

117TH CONGRESS
1ST SESSION

S. 297

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

FEBRUARY 8, 2021

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

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,*

3 **SECTION 1. SHORT TITLE.**

4 This Act may be cited as the “Reinforcing American-
5 Made Products Act”.

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

5 Section 320933 of the Violent Crime Control and
6 Law Enforcement Act of 1994 (15 U.S.C. 45a) is amend-
7 ed—

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

10 “(a) IN GENERAL.—To the extent”;

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

12 “(b) EFFECT ON STATE LAW.—

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

23 “(2) ENFORCEMENT.—Nothing in this section
24 shall preclude the application of the law of any State
25 to the use of a label not in compliance with sub-
26 section (a).”; and

1 (3) in the third sentence of subsection (a), as
2 so designated by paragraph (1), by striking “Noth-
3 ing in this section” and inserting “Except as pro-
4 vided in subsection (b), nothing in this section”.

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