



**CITY OF NEW YORK  
OFFICE OF THE COMPTROLLER  
OFFICE OF PENSION POLICY**

**WILLIAM C. THOMPSON, JR., COMPTROLLER**

**A REPORT ON CIUDAD JUAREZ, MEXICO**

**OCTOBER 21, 2004**

## **Background**

In response to a letter from Councilmember Margarita Lopez regarding the troubling developments involving U.S. corporations with operations in the areas in and around Ciudad Juarez, Mexico, my office initiated an inquiry into the reported murder and disappearance of thousands of women and girls in that area.<sup>1</sup> Amnesty International recently reported that the profitability of the Maquiladora industry--assembly plants established by multinational companies for export products--is largely derived from the hiring of cheap labor, consisting mostly of female workers. Ciudad Juarez, which is just over the U.S. border from El Paso, Texas, has a large concentration of these assembly plants. Since 1993, large numbers of women and girls have been murdered and many more remain missing. A number of these missing women worked for U.S. corporations with operations in Ciudad Juarez and the surrounding areas.

This situation is a significant humanitarian concern. A 2002 report issued by the Inter-American Commission on Human Rights found that Mexico's response to this matter was, and remains, seriously deficient. Safety and security concerns persist in and around the area's industrial parks.

In addition, as the investment adviser and fiduciary to all five of the City's pension funds, I remain troubled that the failure of companies to resolve this matter will adversely affect their financial performance and our investment interests over the long-term. I believe that each company is responsible for the safety and security of their employees. Basic human compassion, in addition to responsible business practices, requires that this issue be thoroughly and adequately addressed.

On April 13, 2004, I sent letters to CEOs and Chairs of 103 companies in the New York City pension funds portfolios that reportedly had facilities in the Ciudad Juarez area. My letter sought information from these companies including an explanation of the specific actions they are taking to address this situation. The following survey results reflect the responses of these companies.

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<sup>1</sup> A copy of Councilmember Lopez' letter is attached as Appendix "A."

## Summary of Responses

Out of the 103 companies that were contacted,<sup>2</sup> forty-three companies responded that they had no facilities in the area of Ciudad Juarez;<sup>3</sup> thirty-one companies disclosed having facilities in the area and twenty-nine companies failed to respond.<sup>4</sup> The number of workers at facilities ranged from a mere few to many thousand. For example, one facility employed five thousand workers.

All thirty-one respondents with facilities in the Ciudad Juarez area listed efforts they have taken to provide security at their facilities.<sup>5</sup> A majority of companies reported that private bus transportation is provided for workers to and from work, and that criminal background checks are performed prior to hiring bus drivers. A few companies responded that they have taken steps to ensure that female workers are not left alone and that male employees are the last to be dropped off. In some cases, bus routes have been modified to allow for workers to be picked up and dropped off as close to their homes as possible. Some companies reported that bus drivers have been trained to watch for suspicious activities and that safety seminars are provided to female employees. A majority of companies also reported that their facilities are secured with closed-circuit surveillance and are monitored and patrolled by armed security officers. One company reported that it provides breakfast, lunch and dinner for workers on all shifts. Another reported that it has ceased distribution of cash payments to workers at its facility and has instituted direct pay deposits to employee bank accounts.

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<sup>2</sup> Copies of two of these letters are attached collectively as Appendix "B."

<sup>3</sup> A list of these companies is attached as Appendix "C."

<sup>4</sup> A list of these companies is attached as Appendix "D."

<sup>5</sup> A list of these companies and a summary of their responses is attached as Appendix "E."

## **Conclusion**

While we are gratified by the many responses that we have received, we are at this time unable to provide further verification of each company's efforts. Some of the companies in which we invest have detailed substantial and responsible measures that they have undertaken. Some provided unsatisfactory responses, and most troubling, some refused to respond. We are deeply disappointed by this lack of cooperation and this failure requires us to take additional measures. Most recently, my office sought and received approval from the Trustees of the City's pension funds to submit shareholder resolutions to certain companies that have not provided a response to our inquiries. These resolutions require the Board of Directors of the companies to review their operations in Ciudad Juarez and address the adequacy of corporate security measures in that area.<sup>6</sup>

It is my belief that by being good corporate citizens we can ensure the safety of corporate employees and also enhance the performance of our investments. It is clear that further work needs to be done and my office will continue its efforts to resolve this crisis.

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<sup>6</sup> A copy of the shareholder proposal is attached as Appendix "F."

## APPENDIX "A"

The following information is provided for your information and is not intended to be used as a substitute for the information contained in the Manual of the FBI. It is intended to provide a general overview of the information contained in the Manual of the FBI. It is not intended to be used as a substitute for the information contained in the Manual of the FBI.

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MARGARITA LÓPEZ  
COUNCIL MEMBER, SECOND DISTRICT

DISTRICT OFFICE:  
237 FIRST AVENUE, ROOM 405  
NEW YORK, NY 10003  
(212) 614-8751  
FAX: (212) 614-8813

CITY HALL OFFICE:  
250 BROADWAY, 15TH FLOOR  
NEW YORK, NY 10007  
(212) 788-7366



THE COUNCIL  
OF  
THE CITY OF NEW YORK

CHAIR  
MENTAL HEALTH, MENTAL RETARDATION,  
ALCOHOLISM, DRUG ABUSE & DISABILITY SERVICES

COMMITTEES  
CONTRACTS  
ENVIRONMENTAL PROTECTION  
FINANCE  
HIGHER EDUCATION

SELECT COMMITTEE  
LOWER MANHATTAN REDEVELOPMENT

November 20, 2003

William C. Thompson, Jr.  
New York City Comptroller  
One Centre Street  
Municipal Building Room 530  
New York, NY 10007

Dear Comptroller Thompson:

I am writing on behalf of a newly formed Committee, created to address the plight of the more than 300 women of Ciudad Juarez, Mexico, that have been kidnapped and murdered over the past 10 years. As a Committee, we request that your office conduct an investigation of New York City pension funds invested in corporations operating factories/maquiladoras in Ciudad Juarez that fail to protect their employees human right to dignity and security.

Women in the industrial city of Ciudad Juarez, only miles from El Paso, Texas have been subjected to a decade of rape, murder and mutilation in a series of kidnappings that remain unsolved. To date, international human rights organizations estimate that over 300 women and girls, some as young as 13 years old, have been brutally murdered in Ciudad Juarez. The number of women killed continues to climb due to a lack of security and protection of the state of Chihuahua, Mexico and these corporations. These women, primarily employees of U.S. affiliated corporations such as Ford, TDK, General Motors, Alcoa, DuPont and General Electric, work in conditions where they fear for their lives. Although businesses claim to provide safety measures for their employees, through the use of shuttle buses and security professionals in and around the factories, women continue to vanish in transit and in the close proximity of the factories by the hundreds. Thus, it is evident that the U.S. businesses operating in Ciudad Juarez have not taken adequate measures to address this crisis.

In conclusion, the Committee requests that your office conduct an investigation of the multi-million dollar investments of the earnings of New York City workers into these corporations that allow the kidnapping and murder of their employees to remain unchallenged for approximately a decade. We believe that your office is in the position to determine which of the corporations in which the city pension fund is invested are located in Ciudad Juarez, and request adequate security measures for the employees of these corporations.

NEW YORK CITY  
COMPTROLLER  
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The Committee also requests that your office insist that these corporations develop, and/or enforce, current procedures to ensure accountability from U.S. corporations on this issue without divestiture. It is not our goal to make threats against these corporations, exceed the scope of our authority or impose economic conditions detrimental to the women of Juarez. We believe that by working together, our efforts here in New York City can save the lives of many women in Ciudad Juarez, Mexico.

Thank you in advance for your assistance on this matter and please contact me if you have any questions or concerns.

Sincerely,

A handwritten signature in cursive script that reads "Margarita López". The signature is fluid and connected, with the first and last names clearly legible.

Margarita López  
Councilmember, Second District

NYC Public Advocate Betsy Gotbaum, NYC Councilwoman Tracy Boyland, NYC Councilwoman Helen Sears, NYC Councilwoman Christine Quinn, NYC Councilwoman Sara M. Gonzalez, NYC Chapter of National Organization for Women, National Latino Alliance for the Elimination of Domestic Violence, New York Latinas Against Domestic Violence, Violence Intervention Program Inc., Dominican Women's Development Center, New York City Women In Black and Coalition in Solidarity Women of Juarez

## APPENDIX "B"





COMPTROLLER OF THE CITY OF NEW YORK  
1 CENTRE STREET  
NEW YORK, NY 10007-2341  
(212) 669-3500

WILLIAM C. THOMPSON, JR.  
COMPTROLLER

April 13, 2004

Mr. Carleton Fiorina  
Chairman, CEO  
Hewlett-Packard Co.  
3000 Hanover Street  
Palo Alto, CA 94304

Dear Mr. Fiorina:

I write regarding a troubling matter that has come to my attention regarding your company's operations in northern Mexico.

During the past decade, over three hundred young women were abducted and murdered in the Ciudad Juarez vicinity. Many of these victims were employees of U.S. corporations with operations in that area. These horrific events have increased in recent years, and local law enforcement authorities reportedly have failed to take adequate measures to address this unacceptable situation. I am certain you will agree that it is imperative for companies doing business in this area to provide adequate security for their workers.

As Comptroller of New York City, I am the custodian and chief investment advisor to the New York City pension funds. Our funds currently hold 10,846,882 shares of Hewlett-Packard Co. stock with a market value of \$244,054,845. The City's pension funds have long supported appropriate corporate citizenship within the context of its investments. We believe that good corporate citizenship creates shareholder value and serves the long-term interest of companies and our investments.

Accordingly, it is important that companies operating in the Ciudad Juarez area take immediate steps to safeguard their employees. I therefore ask that you provide my office with an explanation of the specific actions your company will take to address this situation.

I look forward to your reply.

Very truly yours,

William C. Thompson, Jr.



COMPTROLLER OF THE CITY OF NEW YORK  
1 CENTRE STREET  
NEW YORK, NY 10007-2341  
(212) 669-3500

WILLIAM C. THOMPSON, JR.  
COMPTROLLER

April 13, 2004

Mr. William Ford, Jr.  
Chairman, CEO  
Ford Motor Company  
One American Road  
Dearborn, MI 48126

Dear Mr. Ford:

I write regarding a troubling matter that has come to my attention regarding your company's operations in northern Mexico.

During the past decade, over three hundred young women were abducted and murdered in the Ciudad Juarez vicinity. Many of these victims were employees of U.S. corporations with operations in that area. These horrific events have increased in recent years, and local law enforcement authorities reportedly have failed to take adequate measures to address this unacceptable situation. I am certain you will agree that it is imperative for companies doing business in this area to provide adequate security for their workers.

As Comptroller of New York City, I am the custodian and chief investment advisor to the New York City pension funds. Our funds currently hold 6,410,448 shares of Ford Motor Company stock with a market value of \$87,117,988. The City's pension funds have long supported appropriate corporate citizenship within the context of its investments. We believe that good corporate citizenship creates shareholder value and serves the long-term interest of companies and our investments.

Accordingly, it is important that companies operating in the Ciudad Juarez area take immediate steps to safeguard their employees. I therefore ask that you provide my office with an explanation of the specific actions your company will take to address this situation.

I look forward to your reply.

Very truly yours,

William C. Thompson, Jr.

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## APPENDIX "C"

**CIUDAD JAUREZ-MEXICO INITIATIVE  
COMPANIES REPORTING NO FACILITIES IN AREA**

1. Ametek
2. Applica, Inc.
3. Belden Inc.
4. Black & Decker
5. Bristol-Myers Squibb Company
6. Corning Inc.
7. Dana Corp.
8. DuPont Corp.
9. Eastman Kodak Company
10. Fortune Brands
11. Gillette Company
12. GM
13. Guess? Inc.
14. IBM
15. Ingersoll-Rand
16. International Rectifier
17. Ingersoll-Rand
18. Invacare Corp.
19. ITT Industries
20. JC Penney
21. Jones Apparel Group
22. Kellwood
23. KEMET Corp.
24. Kimberly-Clark
25. Liz Claiborne
26. Lucent Technologies
27. Mattel, Inc.
28. Molex Inc.
29. Oxford Industries
30. Pentair, Inc.
31. Plantronics
32. Rockwell Automation
33. RPM Int'l
34. Russell Corp.
35. Sequa Corp.
36. SL Industries
37. Solectron
38. Standex Int'l
39. Steelcase Inc.
40. Thomas & Betts
41. United Technologies
42. Whirlpool Corp.
43. Wolverine World Wide

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## APPENDIX "D"

## CIUDAD JUAREZ-MEXICO INITIATIVE

### NON-RESPONSIVE COMPANIES

1. Andrew Corp.
2. Berkshire Hathaway, Inc
3. Caterpillar, Inc.
4. C&D Technologies, Inc.
5. Cooper Tire & Rubber Company
6. C.R. Bard, Inc.
7. Donnelley RR and Sons Company
8. EMC Corp
9. Ford Motor Company
10. General Electric Company
11. Genlyte Group, Inc.
12. Georgia-Pacific Corp.
13. Hartmarx Corporation
14. Hasbro, Inc.
15. Hewlett-Packard Co
16. Illinois Tool Works, Inc.
17. Modine Manufacturing Company
18. Maytag Corp.
19. Nacco Industries
20. Newell Rubbermaid, Inc.
21. ON Semiconductor Corp.
22. Ryerson Tull. Inc.
23. Sola International, Inc.
24. Stanley Works
25. Teleflex, Inc.
26. Texas Instruments, Inc.
27. Tyson Foods
28. VF Corporation
29. Vishay Intertechnology, Inc.

**APPENDIX "E"**

**Companies Reporting to Have Taken Actions to Provide Security for  
Female Workers in Ciudad Juarez, Mexico**

The following is a summary of responses, by company, to Comptroller Thompson's letter dated April 13, 2004:

<u>Company</u>	<u>Reported Actions</u>
1. Lockheed Martin	Reported that it has five employees and four dependents in Chihuahua (200 miles southwest of Juarez) and that it provides private security protection.
2. Kimball International	Reported that it has a manufacturing facility in the area, and provides private security at that facility.
3. Pepsico Int'l	Reported that it has two distribution centers or warehouses that are used for storing and delivering products and has systems to strictly limit access to the centers.
4. Cummins Inc.	Reported that it has a single facility with 600 employees (25% are women), and provides private bus transportation to and from work. The Company also indicated that it provides financial support to the Ciudad Juarez municipality for the installation of additional street lighting at pick-up and drop-off points, two meals per shift daily to eliminate the need for employees to leave campus during working hours, security monitoring of points of entry, on-site ATM machine, fencing and camera monitoring, and a self-defense course for female employees.
5. EDS	Reported that it has two operations in the area (30% of workers are female). Also reported that it provides security programs, including secured access and automated Access Control Systems, video monitoring, fencing, as well as security officers and patrols. Security officers provide escort upon request.
6. Scientific Atlanta	Reported that it has one facility (5,000 employees), with 75 security officers, 3 security supervisors, and 1 security manager; a closed circuit surveillance system covers the facility, and parking lots are gated and patrolled with radio communications throughout; bus transportation is provided to all employees to and from work through a subcontractor; the subcontractor is required to conduct pre-employment criminal background checks on all drivers, and each bus has a trained monitor.



7. Harman Int'l Reported that it operates in Juarez, and secures its facility with closed circuit surveillance; provides door-to-door transportation to and from work; worked with the Federal Mexican government to provide approx. 200 low cost houses close to its facility; provides self-defense training in collaboration with local police, and direct-deposit of employee payroll.
8. Sara Lee Corp. Reported that it has a "limited number of employees in area", and is "taking every reasonable measure to assure the safety and well-being..." (The company did not describe specific actions taken.)
9. Eaton Corp. Reported that it has 1000 employees in the City of Juarez, and provides safe and reliable transportation to all employees to and from work; and that plants have internal security procedures with trained security officers.
10. Lear Corp. Reported that it has operations in the area, and channels its efforts through the Ciudad Juarez Maquiladora Association, which is headed by Lear's Human Resource Director. The Association supports a police corps which promotes protection of human rights and safety.
11. Becton Dickson Reported that it operates a plant in Nogales, with 900 employees (many are women), and provides video surveillance inside the building, and transportation to all employees to and from work.
12. Johnson Controls Reported that it has operations in the area, and provides transportation to and from work, careful screening of bus companies and drivers, armed guards at plant entries, on-site meals, and a regular communication program to keep employees aware of risks.
13. Honeywell Reported that it has operations in the area, and provides secured sites. Transportation is provided to and from work, bus drivers are screened and female employees are not left alone on buses. Routes have been chosen to ensure that male employees are the last ones on buses. Personal safety seminars are held, and safety information is regularly communicated to workers.

14. Delphi  
Reported that it has operations in the area, and that it channels its efforts through the local Maquila Association by sponsoring personal safety workshops, routing buses as close as possible to employee homes, posting photographs of bus drivers, providing drivers two-way radios to Delphi plants, training bus drivers to watch for suspicious activities, and providing personal safety classes.
15. AVX Corp.  
Reported that it has operations in the area, and that monthly meetings are held to discuss safety. Security and transportation are provided. The company collaborates with local law enforcement to test and verify information regarding drivers used to provide bus transportation for employees; bus routes are modified in order to pick up and drop off workers as close to their homes as possible.
16. Brunswick Corp.  
Reported that it has an operation in the area with 707 employees, and that it provides bus transportation to and from work, a safety education program, and a well-trained security staff.
17. Xerox  
Reported that it has operations in the area. The company's CEO responded that she asked local managers and security staff to conduct an immediate safety assessment and to take actions to better safeguard employees and the workplace. As a result, safety guidelines were issued to each employee and a security workshop and a reporting process are being put in place. (Company representatives met with members of the Comptroller's staff.)
18. Johnson & Johnson  
Reported that it has operations in the area and has implemented a multi-faceted approach to employee safety. (Company representatives met with members of the Comptroller's staff.)
19. ESCO Technologies  
Reported that it has operations in the area with fenced-in facilities, and provides transportation to and from work, and breakfast, lunch, and dinner to accommodate workers 24/7 shifts. Employees and visitors are admitted to a restricted and secure parking lot and buildings.
20. Anixter Int'l  
Reported that it has an operation in the area consisting of one male employee who works from his home.

21. Avery Dennison  
Reported that it has operations in the area, and provides free transportation from its plant to all employees at the conclusion of afternoon and evening shifts, and to all employees arriving for night shifts. Also reported that it conducts personal education campaign, regularly distributes videos, pamphlets and posters regarding safety precautions, and participates in the Maquiladora Association's efforts to create and implement a safety plan for employees in the many manufacturing facilities in Juarez.
22. Lexmark Int'l  
Reported that it has operations in the area and provides security awareness training for employees, and participates in the Maquiladora Association's safety and security efforts.
23. Leggett & Platt  
Reported that it has operations in the area, and has ceased distribution of cash payroll and will directly deposit pay in employees' accounts. It also reported that it provides transportation for women and men separately, drivers must sign a log and show valid ID daily, background checks are performed and drivers must obtain a letter from the police department demonstrating a clean record. The facility is secured and monitored, and security personnel are certified by the police department.
24. ADC  
Reported that it has operations in the area which is secure, and that the company provides busing to and from work.
25. 3M  
Reported that it has operations in the area, which provides 24-hour guard service, bus transportation, routine security review of its facility, and works through the Maquiladora Association to assist local government and law enforcement in creating crime-prevention solutions. It also reported that it contributes to Casa Amiga, a non-profit organization providing help for abused women in Juarez.
26. A.O. Smith  
Reported that it operates four plants in Juarez. The plants are fenced and gated, with security personnel at the gates 24 hours per day, and are equipped with surveillance cameras; employees must display I.D. badge before entering the premises; the facilities work with a private transportation company to transport workers to and from work, and drivers must wear uniforms and I.D. badges at all times. Drivers' identifications are checked by security.

27. ALCOA  
Reported that it has operations in the area that provide 24-hour security. Guards monitor access to plants, and the company has instituted a "Bus Safety Program."
28. Cooper Industries  
Reported having two facilities in the area that are gated, access is controlled, there is a 24-hour security and bus transportation is provided for all employees, with pick-up and drop-off points arranged as close to employees' homes as possible; safety and health seminars are conducted, and training is held to foster respect for women.
29. Hubbell Inc.  
Reported that it has facilities in the area, with 24-hour security guards. Only employees and vendors are allowed on the property, free chartered bus transportation is provided for employees from their respective neighborhoods to the facilities and back, travel routes are pre-set and posted at facilities so that employees know which roads are to be traveled, and all drivers have government background checks.
30. Tyco Int'l  
Reported that it has facilities in the area that provide transportation to and from sites in coordination with other sites in the industrial park. Also reported that the company has established a liaison with the local police for direct communication with private security at the plants; and has hired a consultant to train female employees in self-defense and to coach them not to travel alone and to always use the "buddy system." All employees have been given a key chain with emergency phone numbers.
31. RR Donnelly  
Reported that it has a sales office in the area with five employees, and that the facility has good external lighting and secured access.

**Note:** Northrop Grumman informed the Comptroller's Office that it is attempting to determine whether an entity belonging to TRW Inc., which Northrop acquired in 2002, was sold to an unrelated third party before or shortly after its acquisition of TRW, or whether it had ceased operations prior to the acquisition.

## APPENDIX "F"

**Proposal of the New York City Pension Funds  
To Provide for the Security and Safety of Female Workers  
in Ciudad Juarez, Mexico**

**Submitted by William C. Thompson, Jr., Comptroller of the City of New York, on  
behalf of the Boards of Trustees of the New York City Pension Funds.**

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WHEREAS in August 2003, Amnesty International reported that approximately 370 women and girls have been murdered, and 500 more are missing, in Ciudad Juarez and Chihuahua, Mexico since 1993;

WHEREAS many of the victims from remote areas traveled by bus, and sometimes walked alone across unlit waste ground and streets, to and from work at assembly plants in Ciudad Juarez;

WHEREAS many of the victims were held captive for several days and subjected to humiliation, torture and the most horrific sexual violence before being strangled or beaten to death;

WHEREAS on June 24, 2004, U.S. Senators Jeff Bingaman (D-NM), Kay Bailey Hutchison (R-TX), and Mary Landrieu (D-LA) introduced a bi-partisan Senate resolution condemning the murders;

WHEREAS Amnesty International reported that the profitability of the maquiladora industry—assembly plants established by multinational companies for export products--is largely derived from the hiring of cheap labor, mostly female workers;

WHEREAS a 2002 report of the Special Rapporteur of the Inter-American Commission on Human Rights found that the response of the Mexican State to the killings was and remained seriously deficient; and that the situation raised concerns about security in and around the industrial parks where the maquilas are located, and about the many workers who travel significant distances late at night to work their shifts;

WHEREAS the Special Rapporteur stated that the Mexican State bears responsibility for ensuring that the maquilas are meeting their duties under law to their workers and investing in measures to support the workers and communities that serve them;

WHEREAS many U.S. companies with facilities in Ciudad Juarez have informed the Comptroller of the City of New York that they have taken measures to protect workers, such as providing private bus transportation to and from work, requiring government background checks on all bus drivers, securing and monitoring access to plants, and providing security awareness training programs and self-defense courses for female workers;

WHEREAS (company) has operations in Ciudad Juarez;

THEREFORE, BE IT RESOLVED that the shareholders request the Board of Directors to direct management to review the company's operations in Ciudad Juarez to determine what security measures are been implemented, and the adequacy and effectiveness of the measures; and to issue a report on its findings to the shareholders by August 2005.

**Statement in Support**

The magnitude of the murders of women and girls in Ciudad Juarez, Mexico, is an international humanitarian crisis. The Inter-American Commission on Human Rights, the United Nations, Amnesty International, the U.S. Congress, and concerned organizations and communities are calling for justice and the cessation of the murders. In our opinion, responsible business practice requires that multinational companies with facilities in Ciudad Juarez provide effective security to protect the safety of their female workers.

Accordingly, we urge that you vote FOR the proposal.