

109<sup>TH</sup> CONGRESS  
2<sup>D</sup> 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.

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IN THE HOUSE OF REPRESENTATIVES

MAY 11, 2006

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

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## 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.

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