

111TH CONGRESS
1ST SESSION

H. R. 997

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 HOUSE OF REPRESENTATIVES

FEBRUARY 11, 2009

Mr. KING of Iowa (for himself, Mrs. BACHMANN, Mrs. BLACKBURN, Mr. LUETKEMEYER, Mr. BURGESS, Mr. BURTON of Indiana, Mr. COBLE, Mr. CULBERSON, Mr. ROHRABACHER, Mr. DREIER, Mr. DUNCAN, Mr. FRANKS of Arizona, Mr. BROWN of South Carolina, Mr. HERGER, Mr. INGLIS, Mr. JONES, Mr. McCAUL, Mr. McHENRY, Mr. PAUL, Mr. ROE of Tennessee, Mr. ROGERS of Alabama, Mr. TIBERI, Mr. BROUN of Georgia, Mr. GRAVES, Mr. BILIRAKIS, Mrs. MYRICK, Mr. SIMPSON, Mr. McHUGH, Mr. PLATTS, Mr. HOEKSTRA, Mr. SULLIVAN, Mr. BILBRAY, Mr. ROGERS of Kentucky, Mr. ROGERS of Michigan, Mr. WOLF, Mr. FLEMING, Mr. SMITH of Nebraska, Mr. SHUSTER, Ms. FOXX, Mr. POE of Texas, Mr. LUCAS, Mr. BARTLETT, Mr. WHITFIELD, Mr. GARY G. MILLER of California, Mr. KLINE of Minnesota, Mr. MARCHANT, Mrs. LUMMIS, Mr. WITTMAN, Mr. STEARNS, Mr. LATOURETTE, Mr. AKIN, Mr. HUNTER, Mr. SAM JOHNSON of Texas, Ms. FALLIN, Mr. WAMP, Mr. PITTS, Mrs. SCHMIDT, Mr. WESTMORELAND, and Mr. McCLINTOCK) introduced the following bill; which was referred to the Committee on Education and Labor, 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

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,*

3 **SECTION 1. SHORT TITLE.**

4 This Act may be cited as the “English Language
5 Unity Act of 2009”.

6 **SEC. 2. FINDINGS.**

7 The Congress finds and declares the following:

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

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

16 (3) Among the powers reserved to the States
17 respectively is the power to establish the English
18 language as the official language of the respective
19 States, and otherwise to promote the English lan-
20 guage within the respective States, subject to the

1 prohibitions enumerated in the Constitution of the
2 United States and in laws of the respective States.

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

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

7 **“CHAPTER 6—OFFICIAL LANGUAGE**

8 **“§ 161. Official language of the United States**

9 “The official language of the United States is
10 English.

11 **“§ 162. Preserving and enhancing the role of the offi-**
12 **cial language**

13 “Representatives of the Federal Government shall
14 have an affirmative obligation to preserve and enhance the
15 role of English as the official language of the Federal Gov-
16 ernment. Such obligation shall include encouraging great-
17 er opportunities for individuals to learn the English lan-
18 guage.

19 **“§ 163. Official functions of Government to be con-**
20 **ducted in English**

21 “(a) OFFICIAL FUNCTIONS.—The official functions
22 of the Government of the United States shall be conducted
23 in English.

24 “(b) SCOPE.—For the purposes of this section, the
25 term ‘United States’ means the several States and the

1 District of Columbia, and the term ‘official’ refers to any
2 function that (i) binds the Government, (ii) is required
3 by law, or (iii) is otherwise subject to scrutiny by either
4 the press or the public.

5 “(c) PRACTICAL EFFECT.—This section shall apply
6 to all laws, public proceedings, regulations, publications,
7 orders, actions, programs, and policies, but does not apply
8 to—

9 “(1) teaching of languages;

10 “(2) requirements under the Individuals with
11 Disabilities Education Act;

12 “(3) actions, documents, or policies necessary
13 for national security, international relations, trade,
14 tourism, or commerce;

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

17 “(5) actions or documents that facilitate the ac-
18 tivities of the Bureau of the Census in compiling any
19 census of population;

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

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

1 **“§ 164. Uniform English language rule for naturaliza-**
2 **tion**

3 “(a) UNIFORM LANGUAGE TESTING STANDARD.—All
4 citizens should be able to read and understand generally
5 the English language text of the Declaration of Independ-
6 ence, the Constitution, and the laws of the United States
7 made in pursuance of the Constitution.

8 “(b) CEREMONIES.—All naturalization ceremonies
9 shall be conducted in English.

10 **“§ 165. Rules of construction**

11 “Nothing in this chapter shall be construed—

12 “(1) to prohibit a Member of Congress or any
13 officer or agent of the Federal Government, while
14 performing official functions, from communicating
15 unofficially through any medium with another per-
16 son in a language other than English (as long as of-
17 ficial functions are performed in English);

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

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

23 “(4) to be inconsistent with the Constitution of
24 the United States.

1 **“§ 166. 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 (b) CLERICAL AMENDMENT.—The table of chapters
6 at the beginning of title 4, United States Code, is amended
7 by inserting after the item relating to chapter 5 the fol-
8 lowing new item:

“CHAPTER 6. OFFICIAL LANGUAGE”.

9 **SEC. 4. GENERAL RULES OF CONSTRUCTION FOR ENGLISH**
10 **LANGUAGE TEXTS OF THE LAWS OF THE**
11 **UNITED STATES.**

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

15 **“§ 9. General rules of construction for laws of the**
16 **United States**

17 “(a) English language requirements and workplace
18 policies, whether in the public or private sector, shall be
19 presumptively consistent with the Laws of the United
20 States; and

21 “(b) Any ambiguity in the English language text of
22 the Laws of the United States shall be resolved, in accord-
23 ance with the last two articles of the Bill of Rights, not
24 to deny or disparage rights retained by the people, and

1 to reserve powers to the States respectively, or to the peo-
 2 ple.”.

3 (b) CLERICAL AMENDMENT.—The table of sections
 4 at the beginning of chapter 1 of title 1, is amended by
 5 inserting after the item relating to section 8 the following
 6 new item:

“9. General Rules of Construction for Laws of the United States.”.

7 **SEC. 5. IMPLEMENTING REGULATIONS.**

8 The Secretary of Homeland Security shall, within
 9 180 days after the date of enactment of this Act, issue
 10 for public notice and comment a proposed rule for uniform
 11 testing English language ability of candidates for natu-
 12 ralization, based upon the principles that—

13 (1) all citizens should be able to read and un-
 14 derstand generally the English language text of the
 15 Declaration of Independence, the Constitution, and
 16 the laws of the United States which are made in
 17 pursuance thereof; and

18 (2) any exceptions to this standard should be
 19 limited to extraordinary circumstances, such as asy-
 20 lum.

21 **SEC. 6. EFFECTIVE DATE.**

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

