

105TH CONGRESS  
2D SESSION

# H. R. 3755

To express the Sense of Congress that American universities and colleges should adopt rigorous educational merchandise licensing codes of conduct against sweatshop and child labor for merchandise licensed under their names or insignias.

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## IN THE HOUSE OF REPRESENTATIVES

APRIL 29, 1998

Mr. MILLER of California (for himself, Mr. GEPHARDT, Mr. SMITH of New Jersey, Mr. BONIOR, Mr. CLAY, Mr. FRANK of Massachusetts, Mr. SANDERS, Mr. SCHUMER, and Mr. KENNEDY of Massachusetts) introduced the following bill; which was referred to the Committee on Education and the Workforce

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## A BILL

To express the Sense of Congress that American universities and colleges should adopt rigorous educational merchandise licensing codes of conduct against sweatshop and child labor for merchandise licensed under their names or insignias.

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. EDUCATIONAL MERCHANDISE LICENSING**

4 **CODES OF CONDUCT.**

5 (a) FINDINGS.—The Congress finds that American  
6 colleges and universities should take into account the fol-

1 lowing in managing the licensing of merchandise bearing  
2 the names or insignia of educational institutions:

3           (1) American workers have the right to a fair  
4           and safe workplace and to reasonable compensation  
5           under the law, such as under the Fair Labor Stand-  
6           ards Act, the National Labor Relations Act, and the  
7           Occupational Safety and Health Act.

8           (2) Despite United States workplace laws,  
9           sweatshops and other forms of labor exploitation  
10          persist domestically. The Department of Labor has  
11          recovered \$23,100,000 in illegally held back wages  
12          for over 45,000 garment workers since 1993, includ-  
13          ing \$2,900,000 in back wages in 1997 alone. In  
14          1997, 63 percent of the New York City garment  
15          shops investigated by the Department of Labor were  
16          found in violation of the minimum wage and over-  
17          time provisions of the Fair Labor Standards Act.  
18          And, a recent study commissioned by the Associated  
19          Press found that 13,000 children work in sweat-  
20          shops in the United States.

21          (3) The use of sweatshop and child labor  
22          abroad for goods imported to the United States re-  
23          mains a problem, particularly in the apparel and  
24          sporting goods sectors, including the use of submini-  
25          mum wages, bonded and indentured labor, and

1 unhealthy working conditions. The International  
2 Labor Organization estimated there are 250,000,000  
3 underage children working worldwide, in all sectors  
4 of the economy, such as agriculture, services and  
5 manufacturing for domestically consumed and ex-  
6 ported items.

7 (4) Federal law, including the Trade Act of  
8 1930, bans the importation of products made with  
9 indentured servitude, forced or slave labor into the  
10 United States.

11 (5) Codes of Conduct are voluntary steps taken  
12 by the private sector.

13 (6) Rigorous codes of conduct are an important  
14 component of a larger set of tools to reduce sweat-  
15 shop and child labor.

16 (7) The Apparel Industry Partnership, com-  
17 prised of major retail companies, human rights  
18 groups and labor unions, is seeking agreement on a  
19 code of conduct to reduce the use of sweatshops and  
20 child labor.

21 (8) American consumers have repeatedly ex-  
22 pressed an interest in buying goods not made with  
23 exploited labor.

1           (9) American consumers frequently have no  
2           ability to know whether a product has been made  
3           with exploited labor.

4           (10) Informed consumer choices can be a pow-  
5           erful tool in the reduction of sweatshops and ex-  
6           ploited labor.

7           (11) The market for college and university li-  
8           censed merchandise such as caps, t-shirts, sweat  
9           pants, and other items is valued at over  
10          \$2,000,000,000 a year, with 80 percent of the mar-  
11          ket coming from apparel products.

12          (12) Several universities have adopted codes of  
13          conduct specifically requiring companies that manu-  
14          facture products bearing those universities' names to  
15          adhere to minimum labor standards both domesti-  
16          cally and abroad, but few universities and colleges,  
17          and none of those with the largest volume of mer-  
18          chandise sales, have labor codes of conduct regard-  
19          ing sweatshop and child labor covering companies  
20          that market their merchandise.

21          (13) The Association of Collegiate Licensing  
22          Administrators is expected to discuss licensing codes  
23          of conduct at its annual meeting beginning on  
24          May 13.

1 (b) SENSE OF THE CONGRESS.—It is the sense of  
2 the Congress that all American colleges and universities  
3 should adopt rigorous educational merchandise licensing  
4 codes of conduct to assure that university and college li-  
5 censed merchandise is not made by sweatshop and ex-  
6 ploited adult or child labor either domestically or abroad  
7 and that such codes should include at least the following:

8 (1) public reporting of the code and the compa-  
9 nies adhering to it;

10 (2) independent monitoring of the companies  
11 adhering to the code by entities not limited to major  
12 international accounting firms;

13 (3) an explicit prohibition on the use of child  
14 labor;

15 (4) an explicit requirement that companies pay  
16 workers at least the governing minimum wage and  
17 applicable overtime;

18 (5) an explicit requirement that companies  
19 allow workers the right to organize without retribu-  
20 tion; and

21 (6) an explicit requirement that companies  
22 maintain a safe and healthy workplace.

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