

104<sup>TH</sup> CONGRESS  
1<sup>ST</sup> SESSION

# H. R. 1192

To amend the Export Administration Act of 1979 to grant a private right of action to persons injured by reason of a violation of the anti-boycott provisions, and for other purposes.

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## IN THE HOUSE OF REPRESENTATIVES

MARCH 9, 1995

Mr. SCHUMER introduced the following bill; which was referred to the Committee on International Relations, and in addition to the Committee on the Judiciary, 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 amend the Export Administration Act of 1979 to grant a private right of action to persons injured by reason of a violation of the anti-boycott provisions, 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. PRIVATE RIGHT OF ACTION.**

4 Section 11 of the Export Administration Act of 1979  
5 (50 U.S.C. App. 2410) is amended by adding at the end  
6 the following:

1       “(j) PRIVATE RIGHT OF ACTION.—Any person in-  
2 jured in his or her business or property by reason of a  
3 violation of the regulations issued pursuant to section 8(a)  
4 may sue therefor in any appropriate United States district  
5 court against the United States person committing the  
6 violation and shall recover the damages such person sus-  
7 tains and the cost of the suit, including a reasonable attor-  
8 ney’s fee. In any such action the court may award punitive  
9 damages. An action may be brought under this subsection  
10 against a United States person whether or not the United  
11 States person has been determined under this section to  
12 have committed the violation on account of which the ac-  
13 tion is brought.”.

14 **SEC. 2. CIVIL PENALTY FOR ANTI-BOYCOTT VIOLATION.**

15       Section 11(c)(1) of the Export Administration Act of  
16 1979 (50 U.S.C. App. 2410(c)(1)) is amended—

17           (1) by inserting “(A)” after “except that”; and

18           (2) by striking the period at the end and insert-  
19 ing “, and (B) the civil penalty for each such viola-  
20 tion of the regulations issued under section 8 may  
21 not exceed \$50,000.”.

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