

1 (2) manufacturers will provide fees under sec-
2 tion 2(c) so that the program will operate without
3 cost to the Federal Government,

4 the Secretary shall establish such program solely to help
5 inform consumers whether a product is “Made in Amer-
6 ica”. The Secretary shall publish the toll-free number by
7 notice in the Federal Register.

8 (b) CONTRACT.—The Secretary of Commerce shall
9 enter into a contract for—

10 (1) the establishment and operation of the toll
11 free number pilot program provided for in subsection
12 (a), and

13 (2) the registration of products pursuant to
14 regulations issued under section 2,
15 which shall be funded entirely from fees collected under
16 section 2(c).

17 (c) USE.—The toll free number shall be used solely
18 to inform consumers as to whether products are registered
19 under section 2 as “Made in America”. Consumers shall
20 also be informed that registration of a product does not
21 mean—

22 (1) that the product is endorsed or approved by
23 the Government,

24 (2) that the Secretary has conducted any inves-
25 tigation to confirm that the product is a product

1 which meets the definition of “Made in America” in
2 section 4 of this Act, or

3 (3) that the product contains 100 percent
4 United States content.

5 **SEC. 2. REGISTRATION.**

6 (a) PROPOSED REGULATION.—The Secretary of
7 Commerce shall propose a regulation—

8 (1) to establish a procedure under which the
9 manufacturer of a product may voluntarily register
10 such product as complying with the definition of
11 “Made in America” in section 4 of this Act and have
12 such product included in the information available
13 through the toll free number established under sec-
14 tion 1(a);

15 (2) to establish, assess, and collect a fee to
16 cover all the costs (including start-up costs) of reg-
17 istering products and including registered products
18 in information provided under the toll-free number;

19 (3) for the establishment under section 1(a) of
20 the toll-free number pilot program; and

21 (4) to solicit views from the private sector con-
22 cerning the level of interest of manufacturers in reg-
23 istering products under the terms and conditions of
24 paragraph (1).

1 (b) PROMULGATION.—If the Secretary determines
2 based on the comments on the regulation proposed under
3 subsection (a) that the toll-free number pilot program and
4 the registration of products is warranted, the Secretary
5 shall promulgate such regulation.

6 (c) REGISTRATION FEE.—

7 (1) IN GENERAL.—Manufacturers of products
8 included in information provided under section 1
9 shall be subject to a fee imposed by the Secretary
10 of Commerce to pay the cost of registering products
11 and including them in information provided under
12 subsection (a).

13 (2) AMOUNT.—The amount of fees imposed
14 under paragraph (1) shall—

15 (A) in the case of a manufacturer, not be
16 greater than the cost of registering the manu-
17 facturer's product and providing product infor-
18 mation directly attributable to such manufac-
19 turer, and

20 (B) in the case of the total amount of fees,
21 not be greater than the total amount appro-
22 priated to the Secretary of Commerce for sala-
23 ries and expenses directly attributable to reg-
24 istration of manufacturers and having products

1 included in the information provided under sec-
2 tion 1(a).

3 (3) CREDITING AND AVAILABILITY OF FEES.—

4 (A) IN GENERAL.—Fees collected for a fis-
5 cal year pursuant to paragraph (1) shall be
6 credited to the appropriation account for sala-
7 ries and expenses of the Secretary of Commerce
8 and shall be available in accordance with appro-
9 priation Acts until expended without fiscal year
10 limitation.

11 (B) COLLECTIONS AND APPROPRIATION
12 ACTS.—The fees imposed under paragraph
13 (1)—

14 (i) shall be collected in each fiscal
15 year in an amount equal to the amount
16 specified in appropriation Acts for such fis-
17 cal year, and

18 (ii) shall only be collected and avail-
19 able for the costs described in paragraph
20 (2).

21 **SEC. 3. PENALTY.**

22 Any manufacturer of a product who knowingly reg-
23 isters a product under section 2 which is not “Made in
24 America”—

1 (1) shall be subject to a civil penalty of not
2 more than \$7500 which the Secretary of Commerce
3 may assess and collect, and

4 (2) shall not offer such product for purchase by
5 the Federal Government.

6 **SEC. 4. DEFINITION.**

7 For purposes of this Act:

8 (1) The term “Made in America” has the
9 meaning given unqualified “Made in U.S.A.” or
10 “Made in America” claims for purposes of laws ad-
11 ministered by the Federal Trade Commission.

12 (2) The term “product” means a product with
13 a retail value of at least \$250.

14 **SEC. 5. RULE OF CONSTRUCTION.**

15 Nothing in this Act or in any regulation promulgated
16 under section 2 shall be construed to alter, amend, modify,
17 or otherwise affect in any way, the Federal Trade Com-
18 mission Act or the opinions, decisions, rules, or any guid-
19 ance issued by the Federal Trade Commission regarding
20 the use of unqualified “Made in U.S.A.” or “Made in
21 America” claims in labels on products introduced, deliv-
22 ered for introduction, sold, advertised, or offered for sale
23 in commerce.

○