

106TH CONGRESS  
1ST SESSION

# H. R. 123

To amend title 4, United States Code, to declare English as the official language of the Government of the United States.

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## IN THE HOUSE OF REPRESENTATIVES

JANUARY 6, 1999

Mr. BARR of Georgia introduced the following bill; which was referred to the Committee on Education and the Workforce, and in addition to the Committee on the Judiciary, 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

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## A BILL

To amend title 4, United States Code, to declare English as the official language of the Government of the United States.

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 “Bill Emerson English  
5       Language Empowerment Act of 1999”.

6       **SEC. 2. FINDINGS.**

7       The Congress finds and declares the following:

1           (1) The United States is comprised of individ-  
2           uals and groups from diverse ethnic, cultural, and  
3           linguistic backgrounds.

4           (2) The United States has benefited and contin-  
5           ues to benefit from this rich diversity.

6           (3) Throughout the history of the United  
7           States, the common thread binding individuals of  
8           differing backgrounds has been a common language.

9           (4) In order to preserve unity in diversity, and  
10          to prevent division along linguistic lines, the Federal  
11          Government should maintain a language common to  
12          all people.

13          (5) English has historically been the common  
14          language and the language of opportunity in the  
15          United States.

16          (6) The purpose of this title is to help immi-  
17          grants better assimilate and take full advantage of  
18          economic and occupational opportunities in the  
19          United States.

20          (7) By learning the English language, immi-  
21          grants will be empowered with the language skills  
22          and literacy necessary to become responsible citizens  
23          and productive workers in the United States.

24          (8) The use of a single common language in  
25          conducting official business of the Federal Govern-

1       ment will promote efficiency and fairness to all peo-  
2       ple.

3           (9) English should be recognized in law as the  
4       language of official business of the Federal Govern-  
5       ment.

6           (10) Any monetary savings derived from the en-  
7       actment of this title should be used for the teaching  
8       of the English language to non-English-speaking im-  
9       migrants.

10 **SEC. 3. ENGLISH AS THE OFFICIAL LANGUAGE OF FEDERAL**  
11 **GOVERNMENT.**

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

14           **“CHAPTER 6—LANGUAGE OF THE**  
15 **FEDERAL GOVERNMENT**

“Sec.

“161. Declaration of official language of Federal Government.

“162. Preserving and enhancing the role of the official language.

“163. Official Federal Government activities in English.

“164. Standing.

“165. Reform of naturalization requirements.

“166. Application.

“167. Rule of construction.

“168. Affirmation of constitutional protections.

“169. Definitions.

16 **“§ 161. Declaration of official language of Federal**  
17 **Government**

18       “The official language of the Federal Government is  
19 English.

1 **“§ 162. Preserving and enhancing the role of the offi-**  
2 **cial language**

3 “Representatives of the Federal Government shall  
4 have an affirmative obligation to preserve and enhance the  
5 role of English as the official language of the Federal Gov-  
6 ernment. Such obligation shall include encouraging great-  
7 er opportunities for individuals to learn the English lan-  
8 guage.

9 **“§ 163. Official Federal Government activities in**  
10 **English**

11 “(a) CONDUCT OF BUSINESS.—Representatives of  
12 the Federal Government shall conduct its official business  
13 in English.

14 “(b) DENIAL OF SERVICES.—No person shall be de-  
15 nied services, assistance, or facilities, directly or indirectly  
16 provided by the Federal Government solely because the  
17 person communicates in English.

18 “(c) ENTITLEMENT.—Every person in the United  
19 States is entitled—

20 “(1) to communicate with representatives of the  
21 Federal Government in English;

22 “(2) to receive information from or contribute  
23 information to the Federal Government in English;  
24 and

25 “(3) to be informed of or be subject to official  
26 orders in English.

1   **“§ 164. Standing**

2           “A person injured by a violation of this chapter may  
3 in a civil action (including an action under chapter 151  
4 of title 28) obtain appropriate relief.

5   **“§ 165. Reform of naturalization requirements**

6           “(a) FLUENCY.—It has been the longstanding na-  
7 tional belief that full citizenship in the United States re-  
8 quires fluency in English. English is the language of op-  
9 portunity for all immigrants to take their rightful place  
10 in society in the United States.

11          “(b) CEREMONIES.—All authorized officials shall  
12 conduct all naturalization ceremonies entirely in English.

13   **“§ 166. Application**

14          “Except as otherwise provided in this chapter, the  
15 provisions of this chapter shall supersede any existing  
16 Federal law that contravenes such provisions (such as by  
17 requiring the use of a language other than English for  
18 official business of the Federal Government).

19   **“§ 167. Rule of construction**

20          “Nothing in this chapter shall be construed—

21               “(1) to prohibit a Member of Congress or an  
22 employee or official of the Federal Government,  
23 while performing official business, from communicat-  
24 ing orally with another person in a language other  
25 than English;

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

4 “(3) to discriminate against or restrict the  
 5 rights of any individual in the country; and

6 “(4) to discourage or prevent the use of lan-  
 7 guages other than English in any nonofficial capac-  
 8 ity.

9 **“§ 168. Affirmation of constitutional protections**

10 “Nothing in this chapter shall be construed to be in-  
 11 consistent with the Constitution of the United States.

12 **“§ 169. Definitions**

13 “For purposes of this chapter:

14 “(1) **FEDERAL GOVERNMENT.**—The term ‘Fed-  
 15 eral Government’ means all branches of the national  
 16 Government and all employees and officials of the  
 17 national Government while performing official busi-  
 18 ness.

19 “(2) **OFFICIAL BUSINESS.**—The term ‘official  
 20 business’ means governmental actions, documents,  
 21 or policies which are enforceable with the full weight  
 22 and authority of the Federal Government, and in-  
 23 cludes publications, income tax forms, and informa-  
 24 tional materials, but does not include—

25 “(A) teaching of languages;

1           “(B) requirements under the Individuals  
2 with Disabilities Education Act;

3           “(C) actions, documents, or policies nec-  
4 essary for—

5                 “(i) national security issues; or

6                 “(ii) international relations, trade, or  
7 commerce;

8           “(D) actions or documents that protect the  
9 public health and safety;

10           “(E) actions or documents that facilitate  
11 the activities of the Bureau of the Census in  
12 compiling any census of population;

13           “(F) actions, documents, or policies that  
14 are not enforceable in the United States;

15           “(G) actions that protect the rights of vic-  
16 tims of crimes or criminal defendants;

17           “(H) actions in which the United States  
18 has initiated a civil lawsuit; or

19           “(I) using terms of art or phrases from  
20 languages other than English.

21           “(3) UNITED STATES.—The term ‘United  
22 States’ means the several States and the District of  
23 Columbia.”.

1 (b) CONFORMING AMENDMENT.—The table of chap-  
 2 ters for title 4, United States Code, is amended by adding  
 3 at the end the following new item:

“6. Language of the Federal Government ..... 161”.

4 **SEC. 4. PREEMPTION.**

5 This title (and the amendments made by this title)  
 6 shall not preempt any law of any State.

7 **SEC. 5. EFFECTIVE DATE.**

8 The amendments made by section 3 shall take effect  
 9 on the date that is 180 days after the date of enactment  
 10 of this Act.

