

COMMITTEE AMENDMENT

[STAFF WORKING DRAFT]

July 16, 2003

Purpose: To set forth the powers and duties of the ethics committee.

**IN THE COMMITTEE ON COMMERCE, SCIENCE, AND
TRANSPORTATION—108TH Cong., 1ST Sess.**

S. 1404, 108TH Congress, 1ST Session

JULY 17, 2003

INTENDED to be proposed by Mr. HOLLINGS (for himself,
Mrs. BOXER, Mr. BREAUX, and Mr. LAUTENBERG)

Viz:

1 On page 12, line 25, strike the closing quotation
2 marks and the second period.

3 On page 12, after line 25, insert the following:

4 **“§ 220545. Ethics and compliance**

5 “(a) IN GENERAL.—The ethics committee shall be re-
6 sponsible for oversight of—

7 “(1) all matters relating to ethics policy and
8 practices of the corporation’s employees, board mem-
9 bers, and volunteers;

10 “(2) officers or directors of a member organiza-
11 tion insofar as their activities relate to corporation
12 business; and

1 “(3) paid and volunteer leadership staff of a bid
2 city organization for activities that relate directly to
3 the bid city process.

4 “(b) INTERNAL ETHICS OFFICER.—

5 “(1) IN GENERAL.—The board of directors
6 shall employ and fix the compensation of a chief eth-
7 ics officer to implement the ethics policy for the cor-
8 poration.

9 “(2) DUTIES.—The ethics committee shall es-
10 tablish policies and procedures to delineate the du-
11 ties of the chief ethics officer.

12 “(3) LINE OF AUTHORITY.—

13 “(A) IN GENERAL.—The chief ethics offi-
14 cer shall report to the chief executive officer of
15 the corporation.

16 “(B) CERTAIN PARTIES.—Notwithstanding
17 subparagraph (A), the chief ethics officer shall
18 report to the ethics committee whenever an al-
19 leged violation involves—

20 “(i) senior management or directors
21 of the corporation;

22 “(ii) officers or directors of a member
23 organization;

24 “(iii) a bid city; or

1 “(iv) the International Olympic Com-
2 mittee.

3 “(c) ETHICS POLICY.—The ethics committee shall es-
4 tablish an ethics policy for the corporation, subject to the
5 approval of the board of directors, modeled upon the best
6 practices used in corporate and government offices. The
7 policy shall include—

8 “(1) a conflict of interest policy;

9 “(2) an anti-discrimination policy;

10 “(3) a workplace harassment policy;

11 “(4) a gift, travel reimbursement, honorarium,
12 and outside income policy;

13 “(5) a financial propriety policy, including a
14 prohibition on loans to corporation officers and em-
15 ployees;

16 “(6) a bid-city policy which includes a trans-
17 parent and objective set of criteria published in ad-
18 vance by which the corporation will choose a United
19 States city to submit a bid to the International
20 Olympic Committee for an Olympic games, which
21 adheres in all respects to the rules and ethics guide-
22 lines of the Olympic Charter and the International
23 Olympic Committee, and which applies to the leaders
24 and staff of a city, or organizations representing a

1 bid city, that file an official bid with the corporation
2 to host Olympic games;

3 “(7) potential sanctions and penalties for viola-
4 tions of the ethics policy, which may include removal
5 from corporation duties;

6 “(8) a procedure for reporting and investigating
7 potential ethics violations; and

8 “(9) procedures to assure due process for any
9 individual accused of an ethics violation, including—

10 “(A) a timely hearing before the ethics
11 committee;

12 “(B) the right to be represented by coun-
13 sel; and

14 “(C) access to all documentation and state-
15 ments that would be used in an ethics pro-
16 ceeding against that individual.

17 “(d) WRITTEN STATEMENT REQUIRED.—All mem-
18 bers of the board, employees, and officers, directors of
19 member organizations, and leaders or representatives of
20 United States bid cities must sign a statement that they
21 have read the corporation’s ethics policy and agree to
22 abide by its rules.

23 “(e) ETHICS COMMITTEE ADJUDICATION OF VIOLA-
24 TIONS.—When the ethics committee determines that an
25 individual has violated the corporation’s ethics policy, it

1 will report to the Board and may make recommendations
2 for action to be taken.

3 “(f) INVESTIGATION, REPORTING, AND REVIEW PRO-
4 CEDURES.—The ethics committee shall establish a proce-
5 dure for the prompt review and investigation of ethics vio-
6 lations, and establish regular reporting and review proce-
7 dures to document the number and types of complaints
8 or issues brought to the ethics committee and the ethics
9 officer.

10 “(g) OUTSIDE COUNSEL.—The ethics committee may
11 hire outside counsel to conduct investigations, report find-
12 ings, and make recommendations.

13 “(h) BID CITY DEFINED.—In this section, the term
14 ‘bid city’ means 1 or more cities, States, regional organiza-
15 tions, or other organizations that file an official bid with
16 the corporation to be chosen as the site nominated by the
17 United States to the International Olympic Committee to
18 host an Olympic Games.”.

19 On page 17, before line 11, strike the closing
20 quotation marks and the period at the end of the item
21 relating to section 220544.

22 On page 17, before line 11, after the item relating
23 to section 220544, insert the following:

“220545. Ethics and compliance”.

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