

111TH CONGRESS
1ST SESSION

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To declare English as the official language of the United States, to establish a uniform English language rule for naturalization, and to avoid misconstructions of the English language texts of the laws of the United States, pursuant to Congress' powers to provide for the general welfare of the United States and to establish a uniform rule of naturalization under article I, section 8, of the Constitution.

IN THE SENATE OF THE UNITED STATES

MAY 6, 2009

Mr. INHOFE introduced the following bill; which was read twice and referred to the Committee on Homeland Security and Governmental Affairs

A BILL

To declare English as the official language of the United States, to establish a uniform English language rule for naturalization, and to avoid misconstructions of the English language texts of the laws of the United States, pursuant to Congress' powers to provide for the general welfare of the United States and to establish a uniform rule of naturalization under article I, section 8, of the Constitution.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

1 **SECTION 1. SHORT TITLE.**

2 This Act may be cited as the “English Language
3 Unity Act of 2009”.

4 **SEC. 2. FINDINGS.**

5 The Congress finds and declares the following:

6 (1) The United States is comprised of individ-
7 uals from diverse ethnic, cultural, and linguistic
8 backgrounds, and continues to benefit from this rich
9 diversity.

10 (2) Throughout the history of the United
11 States, the common thread binding individuals of
12 differing backgrounds has been the English lan-
13 guage.

14 (3) Among the powers reserved to the States
15 respectively is the power to establish the English
16 language as the official language of the respective
17 States, and otherwise to promote the English lan-
18 guage within the respective States, subject to the
19 prohibitions enumerated in the Constitution of the
20 United States and in laws of the respective States.

21 **SEC. 3. ENGLISH AS OFFICIAL LANGUAGE OF THE UNITED**
22 **STATES.**

23 (a) IN GENERAL.—Title 4, United States Code, is
24 amended by adding at the end the following new chapter:

1 orders, actions, programs, and policies, but does not apply
2 to—

3 “(1) teaching of languages;

4 “(2) requirements under the Individuals with
5 Disabilities Education Act;

6 “(3) actions, documents, or policies necessary
7 for national security, international relations, trade,
8 tourism, or commerce;

9 “(4) actions or documents that protect the pub-
10 lic health and safety;

11 “(5) actions or documents that facilitate the ac-
12 tivities of the Bureau of the Census in compiling any
13 census of population;

14 “(6) actions that protect the rights of victims of
15 crimes or criminal defendants; or

16 “(7) using terms of art or phrases from lan-
17 guages other than English.

18 **“§ 164. Uniform English language rule for naturaliza-
19 tion**

20 “(a) UNIFORM LANGUAGE TESTING STANDARD.—All
21 citizens should be able to read and understand generally
22 the English language text of the Declaration of Independ-
23 ence, the Constitution, and the laws of the United States
24 made in pursuance of the Constitution.

1 “(b) CEREMONIES.—All naturalization ceremonies
2 shall be conducted in English.

3 **“§ 165. Rules of construction**

4 “Nothing in this chapter shall be construed—

5 “(1) to prohibit a Member of Congress or any
6 officer or agent of the Federal Government, while
7 performing official functions, from communicating
8 unofficially through any medium with another per-
9 son in a language other than English (as long as of-
10 ficial functions are performed in English);

11 “(2) to limit the preservation or use of Native
12 Alaskan or Native American languages (as defined
13 in the Native American Languages Act);

14 “(3) to disparage any language or to discourage
15 any person from learning or using a language; or

16 “(4) to be inconsistent with the Constitution of
17 the United States.

18 **“§ 166. Standing**

19 “A person injured by a violation of this chapter may
20 in a civil action (including an action under chapter 151
21 of title 28) obtain appropriate relief.”.

22 (b) CLERICAL AMENDMENT.—The table of chapters
23 at the beginning of title 4, United States Code, is amended
24 by inserting after the item relating to chapter 5 the fol-
25 lowing new item:

“6. Official Language”.

1 **SEC. 4. GENERAL RULES OF CONSTRUCTION FOR ENGLISH**
 2 **LANGUAGE TEXTS OF THE LAWS OF THE**
 3 **UNITED STATES.**

4 (a) IN GENERAL.—Chapter 1 of title 1, United
 5 States Code, is amended by adding at the end the fol-
 6 lowing new section:

7 **“§ 8. General rules of construction for laws of the**
 8 **United States**

9 “(a) English language requirements and workplace
 10 policies, whether in the public or private sector, shall be
 11 presumptively consistent with the laws of the United
 12 States; and

13 “(b) Any ambiguity in the English language text of
 14 the laws of the United States shall be resolved, in accord-
 15 ance with the last two articles of the Bill of Rights, not
 16 to deny or disparage rights retained by the people, and
 17 to reserve powers to the States respectively, or to the peo-
 18 ple.”.

19 (b) CLERICAL AMENDMENT.—The table of sections
 20 at the beginning of chapter 1 of title 1 is amended by
 21 inserting after the item relating to section 7 the following
 22 new item:

“8. General rules of construction for laws of the United States.”.

23 **SEC. 5. IMPLEMENTING REGULATIONS.**

24 The Secretary of Homeland Security shall, within
 25 180 days after the date of enactment of this Act, issue

1 for public notice and comment a proposed rule for uniform
2 testing English language ability of candidates for natu-
3 ralization, based upon the principles that—

4 (1) all citizens should be able to read and un-
5 derstand generally the English language text of the
6 Declaration of Independence, the Constitution, and
7 the laws of the United States which are made in
8 pursuance thereof; and

9 (2) any exceptions to this standard should be
10 limited to extraordinary circumstances, such as asy-
11 lum.

12 **SEC. 6. EFFECTIVE DATE.**

13 The amendments made by sections 3 and 4 shall take
14 effect on the date that is 180 days after the date of the
15 enactment of this Act.

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