

118TH CONGRESS  
1ST SESSION

# S. 2001

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

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IN THE SENATE OF THE UNITED STATES

JUNE 14, 2023

Mr. CRUZ (for himself, Mr. SCOTT of Florida, and Mr. MORAN) introduced the following bill; which was read twice and referred to the Committee on the Judiciary

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## 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”.

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

8 (a) REQUIREMENT FOR CERTAIN FLAGS OF UNITED  
9 STATES TO BE MADE IN UNITED STATES.—Chapter 1

1 of title 4, United States Code, is amended by adding at  
2 the end the following:

3 **“§ 11. Display on Federal property; procurement by**  
4 **Federal agencies**

5 “(a) DISPLAY ON FEDERAL PROPERTY.—A Federal  
6 agency may not display a flag of the United States on  
7 Federal property unless such flag has been made in the  
8 United States.

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

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

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

20 “(e) DEFINITIONS.—In this section:

21 “(1) FEDERAL AGENCY.—The term ‘Federal  
22 agency’ means—

23 “(A) an Executive agency;

24 “(B) a military department;

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

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

5           “(E) the Government of the District of Co-  
6           lumbia; and

7           “(F) Government controlled corporations.

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

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

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

22          (b) CLERICAL AMENDMENT.—The table of sections  
23          for chapter 1 of title 4, United States Code, is amended  
24          by adding at the end the following:

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

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

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

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

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

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

15 (1) assesses and describes the enforcement  
16 scheme for country-of-origin labeling for flags of the  
17 United States;

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

21 (3) identifies the percentage of violations of  
22 such enforcement scheme that are subsequent viola-  
23 tions committed by an entity that has previously  
24 been found to have violated such scheme.

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

7 (1) the results of the study conducted under  
8 subsection (a); and

9 (2) any recommendations to improve—

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

13 (B) the deterrent effect of such scheme.

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