

118TH CONGRESS  
1ST SESSION

# S. 1109

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.

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## IN THE SENATE OF THE UNITED STATES

MARCH 30, 2023

Mr. VANCE (for himself and Mr. CRAMER) introduced the following bill; which was read twice and referred to the Committee on Homeland Security and Governmental Affairs

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## 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 2023”.

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.

9 (2) Throughout the history of the United  
10 States, a common thread binding citizens of dif-  
11 fering backgrounds has been the English language.

12 (3) Among the powers reserved to the States  
13 respectively is the power to establish the English  
14 language as the official language of the respective  
15 States, and otherwise to promote the English lan-  
16 guage within the respective States, subject to the  
17 prohibitions enumerated in the Constitution of the  
18 United States and in laws of the respective States.

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

21 (a) IN GENERAL.—Title 4, United States Code, is  
22 amended by adding at the end the following:

23 **“CHAPTER 6—OFFICIAL LANGUAGE**

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

25 “The official language of the United States is  
26 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 functions of Government to be con-**  
 10 **ducted in English**

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

12 “(1) the term ‘official’ refers to any function  
 13 that—

14 “(A) binds the Government;

15 “(B) is required by law; or

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

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

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

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

24 “(1) shall apply to all laws, public proceedings,  
 25 regulations, publications, orders, actions, programs,  
 26 and policies; and

1 “(2) shall not apply to—

2 “(A) teaching of languages;

3 “(B) requirements under the Individuals  
4 with Disabilities Education Act (20 U.S.C.  
5 1400 et seq.);

6 “(C) actions, documents, or policies nec-  
7 essary for national security, international rela-  
8 tions, trade, tourism, or commerce;

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

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

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

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

18 **“§ 164. Uniform English language rule for naturaliza-**  
19 **tion**

20 “(a) UNIFORM LANGUAGE TESTING STANDARD.—All  
21 citizens of the United States should be able to read and  
22 understand generally the English language text of the  
23 Declaration of Independence, the Constitution of the  
24 United States, and the laws of the United States made  
25 in pursuance of the Constitution of the United States.

1       “(b) CEREMONIES.—All naturalization ceremonies  
2 shall be conducted in English.

3       **“§ 165. Rules of construction**

4       “Nothing in this chapter shall be construed—

5               “(1) to prohibit a Member of Congress or any  
6 officer or agent of the Federal Government, while  
7 performing official functions under section 163, from  
8 communicating unofficially through any medium  
9 with another person in a language other than  
10 English (as long as official functions are performed  
11 in English);

12               “(2) to limit the preservation or use of Native  
13 Alaskan or Native American languages (as defined  
14 in the Native American Languages Act (25 U.S.C.  
15 2901 et seq.));

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

18               “(4) to be inconsistent with the Constitution of  
19 the United States.

20       **“§ 166. Standing**

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

24       (b) CLERICAL AMENDMENT.—The table of chapters  
25 at the beginning of title 4, United States Code, is amended

1 by inserting after the item relating to chapter 5 the fol-  
 2 lowing:

“CHAPTER 6. OFFICIAL LANGUAGE”.

3 **SEC. 4. GENERAL RULES OF CONSTRUCTION FOR ENGLISH**  
 4 **LANGUAGE TEXTS OF THE LAWS OF THE**  
 5 **UNITED STATES.**

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

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

11 “(a) English language requirements and workplace  
 12 policies, whether in the public or private sector, shall be  
 13 presumptively consistent with the laws of the United  
 14 States.

15 “(b) Any ambiguity in the English language text of  
 16 the laws of the United States shall be resolved, in accord-  
 17 ance with the last two articles of the Bill of Rights, not  
 18 to deny or disparage rights retained by the people, and  
 19 to reserve powers to the States respectively, or to the peo-  
 20 ple.”.

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

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

1 **SEC. 5. IMPLEMENTING REGULATIONS.**

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

7 (1) all citizens of the United States should be  
8 able to read and understand generally the English  
9 language text of the Declaration of Independence,  
10 the Constitution of the United States, and the laws  
11 of the United States which are made in pursuance  
12 thereof; and

13 (2) any exceptions to the standard described in  
14 paragraph (1) should be limited to extraordinary cir-  
15 cumstances.

16 **SEC. 6. EFFECTIVE DATE.**

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

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