

104TH CONGRESS  
2D SESSION

# H. R. 3850

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

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## IN THE HOUSE OF REPRESENTATIVES

JULY 18, 1996

Mr. CUNNINGHAM introduced the following bill; which was referred to the Committee on Economic and Educational Opportunities

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## A BILL

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 Empowerment Act of 1996”.

6 **SEC. 2. FINDINGS.**

7 The Congress finds and declares the following:

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

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

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

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

10          (5) English has historically been the common  
11          language and the language of opportunity in the  
12          United States.

13          (6) The purpose of this Act is to help immi-  
14          grants better assimilate and take full advantage of  
15          economic and occupational opportunities in the  
16          United States.

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

21          (8) The use of a single common language in  
22          conducting official business of the Federal Govern-  
23          ment will promote efficiency and fairness to all peo-  
24          ple.

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

4           (10) Any monetary savings derived from the en-  
5           actment of this Act should be used for the teaching  
6           of non-English speaking immigrants the English  
7           language.

8   **SEC. 3. ENGLISH AS THE OFFICIAL LANGUAGE OF FEDERAL**  
9   **GOVERNMENT.**

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

12                                   **“CHAPTER 6—LANGUAGE OF THE**  
13                                   **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. Rule of construction.

“167. Definitions.

14   **“§ 161. Declaration of official language of Federal**  
15                                   **Government**

16          “The official language of the Federal Government is  
17          English.

18   **“§ 162. Preserving and enhancing the role of the offi-**  
19                                   **cial language**

20          “The Federal Government shall have an affirmative  
21          obligation to preserve and enhance the role of English as

1 the official language of the Federal Government. Such ob-  
2 ligation shall include encouraging greater opportunities for  
3 individuals to learn the English language.

4 **“§ 163. Official Federal Government activities in Eng-**  
5 **lish**

6 “(a) CONDUCT OF BUSINESS.—The Federal Govern-  
7 ment shall conduct its official business in English.

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

12 “(c) ENTITLEMENT.—Every person in the United  
13 States is entitled—

14 “(1) to communicate with the Federal Govern-  
15 ment in English;

16 “(2) to receive information from or contribute  
17 information to the Federal Government in English;  
18 and

19 “(3) to be informed of or be subject to official  
20 orders in English.

21 **“§ 164. Standing**

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

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

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

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

9 **“§ 166. Rule of construction**

10 “Nothing in this chapter shall be construed—

11 “(1) to prohibit a Member of Congress, an em-  
12 ployee or official of the Federal Government, while  
13 performing official business, from communicating  
14 orally in a foreign language with another person.

15 “(2) to discriminate against or restrict the  
16 rights of any individual in the country;

17 “(3) to discourage or prevent the use of lan-  
18 guages other than English in any nonofficial capac-  
19 ity; and

20 “(4) except where an existing Federal law di-  
21 rectly contravenes the amendments made by such  
22 section (such as by requiring the use of a language  
23 other than English for official business of the Fed-  
24 eral Government), to repeal existing Federal laws.

25 **“§ 167. Definitions**

26 “For purposes of this chapter:

1           “(1) FEDERAL GOVERNMENT.—The term ‘Fed-  
2           eral Government’ means all branches of the Federal  
3           Government and all employees and officials of the  
4           Federal Government while performing official busi-  
5           ness.

6           “(2) OFFICIAL BUSINESS.—The term ‘official  
7           business’ means governmental actions, documents,  
8           or policies which are enforceable with the full weight  
9           and authority of the Federal Government, and in-  
10          cludes publications, income tax forms, informational  
11          materials, and the contents of franked mail (as de-  
12          scribed in section 3210 of title 39, United States  
13          Code), but does not include—

14                   “(A) teaching of foreign languages;

15                   “(B) actions, documents, or policies nec-  
16                   essary for international relations, trade, or com-  
17                   merce;

18                   “(C) actions or documents that protect the  
19                   public health and safety;

20                   “(D) actions, documents, or policies that  
21                   are not enforceable in the United States;

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

24                   “(F) documents that utilize terms of art or  
25                   phrases from languages other than English.”.

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 Act (and the amendments made by this Act)  
 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 upon the date of enactment of this Act, except that no  
 10 suit may be commenced to enforce or determine rights  
 11 under chapter 6 of title 4, United States Code, until the  
 12 date that is 1 year after the date of the enactment of this  
 13 Act.

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