To ensure that Federal contractors comply with child labor laws, and for other purposes.

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IN THE SENATE OF THE UNITED STATES

Mr. Booker (for himself and Mr. Hawley) introduced the following bill; which was read twice and referred to the Committee on

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A BILL

To ensure that Federal contractors comply with child labor laws, and for other purposes.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE.

This Act may be cited as the “Preventing Child Labor Exploitation Act”.

SEC. 2. PROMOTION OF WORKPLACE ACCOUNTABILITY.

(a) REQUIRED DISCLOSURES.—Not later than 180 days after the date of the enactment of this Act, the Federal Acquisition Regulatory Council shall amend the Federal Acquisition Regulation to require any entity that en-
ters into a contract with an executive agency to disclose
to the Secretary of Labor, on an annual basis and to the
best of the knowledge of the entity, whether, within the
preceding 3-year period, any administrative merits deter-
mination, arbitral award or decision, or civil judgment, as
defined in regulations issued by the Secretary of Labor,
has been issued against the entity, or any subcontractor
of the entity, for violations of section 12 of the Fair Labor

(b) CONSULTATION.—The Secretary of Labor shall
be available, as appropriate, for consultation with an enti-
ty described in subsection (a) to assist the entity in evalu-
ating the information on compliance with section 12 of the
Fair Labor Standards Act of 1938 submitted to the entity
by a subcontractor pursuant to such subsection.

(c) CORRECTIVE MEASURES.—On an annual basis,
the Secretary of Labor—

(1) shall provide an entity that makes a disclo-
sure pursuant to subsection (a) an opportunity to re-
port any steps taken by the entity, or any subcon-
tractor of the entity, to correct violations of or im-
prove compliance with section 12 of the Fair Labor
Standards Act of 1938, including any agreements
entered into with an enforcement agency; and
may negotiate with such entity corrective measures that the entity or any subcontractor of the entity may take in order to avoid having the entity placed on the list under subsection (d).

(d) List of Ineligible Entities.—

(1) In general.—For each calendar year beginning with the first calendar year that begins after the date that is 2 years after the date of enactment of this Act, the Secretary of Labor shall prepare, and submit to all executive agencies, a list of each entity that shall be ineligible for a contract with an executive agency for that year based on—

(A) serious, repeated, or pervasive violations of section 12 of the Fair Labor Standards Act of 1938 committed by the entity or any subcontractor of the entity; or

(B) the failure of such entity, or any subcontractor of such entity, to complete any corrective measure negotiated under subsection (c).

(2) Ineligibility.—The head of an executive agency shall not solicit a contract from any entity on the list under paragraph (1) that is in effect for a year for that year or any of the subsequent 4 years.

(e) Criminal Penalty for Failure to Report.—
(1) **Offense.**—It shall be unlawful for an entity to knowingly fail to make a disclosure required under subsection (a).

(2) **Penalty.**—

(A) **In General.**—A violation of paragraph (1) shall be treated as a violation of section 1031(a) of title 18, United States Code.

(B) **Gross Loss to Government; Gross Gain to Defendant.**—For purposes of applying section 1031 of title 18, United States Code, to a violation of paragraph (1) of this subsection, the amount that an executive agency pays an entity that violates such paragraph (1) under a contract described in subsection (a) of this section shall be treated as the gross loss to the Government or the gross gain to the defendant.

(f) **Annual Reports to Congress.**—For each calendar year beginning with the first calendar year that begins after the date that is 2 years after the date of enactment of this Act, each executive agency shall submit to Congress, and make publicly available on the website of the executive agency, a report that includes—

(1) the number of entities on the list under subsection (d) for the year of the report;
(2) the number of entities that agreed to take corrective measures under subsection (e) for such year;

(3) the amount of the applicable contracts for the entities described in paragraph (1) or (2); and

(4) an assessment of the effectiveness of the implementation of this Act for such year.

(g) Definition of Executive Agency.—In this section, the term “executive agency” has the meaning given such term in section 133 of title 41, United States Code.

SEC. 3. GAO STUDY.

Not later than 2 years after the date of the enactment of this Act, the Comptroller General of the United States shall conduct a study on the prevalence and nature of child labor among Federal contractors and submit to Congress a report with the findings of the study.