 3 **SECTION 1. SHORT TITLE.**

4 This Act may be cited as the “Corporate Code of  
5 Conduct Act”.

1 **SEC. 2. FINDINGS.**

2 The Congress finds the following:

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

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

18 (B) In the poll, 93 percent of the respondents  
19 stated that “countries that are part of international  
20 trade agreements should be required to maintain  
21 minimum standards for working conditions”, 77 per-  
22 cent of the respondents believed (of which, 48 per-  
23 cent strongly believed) that there should be more  
24 international agreements on environmental stand-  
25 ards, and 88 percent of the respondents agreed (of  
26 which, 67 percent strongly agreed) that “American

1 companies that operate in other countries should be  
2 expected to abide by [United States] environmental  
3 standards.”.

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

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

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

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

23 (7) 70 percent of workers in United States pro-  
24 duction factories abroad are women. Many of these  
25 women face mandatory pregnancy testing on a

1       monthly basis and are forced to take birth control  
2       provided by their employer.

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

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

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

20   **SEC. 3. RESPONSIBLE BUSINESS PRACTICES OF UNITED**  
21                   **STATES NATIONALS IN FOREIGN COUNTRIES.**

22          (a) REQUIREMENT.—A national of the United States  
23      that employs more than 20 persons in a foreign country,  
24      either directly or through subsidiaries, subcontractors, af-  
25      filiates, joint ventures, partners, or licensees (including

1 any security forces of the national), shall take the nec-  
2 essary steps to implement the Corporate Code of Conduct  
3 described in subsection (b) with respect to the employment  
4 of those persons.

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

7 (1) Provide a safe and healthy workplace.

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

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

20 (C) Prohibit the practice of pregnancy testing  
21 of employees, including the forced usage of birth  
22 control, and further prohibit the dismissal or dis-  
23 crimination of employees based on pregnancy.

24 (D) Prohibit retaliation against any employee  
25 who conveys information, either internally, publicly,

1 or to government regulators in the country involved  
2 or the United States, relating to a violation or al-  
3 leged violation of any provision of this subsection.

4 (3) Promote good governance and good business  
5 practices, including prohibiting illicit payments, en-  
6 suring fair competition, and revocation of corporate  
7 charters when corporations fail to serve the public  
8 good and general welfare.

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

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

20 (5) Uphold responsible environmental protection  
21 and environmental practices, including compliance  
22 with internationally recognized environmental stand-  
23 ards and with all Federal environmental laws for  
24 similar operations that would be applicable to the

1 national of the United States if the operations of the  
2 national were located in the United States.

3 (6) Comply with minimum international human  
4 rights standards.

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

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

19 (8) Implement and monitor compliance with the  
20 principles described in paragraphs (1) through (7)  
21 through a self-financing program internal to the  
22 business that is designed to prevent and detect con-  
23 duct that is not in compliance with such principles  
24 by any employee of the national of the United

1 States, or any employee of the partner, supplier, or  
2 subcontractor of the national, and that includes—

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

5 (B) procedures for assignment of appro-  
6 priately qualified personnel at the management  
7 level to monitor and enforce compliance with  
8 the principles;

9 (C) procedures for reporting violations of  
10 the principles by such employees;

11 (D) procedures for disciplinary action in  
12 response to violations of the principles;

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

18 (F) procedures for providing educational  
19 and employment-related counseling to any em-  
20 ployee in violation of the principles; and

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

24 (i) by requiring the employee to par-  
25 ticipate in a training program; or



1 (ii) by disseminating information in  
2 writing that explains the standards and  
3 procedures.

4 (c) DEFINITIONS.—In this section:

5 (1) BASIC NEEDS OF AN AVERAGE-SIZE FAM-  
6 ILY.—The term “basic needs of an average-size  
7 family”—

8 (A) means nutritious food, clothing, health  
9 care, education, potable water, child care, trans-  
10 portation, housing, and energy; and

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

15 (2) INTERNATIONALLY RECOGNIZED ENVIRON-  
16 MENTAL STANDARDS.—The term “internationally  
17 recognized environmental standards” includes stand-  
18 ards relating to—

19 (A) mitigation of global climate change;

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

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

(D) the ban on international ocean dumping of high-level radioactive waste, chemical warfare agents, and hazardous substances;

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

(F) preservation of endangered species;

(G) conservation of biological diversity;

(H) promotion of biodiversity; and

(I) preparation of oil-spill contingency plans.

(3) MINIMUM INTERNATIONAL HUMAN RIGHTS STANDARDS.—The term “minimum international human rights standards” means standards contained in the following United Nations instruments relating to international human rights: the Universal Declaration of Human Rights, the International Covenant on Civil and Political Rights, the Convention Against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment, the Convention on the Prevention and Punishment of the Crime of Genocide, the Slavery Convention, the Supplementary Convention on the Abolition of Slavery, the Slave Trade and Institutions and Practices Similar

1 to Slavery, and the International Convention on the  
2 Elimination of All Forms of Racial Discrimination.

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

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

11 (B) Right to Organize and Collective Bar-  
12 gaining Convention (No. 98).

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

14 (D) Abolition of Forced Labour Conven-  
15 tion (No. 105).

16 (E) Discrimination (Employment and Oc-  
17 cupation) Convention (No. 111).

18 (F) Equal Remuneration Convention (No.  
19 100).

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

21 (H) Occupational Safety and Health (No.  
22 155).

23 (I) Convention on the Worst Forms of  
24 Child Labor (No. 182)

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

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

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

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

14 **SEC. 4. PREFERENCE IN AWARD OF CONTRACTS AND PRO-**  
15 **VISION OF CERTAIN FOREIGN TRADE AND IN-**  
16 **VESTMENT ASSISTANCE.**

17 (a) PREFERENCE IN AWARD OF CONTRACTS.—

18 (1) IN GENERAL.—In entering into contracts  
19 with entities described in subsection (c) to procure  
20 goods or services, the head of an executive agency  
21 shall give a preference to contracting with entities  
22 that have adopted and are enforcing the Corporate  
23 Code of Conduct described in section 3(b).

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

4           (b) PREFERENCE IN PROVIDING CERTAIN FOREIGN  
5 TRADE AND INVESTMENT ASSISTANCE.—

6           (1) DEPARTMENT OF COMMERCE.—

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

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

22           (2) OVERSEAS PRIVATE INVESTMENT CORPORA-  
23 TION.—

24           (A) IN GENERAL.—In providing financing  
25 and issuing investment insurance, reinsurance,

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

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

13 (3) TRADE AND DEVELOPMENT AGENCY.—

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

21 (B) REGULATIONS.—The Director of the  
22 Trade and Development Agency shall promul-  
23 gate regulations containing standards with re-  
24 spect to the preference required by this para-  
25 graph.

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

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

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

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

21 **SEC. 5. INVESTIGATIONS OF COMPLIANCE WITH COR-**  
22 **PORATE CODE OF CONDUCT.**

23          (a) DEFINITION.—In this section, the term “appro-  
24 priate Federal official” means the Secretary of Commerce,

1 the Secretary of Labor, the Secretary of State, or the Ad-  
2 ministrator of the Environmental Protection Agency.

3 (b) PETITIONS.—

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

11 (A) the termination of a contract awarded  
12 or of assistance provided to an entity that re-  
13 ceived a preference under section 4 in the  
14 award of a contract or in the provision of as-  
15 sistance;

16 (B) the withdrawal, suspension, or limita-  
17 tion of the eligibility of an entity for a pref-  
18 erence under section 6; or

19 (C) action under both subparagraphs (A)  
20 and (B).

21 (2) REVIEW; DETERMINATION TO INITIATE IN-  
22 VESTIGATION.—The appropriate Federal official  
23 shall review the allegations in any petition filed  
24 under paragraph (1) and, not later than 45 days  
25 after the date on which the petition is received, shall



1 initiate an investigation unless the petition is dis-  
2 missed under paragraph (3).

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

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

21 (B) NOTIFICATION.—If the appropriate  
22 Federal official finds a petition to be frivolous,  
23 such official shall issue a written decision indi-  
24 cating the specific reasons therefor and shall  
25 publish notice of the determination, together

1 with a summary of such reasons, in the Federal  
2 Register. A copy of the decision shall be sent to  
3 the petitioner and shall be made available for  
4 public review.

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

18 (5) INVESTIGATIONS.—

19 (A) IN GENERAL.—In initiating an inves-  
20 tigation of a petition under this subsection, the  
21 appropriate Federal official shall publish a sum-  
22 mary of the petition in the Federal Register,  
23 along with a request for any person to submit  
24 information relevant to the petition. Following  
25 such publication, such official shall conduct an

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

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

1           a public hearing and shall be entered in the  
2           record of the investigation.

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

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

1 paragraphs (5) and (6) of subsection (b), to the extent  
2 appropriate.

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

6 (1) procedures for the creation of special com-  
7 mittees under subsection (b)(4);

8 (2) coordinating investigations with other agen-  
9 cies;

10 (3) consolidating multiple petitions concerning  
11 the same contract or entity; and

12 (4) holding hearings on similar petitions at the  
13 same time in order to efficiently gather information.

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

21 **SEC. 6. TERMINATION OF CONTRACTS OR ASSISTANCE AND**  
22 **WITHDRAWAL, SUSPENSION, OR LIMITATION**  
23 **OF PREFERENCE.**

24 (a) TERMINATION OF CONTRACT OR ASSISTANCE.—  
25 Based upon a determination from an investigation initi-

1 ated under section 5 and notwithstanding any other provi-  
2 sion of law, the Secretary of Commerce, the Secretary of  
3 Labor, the Secretary of State, or the Administrator of the  
4 Environmental Protection Agency shall terminate a con-  
5 tract entered into by the executive agency involved with  
6 an entity described in section 4(c) for the procurement of  
7 goods or services by the agency, and the Secretary shall  
8 terminate foreign trade and investment assistance from  
9 the United States Government (as described in section  
10 4(b)) provided to an entity described in section 4(c), if  
11 the entity or contractor or other recipient of the assistance  
12 is not in compliance with the Corporate Code of Conduct  
13 described in section 3(b).

14 (b) WITHDRAWAL, SUSPENSION, OR LIMITATION OF  
15 PREFERENCE.—The designation of an entity as eligible to  
16 receive a preference under section 4 shall be withdrawn,  
17 suspended, or limited if the entity is no longer in complete  
18 compliance with the Corporate Code of Conduct described  
19 in section 3(b).

20 **SEC. 7. REPORTING REQUIREMENTS.**

21 (a) REPORTS TO CERTAIN FEDERAL DEPARTMENTS  
22 AND AGENCIES.—Each entity described in section 4(c)  
23 that enters into a contract with an executive agency for  
24 the procurement of goods or services by the agency, and  
25 each entity described in section 4(c) that receives certain

1 foreign trade and investment assistance from the United  
2 States Government (as described in section 4(b)), shall  
3 prepare and submit to the Secretary of Commerce, the  
4 Secretary of Labor, the Secretary of State, and the Ad-  
5 ministrator of the Environmental Protection Agency an  
6 annual report, which shall be made available to the public,  
7 that contains a description of the monitoring program es-  
8 tablished and carried out by the entity pursuant to section  
9 3(b)(8) and any progress made toward full compliance  
10 with the principles described in paragraphs (1) through  
11 (7) of section 3(b) by the individuals described in section  
12 3(b)(8).

13 (b) REPORTS TO CONGRESS.—The Secretary of Com-  
14 merce, the Secretary of Labor, the Secretary of State, and  
15 the Administrator of the Environmental Protection Agen-  
16 cy shall jointly prepare and submit to the Congress, at  
17 the same time the annual Department of State Country  
18 Reports on Human Rights Practices is submitted, an an-  
19 nual report, which shall be made available to the public,  
20 that contains a compilation of the reports received from  
21 each entity under subsection (a) for the prior year (includ-  
22 ing a compilation of the petitions submitted to the appro-  
23 priate Federal officials under section 5 for the prior year)  
24 and that contains an analysis of the extent to which each

1 such entity is in compliance with the Corporate Code of  
2 Conduct described in section 3(b).

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

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

7 (b) ENFORCEMENT AND PENALTIES.—

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

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

○