

118TH CONGRESS
1ST SESSION

H. R. 4137

To require certain flags of the United States to be made in the United States, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

JUNE 14, 2023

Ms. STEFANIK (for herself, Mr. LANDSMAN, Mr. JOHNSON of Louisiana, Mr. BALDERSON, Mr. NEHLS, Mr. SMITH of New Jersey, Mr. D'ESPOSITO, Mr. CLOUD, Ms. LETLOW, Mr. LANGWORTHY, Mrs. LUNA, Mr. STEUBE, Mr. WITTMAN, Mr. TURNER, Mrs. MILLER of Illinois, Mr. CRAWFORD, Mr. GARAMENDI, Mr. MOOLENAAR, Mr. WALTZ, Mr. TIMMONS, Mr. FRY, Mrs. MILLER of West Virginia, Mr. SANTOS, Ms. TENNEY, Mr. WILLIAMS of Texas, Mr. GOTTHEIMER, Mr. AMODEI, Mr. TONKO, and Mr. WEBER of Texas) introduced the following bill; which was referred to the Committee on the Judiciary, and in addition to the Committee on Energy and Commerce, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned

A BILL

To require certain flags of the United States to be made in the United States, 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 “Make American Flags
5 in America Act of 2023”.

1 **SEC. 2. REQUIREMENT FOR CERTAIN FLAGS OF UNITED**
2 **STATES TO BE MADE IN UNITED STATES.**

3 (a) REQUIREMENT FOR CERTAIN FLAGS OF UNITED
4 STATES TO BE MADE IN UNITED STATES.—Chapter 1
5 of title 4, United States Code, is amended by adding at
6 the end the following:

7 **“§ 11. Display on Federal property; procurement by**
8 **Federal agencies**

9 “(a) DISPLAY ON FEDERAL PROPERTY.—A Federal
10 agency may not display a flag of the United States on
11 Federal property unless such flag has been made in the
12 United States.

13 “(b) PROCUREMENT BY FEDERAL AGENCIES.—
14 Funds appropriated or otherwise made available to a Fed-
15 eral agency may not be used for the procurement of a flag
16 of the United States unless such flag has been made in
17 the United States.

18 “(c) INTERNATIONAL AGREEMENTS.—This section
19 shall be applied in a manner consistent with the obliga-
20 tions of the United States under international agreements.

21 “(d) RULE OF CONSTRUCTION.—Nothing in this sec-
22 tion may be construed to apply to the display or procure-
23 ment of a flag of the United States by a private actor.

24 “(e) DEFINITIONS.—In this section:

25 “(1) FEDERAL AGENCY.—The term ‘Federal
26 agency’ means—

1 “(A) an Executive agency;

2 “(B) a military department;

3 “(C) an office, agency, or other establish-
4 ment in the legislative branch;

5 “(D) an office, agency, or other establish-
6 ment in the judicial branch;

7 “(E) the Government of the District of Co-
8 lumbia; and

9 “(F) Government controlled corporations.

10 “(2) FEDERAL PROPERTY.—The term ‘Federal
11 property’ means real property owned, leased, or oc-
12 cupied by a Federal agency or an instrumentality
13 wholly owned by the United States.

14 “(3) MADE IN THE UNITED STATES.—The term
15 ‘made in the United States’ means 100 percent
16 manufactured in the United States from articles,
17 materials, or supplies that have been 100 percent
18 produced or manufactured in the United States.

19 “(4) UNITED STATES.—The term ‘United
20 States’, when used in a geographic sense, includes
21 each of the several States, the District of Columbia,
22 Tribal lands, and the territories or possessions of the
23 United States.”.

1 (b) CLERICAL AMENDMENT.—The table of sections
2 at the beginning of such chapter is amended by adding
3 at the end the following:

“11. Display on Federal property; procurement by Federal agencies.”.

4 (c) APPLICABILITY.—Section 11 of title 4, United
5 States Code, as added by subsection (a), shall apply—

6 (1) with respect to the display of a flag of the
7 United States by a Federal agency, on and after the
8 date that is 2 years after the date of the enactment
9 of this Act; and

10 (2) with respect to the procurement of a flag of
11 the United States by a Federal agency, on and after
12 the date that is 90 days after the date of the enact-
13 ment of this Act.

14 **SEC. 3. STUDY ON COUNTRY-OF-ORIGIN LABELING FOR**
15 **FLAGS OF THE UNITED STATES.**

16 (a) STUDY.—The Chair of the Federal Trade Com-
17 mission shall conduct a study that—

18 (1) assesses and describes the enforcement
19 scheme for country-of-origin labeling for flags of the
20 United States;

21 (2) determines how many fines or penalties, if
22 any, have been imposed for violations of such en-
23 forcement scheme; and

24 (3) identifies the percentage of violations of
25 such enforcement scheme that are subsequent viola-

1 tions committed by an entity that has previously
2 been found to have violated such scheme.

3 (b) REPORT.—Not later than 1 year after the date
4 of the enactment of this Act, the Chair of the Federal
5 Trade Commission shall submit to the Committee on En-
6 ergy and Commerce of the House of Representatives and
7 the Committee on Commerce, Science, and Transportation
8 of the Senate a report containing—

9 (1) the results of the study conducted under
10 subsection (a); and

11 (2) any recommendations to improve—

12 (A) the enforcement scheme for country-of-
13 origin labeling for flags of the United States;
14 and

15 (B) the deterrent effect of such scheme.

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