

Union Calendar No. 387

104<sup>TH</sup> CONGRESS  
2<sup>D</sup> SESSION

**H. R. 123**

[Report No. 104-723]

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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.

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JULY 30, 1996

Reported with an amendment, committed to the Committee of the Whole House on the State of the Union, and ordered to be printed

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## IN THE HOUSE OF REPRESENTATIVES

JANUARY 4, 1995

Mr. EMERSON (for himself, Mr. BARR, Mr. WAMP, Mr. DORNAN, Mr. HANSEN, Mr. GUTKNECHT, Mr. BURTON of Indiana, Mr. DOOLITTLE, Mr. KINGSTON, Mr. STUMP, Mr. EHLERS, Mr. BUNNING of Kentucky, Mr. CALVERT, Mr. MONTGOMERY, Mr. ARCHER, Mr. DICKEY, Mr. RAMSTAD, Mr. LIVINGSTON, Mr. BEVILL, Mr. FAWELL, Mr. CLINGER, Mr. KING, Mr. CANADY, Mr. PORTER, Mr. LINDER, Mr. REGULA, Mr. PACKARD, Mr. HUTCHINSON, Mrs. MEYERS of Kansas, Mr. BARRETT of Nebraska, Mr. KNOLLENBERG, Mr. TALENT, Mr. HANCOCK, Mr. SOLOMON, Mr. PETRI, Mr. BALLENGER, Mr. BACHUS, and Mrs. FOWLER) introduced the following bill; which was referred to the Committee on Economic and Educational Opportunities

JULY 30, 1996

Additional sponsors: Mr. GOODLATTE, Mr. WELLER, Mr. ROYCE, Mr. OXLEY, Mr. PAYNE of Virginia, Mr. BLILEY, Mr. BEREUTER, Mr. TAYLOR of Mississippi, Mr. HASTERT, Mr. BARTLETT of Maryland, Mr. WELDON of Pennsylvania, Mr. NORWOOD, Mr. BAKER of California, Mrs. VUCANOVICH, Mr. SHAYS, Mr. CALLAHAN, Mr. QUINN, Mr. COX of California, Mr. HALL of Texas, Mr. MCKEON, Mr. SPENCE, Mr. MOORHEAD, Mr. CHRYSLER, Mr. BATEMAN, Mr. COBLE, Mr. COLLINS of Georgia, Mr. HEINEMAN, Mr. LUCAS, Mr. LAHOOD, Mr. SENSENBRENNER, Mr. PAXON, Mr. MCHUGH, Mr. ROHRABACHER, Mr. SCARBOROUGH, Mr. KOLBE, Mr. TAYLOR of North Carolina, Mr. FOLEY, Mr. ROGERS, Mr. SHUSTER, Mr. INGLIS of South Carolina, Ms. PRYCE, Mr. BURR, Mr. YOUNG of Alaska, Mr. POMBO, Mr. JONES, Mr. FUNDERBURK, Mr. SMITH of Texas, Mr. BONO, Mr. LEWIS of California, Mrs. MYRICK, Mr. FIELDS of Texas, Mr. HOEKSTRA, Mr. LIPINSKI, Mrs. CHENOWETH, Mr. GANSKE, Mr. CHRISTENSEN, Mrs. KELLY, Mr. LIGHTFOOT, Mr. ISTOOK,

Mr. BREWSTER, Mr. MILLER of Florida, Mr. MYERS of Indiana, Mr. HASTINGS of Washington, Mr. NEY, Mr. ROBERTS, Mr. SAM JOHNSON of Texas, Mrs. ROUKEMA, Mrs. SEASTRAND, Mr. STEARNS, Mr. HUNTER, Mr. SISISKY, Mr. BROWDER, Mr. PICKETT, Mr. CRAMER, Mr. BILBRAY, Mr. FORBES, Mr. KIM, Mr. DUNCAN, Mr. ARMEY, Mr. COMBEST, Mr. BRYANT of Tennessee, Mr. LEWIS of Kentucky, Mr. HILLEARY, Mr. PETERSON of Minnesota, Mr. QUILLEN, Mr. DEAL of Georgia, Mr. CRANE, Mr. COOLEY of Oregon, Mr. GRAHAM, Mr. SOUDER, Mr. SANFORD, Mr. GEKAS, Mr. WELDON of Florida, Mr. NETHERCUTT, Mr. ALLARD, Mr. STOCKMAN, Mr. GILCHREST, Mr. CLEMENT, Mr. PARKER, Ms. GREENE of Utah, Mr. TORKILDSEN, Mr. ZIMMER, Mr. EVERETT, Mr. FLANAGAN, Mr. HAYWORTH, Mr. SCHAEFER, Mr. HORN, Mr. SAXTON, Mr. KASICH, Mr. MCCRERY, Mr. HOKE, Mr. EWING, Mr. RAHALL, Mr. MCCOLLUM, Mr. ZELIFF, Ms. DUNN of Washington, Mr. CHAMBLISS, Mr. CREMEANS, Mr. METCALF, Mr. RADANOVICH, Mrs. JOHNSON of Connecticut, Mr. SALMON, Mr. WHITFIELD, Mr. RIGGS, Mr. BAKER of Louisiana, Mr. TANNER, Mrs. CUBIN, Mr. BASS, Mr. KLUG, Mr. ROTH, Mr. TAUZIN, Mr. HERGER, Mr. WILSON, Mr. WATTS of Oklahoma, Mr. CAMP, Mr. GALLEGLY, Mr. NUSSLE, Mr. BARTON of Texas, Mr. DAVIS, Mr. SHADEGG, Mr. HYDE, Mr. WICKER, Mr. COBURN, Mr. WOLF, Mrs. LINCOLN, Mr. TIAHRT, Mr. HOSTETTLER, Mr. THOMAS, Mr. LATHAM, Ms. RIVERS, Mr. UPTON, Mr. DELAY, Mr. BILIRAKIS, Mr. FRANKS of New Jersey, Mr. BLUTE, Mr. BROWNBACK, Mr. MARTINI, Mr. POMEROY, and Mr. PORTMAN

JULY 30, 1996

Reported with an amendment, committed to the Committee of the Whole House on the State of the Union, and ordered to be printed

[Strike out all after the enacting clause and insert the part printed in italic]

[For text of introduced bill, see copy of bill as introduced on January 4, 1995]

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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,*

1 **SECTION 1. SHORT TITLE.**

2 *This Act may be cited as the “English Language*  
3 *Empowerment Act of 1996”.*

4 **SEC. 2. FINDINGS.**

5 *The Congress finds and declares the following:*

6 (1) *The United States is comprised of individ-*  
7 *uals and groups from diverse ethnic, cultural, and*  
8 *linguistic backgrounds.*

9 (2) *The United States has benefited and contin-*  
10 *ues to benefit from this rich diversity.*

11 (3) *Throughout the history of the United States,*  
12 *the common thread binding individuals of differing*  
13 *backgrounds has been a common language.*

14 (4) *In order to preserve unity in diversity, and*  
15 *to prevent division along linguistic lines, the Federal*  
16 *Government should maintain a language common to*  
17 *all people.*

18 (5) *English has historically been the common*  
19 *language and the language of opportunity in the*  
20 *United States.*

21 (6) *The purpose of this Act is to help immi-*  
22 *grants better assimilate and take full advantage of*  
23 *economic and occupational opportunities in the*  
24 *United States.*

25 (7) *By learning the English language, immi-*  
26 *grants will be empowered with the language skills and*

1       *literacy necessary to become responsible citizens and*  
 2       *productive workers in the United States.*

3               (8) *The use of a single common language in con-*  
 4       *ducting official business of the Federal Government*  
 5       *will promote efficiency and fairness to all people.*

6               (9) *English should be recognized in law as the*  
 7       *language of official business of the Federal Govern-*  
 8       *ment.*

9               (10) *Any monetary savings derived from the en-*  
 10       *actment of this Act should be used for the teaching of*  
 11       *the English language to non-English speaking immi-*  
 12       *grants.*

13   **SEC. 3. ENGLISH AS THE OFFICIAL LANGUAGE OF FEDERAL**  
 14               **GOVERNMENT.**

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

17               **“CHAPTER 6—LANGUAGE OF THE**  
 18               **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*

1 **“§ 161. Declaration of official language of Federal**  
2 **Government**

3 *“The official language of the Federal Government is*  
4 *English.*

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

7 *“Representatives of the Federal Government shall have*  
8 *an affirmative obligation to preserve and enhance the role*  
9 *of English as the official language of the Federal Govern-*  
10 *ment. Such obligation shall include encouraging greater op-*  
11 *portunities for individuals to learn the English language.*

12 **“§ 163. Official Federal Government activities in Eng-**  
13 **lish**

14 *“(a) CONDUCT OF BUSINESS.—Representatives of the*  
15 *Federal Government shall conduct its official business in*  
16 *English.*

17 *“(b) DENIAL OF SERVICES.—No person shall be denied*  
18 *services, assistance, or facilities, directly or indirectly pro-*  
19 *vided by the Federal Government solely because the person*  
20 *communicates in English.*

21 *“(c) ENTITLEMENT.—Every person in the United*  
22 *States is entitled—*

23 *“(1) to communicate with representatives of the*  
24 *Federal Government in English;*

1           “(2) to receive information from or contribute  
2           information to the Federal Government in English;  
3           and

4           “(3) to be informed of or be subject to official  
5           orders in English.

6           **“§ 164. Standing**

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

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

11          “(a) *FLUENCY.*—It has been the longstanding national  
12          belief that full citizenship in the United States requires flu-  
13          ency in English. English is the language of opportunity for  
14          all immigrants to take their rightful place in society in the  
15          United States.

16          “(b) *CEREMONIES.*—All authorized officials shall con-  
17          duct all naturalization ceremonies entirely in English.

18          **“§ 166. Application**

19          “Except as otherwise provided in this chapter, the pro-  
20          visions of this chapter shall supersede any existing Federal  
21          law that contravenes such provisions (such as by requiring  
22          the use of a language other than English for official business  
23          of the Federal Government).

24          **“§ 167. Rule of construction**

25          “Nothing in this chapter shall be construed—

1           “(1) to prohibit a Member of Congress or an em-  
2           ployee or official of the Federal Government, while  
3           performing official business, from communicating  
4           orally with another person in a language other than  
5           English;

6           “(2) to discriminate against or restrict the rights  
7           of any individual in the country; and

8           “(3) to discourage or prevent the use of lan-  
9           guages other than English in any nonofficial capac-  
10          ity.

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

12          “Nothing in this chapter shall be construed to be incon-  
13       sistent with the Constitution of the United States.

14       **“§ 169. Definitions**

15          “For purposes of this chapter:

16               “(1) *FEDERAL GOVERNMENT*.—The term ‘Federal  
17       Government’ means all branches of the national Gov-  
18       ernment and all employees and officials of the na-  
19       tional Government while performing official business.

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

1                   “(A) *teaching of languages;*

2                   “(B) *actions, documents, or policies nec-*  
3 *essary for—*

4                   “(i) *national security issues; or*

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

7                   “(C) *actions or documents that protect the*  
8 *public health and safety;*

9                   “(D) *actions or documents that facilitate*  
10 *the activities of the Census;*

11                   “(E) *actions, documents, or policies that are*  
12 *not enforceable in the United States;*

13                   “(F) *actions that protect the rights of vic-*  
14 *tims of crimes or criminal defendants;*

15                   “(G) *actions in which the United States has*  
16 *initiated a civil lawsuit; or*

17                   “(H) *documents that utilize terms of art or*  
18 *phrases from languages other than English.*

19                   “(3) *UNITED STATES.—The term ‘United States’*  
20 *means the several States and the District of Colum-*  
21 *bia.”.*

22                   “(b) *CONFORMING AMENDMENT.—The table of chapters*  
23 *for title 4, United States Code, is amended by adding at*  
24 *the end the following new item:*

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

1 **SEC. 4. PREEMPTION.**

2       *This Act (and the amendments made by this Act) shall*  
3 *not preempt any law of any State.*

4 **SEC. 5. EFFECTIVE DATE.**

5       *The amendments made by section 3 shall take effect*  
6 *on the date that is 180 days after the date of enactment*  
7 *of this Act.*