

Calendar No. 297

115TH CONGRESS
2D SESSION

S. 118

[Report No. 115–203]

To make exclusive the authority of the Federal Government to regulate the labeling of products made in the United States and introduced in interstate or foreign commerce, and for other purposes.

IN THE SENATE OF THE UNITED STATES

JANUARY 12, 2017

Mr. LEE (for himself, Mrs. FISCHER, Mr. KING, Mrs. CAPITO, and Ms. COLLINS) introduced the following bill; which was read twice and referred to the Committee on Commerce, Science, and Transportation

FEBRUARY 5, 2018

Reported by Mr. THUNE, with an amendment

[Strike out all after the enacting clause and insert the part printed in *italic*]

A BILL

To make exclusive the authority of the Federal Government to regulate the labeling of products made in the United States and introduced in interstate or foreign commerce, and for other purposes.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

1 **SECTION 1. SHORT TITLE.**

2 This Act may be cited as the “Reinforcing American-
3 Made Products Act of 2017”.

4 **SEC. 2. EXCLUSIVITY OF FEDERAL AUTHORITY TO REGU-**
5 **LATE LABELING OF PRODUCTS MADE IN THE**
6 **UNITED STATES AND INTRODUCED IN INTER-**
7 **STATE OR FOREIGN COMMERCE.**

8 Section ~~320933~~ of the Violent Crime Control and
9 Law Enforcement Act of 1994 (15 U.S.C. 45a) is amend-
10 ed—

11 (1) in the first sentence, by striking “To the ex-
12 tent” and inserting the following:

13 “(a) IN GENERAL.—To the extent”;

14 (2) by adding at the end the following:

15 “(b) EFFECT ON STATE LAW.—The provisions of
16 this section shall supersede any provisions of the law of
17 any State relating to the extent to which a product is in-
18 troduced, delivered for introduction, sold, advertised, or
19 offered for sale in interstate or foreign commerce with a
20 ‘Made in the U.S.A.’ or ‘Made in America’ label, or the
21 equivalent thereof, in order to represent that such product
22 was in whole or substantial part of domestic origin.”; and

23 (3) in the third sentence of subsection (a), as
24 designated by paragraph (1), by striking “Nothing
25 in this section” and inserting “Except as provided in
26 subsection (b), nothing in this section”.

1 **SECTION 1. SHORT TITLE.**

2 *This Act may be cited as the “Reinforcing American-*
 3 *Made Products Act of 2017”.*

4 **SEC. 2. EXCLUSIVITY OF FEDERAL AUTHORITY TO REGU-**
 5 **LATE LABELING OF PRODUCTS MADE IN THE**
 6 **UNITED STATES AND INTRODUCED IN INTER-**
 7 **STATE OR FOREIGN COMMERCE.**

8 *Section 320933 of the Violent Crime Control and Law*
 9 *Enforcement Act of 1994 (15 U.S.C. 45a) is amended—*

10 *(1) in the first sentence, by striking “To the ex-*
 11 *tent” and inserting the following:*

12 *“(a) IN GENERAL.—To the extent”;*

13 *(2) by adding at the end the following:*

14 *“(b) EFFECT ON STATE LAW.—*

15 *“(1) IN GENERAL.—Except as provided in para-*
 16 *graph (2), the provisions of this section shall super-*
 17 *sede any provisions of the law of any State expressly*
 18 *relating to the extent to which a product is intro-*
 19 *duced, delivered for introduction, sold, advertised, or*
 20 *offered for sale in interstate or foreign commerce with*
 21 *a ‘Made in the U.S.A.’ or ‘Made in America’ label,*
 22 *or the equivalent thereof, in order to represent that*
 23 *such product was in whole or substantial part of do-*
 24 *mestic origin.*

25 *“(2) ENFORCEMENT.—Nothing in this section*
 26 *shall preclude the application of the law of any State*

1 *to the use of a label not in compliance with subsection*
2 *(a).”; and*
3 *(3) in the third sentence of subsection (a), as des-*
4 *ignated by paragraph (1), by striking “Nothing in*
5 *this section” and inserting “Except as provided in*
6 *subsection (b), nothing in this section”.*

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