



1           (1) interest among manufacturers is sufficient  
2           to warrant the establishment of a 3-year toll free  
3           number pilot program, and

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

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

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

13           (1) the establishment and operation of the toll  
14           free number pilot program provided for in subsection  
15           (a), and

16           (2) the registration of products pursuant to  
17           regulations issued under section 3,

18 which shall be funded entirely from fees collected under  
19 section 3(c).

20       (c) USE.—The toll free number shall be used solely  
21 to inform consumers as to whether products are registered  
22 under section 3 as “Made in America”. Consumers shall  
23 also be informed that registration of a product does not  
24 mean—

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

3           (2) that the Secretary has conducted any inves-  
4 tigation to confirm that the product is a product  
5 which meets the definition of “Made in America” in  
6 section 5 of this Act, or

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

9 **SEC. 3. REGISTRATION.**

10       (a) **PROPOSED REGULATION.**—The Secretary of  
11 Commerce shall propose a regulation—

12           (1) to establish a procedure under which the  
13 manufacturer of a product may voluntarily register  
14 such product as complying with the definition of  
15 “Made in America” in section 5 of this Act and have  
16 such product included in the information available  
17 through the toll free number established under sec-  
18 tion 2(a);

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

23           (3) for the establishment under section 2(a) of  
24 the toll-free number pilot program; and

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

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

10          (c) REGISTRATION FEE.—

11           (1) IN GENERAL.—Manufacturers of products  
12           included in information provided under section 2  
13           shall be subject to a fee imposed by the Secretary  
14           of Commerce to pay the cost of registering products  
15           and including them in information provided under  
16           subsection (a).

17           (2) AMOUNT.—The amount of fees imposed  
18           under paragraph (1) shall—

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

24           (B) in the case of the total amount of fees,  
25           not be greater than the total amount appro-

1           priated to the Secretary of Commerce for sala-  
2           ries and expenses directly attributable to reg-  
3           istration of manufacturers and having products  
4           included in the information provided under sec-  
5           tion 2(a).

6           (3) CREDITING AND AVAILABILITY OF FEES.—

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

14          (B) COLLECTIONS AND APPROPRIATION  
15          ACTS.—The fees imposed under paragraph  
16          (1)—

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

21                 (ii) shall only be collected and avail-  
22                 able for the costs described in paragraph  
23                 (2).

1 **SEC. 4. PENALTY.**

2 Any manufacturer of a product who knowingly reg-  
3 isters a product under section 3 which is not “Made in  
4 America”—

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

8 (2) shall not offer such product for purchase by  
9 the Federal Government.

10 **SEC. 5. DEFINITION.**

11 For purposes of this Act:

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

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

18 **SEC. 6. RULE OF CONSTRUCTION.**

19 Nothing in this Act or in any regulation promulgated  
20 under section 3 shall be construed to alter, amend, modify,  
21 or otherwise affect in any way, the Federal Trade Com-  
22 mission Act or the opinions, decisions, rules, or any guid-  
23 ance issued by the Federal Trade Commission regarding  
24 the use of unqualified “Made in U.S.A.” or “Made in  
25 America” claims in labels on products introduced, deliv-

- 1 ered for introduction, sold, advertised, or offered for sale
- 2 in commerce.

