

119TH CONGRESS
1ST SESSION

S. _____

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

IN THE SENATE OF THE UNITED STATES

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

A BILL

To prohibit the flying, draping, or other display of any flag other than the flag of the United States at covered 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) COVERED PUBLIC BUILDING.—

1 (A) IN GENERAL.—Except as provided in
2 subparagraph (B), the term “covered public
3 building” has the meaning given the term “pub-
4 lic building” in section 3301(a) of title 40,
5 United States Code.

6 (B) INCLUSIONS.—The term “covered pub-
7 lic building” includes—

8 (i) a building in use by the Senate or
9 House of Representatives or otherwise
10 under the jurisdiction of the Architect of
11 the Capitol;

12 (ii) a military installation; and

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

15 (2) FLAG OF THE UNITED STATES.—The term
16 “flag of the United States” has the meaning given
17 the term in section 700(b) of title 18, United States
18 Code.

19 (3) MILITARY INSTALLATION.—The term “mili-
20 tary installation” has the meaning given the term in
21 section 2801(c) of title 10, United States Code.

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

1 (1) on the exterior of a covered public building;

2 or

3 (2) in an area of a covered public building that
4 is fully accessible to the public, including an
5 entryway or hallway.

6 (c) EXCEPTIONS.—The prohibitions under subsection
7 (b) shall not apply to—

8 (1) a National League of Families POW/MIA
9 flag (as designated by section 902(a) of title 36,
10 United States Code);

11 (2) a Hostage and Wrongful Detainee flag (as
12 designated by section 904(a) of title 36, United
13 States Code);

14 (3) any flag that represents the nation of a vis-
15 iting diplomat or a representative of the government
16 of that nation visiting the covered public building at
17 which the flag is displayed;

18 (4) in the case of a Member of Congress, the
19 State flag of the State represented by the Member
20 that is located outside or within the office of the
21 Member;

22 (5) any flag that represents a unit or branch of
23 the Armed Forces or any flag that supports the
24 Armed Forces;

1 (6) any flag of historical significance to the
2 United States, including the Betsy Ross flag, the
3 Gadsden flag, and the Bennington flag;

4 (7) any flag that represents public safety;

5 (8) any flag commemorating a special national
6 observance, including any 9/11 memorial, Remem-
7 brance Day, Veterans Day, or Memorial Day flag;

8 (9) in the case of a religious liturgy or cere-
9 mony at a military installation or facility, any flag
10 that represents a religious organization or church
11 that is described in section 501(c)(3) of the Internal
12 Revenue Code of 1986 and exempt from taxation
13 under section 501(a) of that Code;

14 (10) in the case of a Federal agency, any flag
15 that represents the Federal agency;

16 (11) any flag that represents an Indian Tribe
17 (as defined in section 4 of the Indian Self-Deter-
18 mination and Education Assistance Act (25 U.S.C.
19 5304)); or

20 (12) any flag that represents the State, terri-
21 tory, county, city, or local jurisdiction in which the
22 covered public building is located.