

117TH CONGRESS
1ST SESSION

S. 678

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

MARCH 10, 2021

Mr. INHOFE (for himself, Mr. CRAMER, Mr. ROUNDS, Mrs. HYDE-SMITH, Mr. MARSHALL, and Mrs. BLACKBURN) 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 2021”.

4 **SEC. 2. FINDINGS.**

5 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:

1 **“CHAPTER 6—OFFICIAL LANGUAGE**

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

3 “The official language of the United States is
4 English.

5 **“§ 162. Preserving and enhancing the role of the offi-
6 cial language**

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

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

15 “(a) SCOPE.—For the purposes of this section—

16 “(1) the term ‘official’ refers to any function
17 that—

18 “(A) binds the Government;

19 “(B) is required by law; or

20 “(C) is otherwise subject to scrutiny by ei-
21 ther the press or the public; and

22 “(2) the term ‘United States’ means the several
23 States and the District of Columbia.

1 “(b) OFFICIAL FUNCTIONS.—The official functions
2 of the Government of the United States shall be conducted
3 in English.

4 “(c) PRACTICAL EFFECT.—This section—

5 “(1) shall apply to all laws, public proceedings,
6 regulations, publications, orders, actions, programs,
7 and policies; and

8 “(2) shall not apply to—

9 “(A) teaching of languages;

10 “(B) requirements under the Individuals
11 with Disabilities Education Act (20 U.S.C.
12 1400 et seq.);

13 “(C) actions, documents, or policies nec-
14 essary for national security, international rela-
15 tions, trade, tourism, or commerce;

16 “(D) actions or documents that protect the
17 public health and safety;

18 “(E) actions or documents that facilitate
19 the activities of the Bureau of the Census in
20 compiling any census of population;

21 “(F) actions that protect the rights of vic-
22 tims of crimes or criminal defendants; or

23 “(G) using terms of art or phrases from
24 languages other than English.

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

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

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

11 **“§ 165. Rules of construction**

12 “Nothing in this chapter shall be construed—

13 “(1) to prohibit a Member of Congress or any
 14 officer or agent of the Federal Government, while
 15 performing official functions under section 163, from
 16 communicating unofficially through any medium
 17 with another person in a language other than
 18 English (as long as official functions are performed
 19 in English);

20 “(2) to limit the preservation or use of Native
 21 Alaskan or Native American languages (as defined
 22 in the Native American Languages Act (25 U.S.C.
 23 2901 et seq.));

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

1 “(4) to be inconsistent with the Constitution of
2 the United States.

3 **“§ 166. Standing**

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

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

“CHAPTER 6. OFFICIAL LANGUAGE”.

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

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

17 **“§ 9. General rules of construction for laws of the**
18 **United States**

19 “(a) English language requirements and workplace
20 policies, whether in the public or private sector, shall be
21 presumptively consistent with the laws of the United
22 States.

23 “(b) Any ambiguity in the English language text of
24 the laws of the United States shall be resolved, in accord-
25 ance with the last two articles of the Bill of Rights, not

1 to deny or disparage rights retained by the people, and
 2 to reserve powers to the States respectively, or to the peo-
 3 ple.”.

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

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

8 **SEC. 5. IMPLEMENTING REGULATIONS.**

9 Not later than 180 days after the date of enactment
 10 of this Act, the Secretary of Homeland Security shall issue
 11 for public notice and comment a proposed rule for uniform
 12 testing English language ability of candidates for natu-
 13 ralization, which shall be based upon the principles that—

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

20 (2) any exceptions to the standard described in
 21 paragraph (1) should be limited to extraordinary cir-
 22 cumstances, such as asylum.

1 **SEC. 6. EFFECTIVE DATE.**

2 The amendments made by sections 3 and 4 shall take
3 effect on the date that is 180 days after the date of enact-
4 ment of this Act.

