

118TH CONGRESS
1ST SESSION

S. 1985

To prohibit the flying, draping, or other display of any flag other than the flag of the United States at public buildings, and for other purposes.

IN THE SENATE OF THE UNITED STATES

JUNE 14, 2023

Mr. MARSHALL (for himself, Mr. WICKER, Mr. RICKETTS, and Mrs. HYDE-SMITH) introduced the following bill; which was read twice and referred to the Committee on the Judiciary

A BILL

To prohibit the flying, draping, or other display of any flag other than the flag of the United States at public buildings, 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 “One Flag for All Act”.

5 **SEC. 2. PROHIBITION ON FLAGS OTHER THAN THE FLAG OF**
6 **THE UNITED STATES.**

7 (a) DEFINITIONS.—In this section:

8 (1) FLAG OF THE UNITED STATES.—The term
9 “flag of the United States” has the meaning given

1 the term in section 700(b) of title 18, United States
2 Code.

3 (2) PUBLIC BUILDING.—

4 (A) IN GENERAL.—Except as provided in
5 subparagraph (B), the term “public building”
6 has the meaning given the term in section
7 3301(a) of title 40, United States Code.

8 (B) INCLUSION.—The term “public build-
9 ing” includes—

10 (i) a military installation (as defined
11 in section 2801(c) of title 10, United
12 States Code); and

13 (ii) any embassy or consulate of the
14 United States.

15 (b) PROHIBITIONS.—Notwithstanding any other pro-
16 vision of law and except as provided in subsection (c), no
17 flag that is not the flag of the United States may be flown,
18 draped, or otherwise displayed—

19 (1) on the exterior of a public building; or

20 (2) in the hallway of a public building.

21 (c) EXCEPTIONS.—The prohibitions under subsection
22 (b) shall not apply to—

23 (1) a National League of Families POW/MLA
24 flag (as designated by section 902 of title 36, United
25 States Code);

1 (2) any flag that represents the nation of a vis-
2 iting diplomat;

3 (3) the State flag of the State represented by
4 a member of Congress, outside or within the office
5 of the member;

6 (4) in the case of a military installation, any
7 flag that represents a unit or branch of the Armed
8 Forces;

9 (5) any flag that represents an Indian Tribe (as
10 defined in section 4 of the Indian Self-Determination
11 and Education Assistance Act (25 U.S.C. 5304)); or

12 (6) any flag that represents the State, territory,
13 county, city, or local jurisdiction in which the public
14 building is located.

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