

## LEGISLATIVE HISTORY

### Cardin-Lugar Amendment or Section 1504 of the Dodd-Frank Financial Reform and Consumer Protection Act

The Cardin-Lugar Amendment emerged following several years of work within the U.S. Congress (See [here](#)), wherein industry, investors and civil society were provided with ample opportunities to influence the final language of the requirements. Key milestones include:

- September 16, 2006, [Resolution](#) by Representative Christopher Smith (R-NJ4) and co-sponsors Representative Diane Watson (D-CA33), and the following who joined on September 20, 2006: Earl Blumenauer (D-OR3) (joined Sep 20, 2006), John Boozman (R-AR3)(joined Sep 20, 2006), John Conyers (D-MI14), Jo Ann Davis (R-VA1), James “Jim” McGovern (D-MA3), Gregory Meeks (D-NY6), Donald Payne, (D-NJ10), and Lynn Woolsey (D-CA6), as well as Mark Kennedy (R-MN6) who joined September 26, 2006, and James “Jim” Leach (R-IA2) who joined November 14, 2006.
- July 23, 2007, U.S. Helsinki Commission Hearing, [“Energy and Democracy: Oil and Water?”](#)
- October 24, 2007, House Financial Services Committee, led by Chairman Barney Frank (D-MA), held a hearing, [“Transparency of Extractive Industries: High Stakes for Resource-Rich Countries, Citizens, and International Business,”](#) to examine the importance of [increased revenue transparency in the oil, gas and mining industries](#). Included testimony of the Vice President, Environment and Social Responsibility, for Newmont Mining Corporation, and the President of the International Council on Mining and Metals.
- May 15, 2008, Representative Frank introduced the [Extractive Industries Transparency in Disclosure Act](#) (EITD) (H.R. 6066), in the House.
- June 26, 2008, U.S. House Financial Services Committee held a legislative [hearing](#) convened by Chairman Barney Frank to discuss the Extractive Industries Transparency Disclosure (EITD) Act. Included testimony by former Vice President for External Affairs, Royal Dutch Shell Group.
- July 31, 2008, Senator Charles Schumer (D-NY) introduced the Senate Companion Bill to the Extractive Industries Transparency in Disclosure Act, [S. 3389](#).
- September 24, 2008, Senate Foreign Relations Committee Hearing, [“Resource Curse or Blessing? Africa’s Management of its Extractive Industries”](#)
- September 24, 2008, Senate Judiciary Committee Hearing, [“Extracting Natural Resources: Corporate Responsibility and the Rule of Law”](#)
- October 16, 2008, Senate Committee on Foreign Relations Report, [“The Petroleum and Poverty Paradox: Assessing U.S. and International Community Efforts to Fight the Resource Curse”](#)
- September 23, 2009 the [Energy Security through Transparency Act](#) (ESTT) (S. 1700), on which the Cardin-Lugar Amendment is based, was introduced in the Senate by Senators Ben Cardin (D-MD) and Dick Lugar (R-IN).
- December 2, 2009, Representative Frank introduced the [Dodd-Frank Wall Street Reform and Consumer Protection Act of 2009](#) (H.R. 4173), which passed in the House on December 11, 2009, and the Senate on May 20, 2010.
- April 15, 2010, the Senate companion bill, the [Restoring American Financial Stability Act of 2012](#) (S. 3217) was introduced by Senator Chris Dodd (D-CT).
- February 2010, Senate Permanent Subcommittee on Investigations [Report](#) exposed how foreign

officials from major U.S. oil suppliers in Africa are funneling millions of dollars of natural resource wealth from their impoverished countries to their U.S. bank accounts for personal use.

- April 22, 2010, U.S. Helsinki Commission Hearing, [“The Link Between Revenue Transparency and Human Rights”](#)
- July 15, 2010, [Congress passed the Dodd-Frank Wall Street Reform and Consumer Protection Act](#), including Section 1504 on "Disclosure of Payments by Resource Extraction Issuers," authored by Senators Cardin and Lugar, and introduced during the conference process by Senator Patrick Leahy (D-VT).
- July 21, 2010, President Obama [signed Dodd-Frank into law](#). Congress gave the Securities and Exchange Commission (SEC) 270 days from the law's enactment (April 11, 2011) to “issue final rules that require each resource extraction issuer to include in an annual report of the resource extraction issuer information relating to any payment made by the resource extraction issuer, a subsidiary of the resource.”
- January 31, 2012, Senators Ben Cardin (D-MD), Patrick Leahy (D-VT) John Kerry (D-MA), Carl Levin (D-MI) and Charles Schumer (D-NY) sent a letter to the SEC [urging the commission to "resist pressure" by the oil industry to weaken the Dodd-Frank rules](#).
- June 22, 2012 a bipartisan group of 58 members of the U.S. House of Representatives sent a letter to the SEC [urging the release of the final rules](#).
- August 2, 2012, in a [floor statement](#), Senator Cardin said, "SEC needs to implement the laws under the direction and guidance from Congress. We've made it clear that we want openness and transparency... it's up to SEC now to come in with regulations that carry out the intent of our law, and help us move forward so that the resource wealth of countries in the developing world become a real asset, a real benefit as they develop sustainable economies and good governance, which helps global stability and helps the global economy..."
- August 22, 2012, the SEC [approves final rules](#) for Section 1504.