

104TH CONGRESS
2D SESSION

H. R. 3843

To amend title 10, United States Code, to prohibit the Defense Commissary Agency and nonappropriated fund instrumentalities of the Department of Defense from purchasing imported consumer items to be sold in commissary or exchange stores when such consumer items are not produced in conformity with minimum labor standards.

IN THE HOUSE OF REPRESENTATIVES

JULY 17, 1996

Mr. UNDERWOOD (for himself, Mr. GEPHARDT, Mr. BONIOR, Mr. FUNDERBURK, Mr. LANTOS, Mr. BERMAN, Mr. RICHARDSON, Mr. ACKERMAN, Mr. EVANS, Mr. ABERCROMBIE, Mr. MORAN, Mr. MANTON, Mr. TORRES, Ms. LOFGREN, Mr. TRAFICANT, Mr. HILLIARD, Mr. FRAZER, Mr. KENNEDY of Massachusetts, Mr. SCHUMER, Mr. FALEOMAVAEGA, Mr. TOWNS, Mr. SPRATT, Mr. ROMERO-BARCELÓ, Mr. FILNER, Mr. YATES, Mr. DEFazio, Mr. HINCHEY, Mr. SANDERS, Ms. KAPTUR, Mr. FATTAH, Mr. LIPINSKI, Mr. WATT of North Carolina, Mr. MEEHAN, Ms. VELÁZQUEZ, Ms. ROYBAL-ALLARD, and Mr. HOLDEN) introduced the following bill; which was referred to the Committee on National Security

A BILL

To amend title 10, United States Code, to prohibit the Defense Commissary Agency and nonappropriated fund instrumentalities of the Department of Defense from purchasing imported consumer items to be sold in commissary or exchange stores when such consumer items are not produced in conformity with minimum labor standards.

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. SHORT TITLE.**

4 This Act may be cited as the “Sweatshop Product
5 Ban Act of 1996”.

6 **SEC. 2. CONDITION ON SALE OF IMPORTED CONSUMER**
7 **ITEMS IN COMMISSARY AND EXCHANGE**
8 **STORES.**

9 (a) COMPLIANCE WITH MINIMUM LABOR STAND-
10 ARDS REQUIRED.—(1) Chapter 147 of title 10, United
11 States Code, is amended by adding at the end the follow-
12 ing new section:

13 **“§ 2490b. Commissary and exchange stores: condition**
14 **on sale of imported consumer items**

15 “(a) COMPLIANCE WITH MINIMUM LABOR STAND-
16 ARDS.—The Defense Commissary Agency and any non-
17 appropriated fund instrumentality operating a military ex-
18 change store may not purchase for resale in a commissary
19 or exchange store any consumer item imported into the
20 United States if the Defense Commissary Agency or non-
21 appropriated fund instrumentality has reason to believe
22 that the consumer item was not produced in conformity
23 with minimum labor standards.

24 “(b) ESTABLISHMENT OF STANDARDS.—The Sec-
25 retary of Labor shall develop the minimum labor stand-

1 ards to be applied for purposes of this section, in particu-
2 lar standards regarding the use of child or prison labor
3 and the production of consumer items under other inhu-
4 mane conditions.

5 “(c) PROCESS TO DETERMINE COMPLIANCE.—The
6 Secretary of Labor shall annually develop and submit to
7 the Secretary of Defense a list of companies and manufac-
8 turers that are not in compliance with the minimum labor
9 standards developed under subsection (b). The Secretary
10 of Defense shall annually certify to Congress that the De-
11 fense Commissary Agency and nonappropriated fund in-
12 strumentalities have not purchased any consumer items
13 from the companies and manufacturers identified by the
14 Secretary of Labor.

15 “(d) DEFINITION.—In this section, the term ‘non-
16 appropriated fund instrumentality’ means the Army and
17 Air Force Exchange Service, Navy Exchange Service Com-
18 mand, Marine Corps exchanges, or any other instrumen-
19 tality of the United States under the jurisdiction of the
20 Armed Forces which is conducted for the comfort, pleas-
21 ure, contentment, or physical or mental improvement of
22 members of the Armed Forces.”.

23 (2) The table of sections at the beginning of such
24 chapter is amended by adding at the end the following
25 new item:

“2490b. Commissary and exchange stores: condition on sale of imported consumer items.”.

1 (b) **EFFECTIVE DATE.**—Section 2490b of title 10,
2 United States Code, as added by subsection (a), shall
3 apply with respect to contracts entered into or extended
4 after the date of the enactment of this Act for the pur-
5 chase of imported consumer items for sale in military com-
6 missary or exchange stores.

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