

The National Language Act is an attempt to legislate a common sense language policy that a nation of immigrants needs one national language. Our Nation was settled by a group of people with a common vision. When members of our society cannot speak a common language, individuals miss out on many opportunities to advance in society and achieve the American Dream. By establishing that there is no entitlement to receive documents or services in languages other than English, we set the precedent that English is a common to us all in the public forum of Government.

The Language Unity Act of 2009, the second piece of legislation that I am introducing today, incorporates all the ideas of the National Language Act, and requires the establishment of a uniform language requirement for naturalization and sets the framework for uniform testing of English language ability for candidates for naturalization.

I want to empower new immigrants coming to our Nation by helping them understand and become successful in their new home. I believe that one of the most important ways immigrants can achieve success is by learning English.

There is enormous popular support for English as the National Language, according to polling that has taken place over the last few years. In polling reported only a few days ago, 86 percent of Oklahomans favor making English the official language; 87 percent of Americans support making English the official language of the U.S.; 77 percent of Hispanics believe English should be the official language of government operations; 82 percent of Americans support legislation that would require the Federal Government to conduct business solely in English; 74 percent of Americans support all election ballots and other government documents be printed in English. This polling data refers to making English an official language of the U.S., or further creating an affirmative responsibility on the part of Government to conduct its operations in English.

My colleagues who have followed this debate will remember that the National Language Act of 2009 is identical to S. 2715, legislation I introduced in the 110th Congress. Most importantly, this language is identical to the English amendments I authored which passed the Senate in 2007 as Senate Amendment 1151, and in 2006 as Senate Amendment 4064, each being part of the Comprehensive Immigration Reform Act of each respective Congress. Senate Amendment 1151 was agreed to in the Senate by a vote of 64-33. Senate Amendment 4064 was agreed to in the Senate by a vote of 62-35. As you can see, there is widespread and bipartisan support for legislation that empowers this nation's immigrants to learn English.

I am especially pleased to be introducing these bills today because just

hours ago in my home State the Oklahoma State Legislature passed a joint resolution in support of English as the official language. This resolution, which passed the Oklahoma House of Representatives by an overwhelming vote of 89 to 8 and the Senate by a vote of 44 to 2, will allow the people of Oklahoma to vote on a statewide ballot for a constitutional amendment to make English the official language of Oklahoma. I am encouraged by the State Legislature's tireless efforts to affirm the importance of English as the unifying language in our society. I hope that the U.S. Congress will follow their lead and let the voice of the people be heard—a voice that overwhelmingly supports English as the official language.

Mr. President, I ask unanimous consent that the text of the bill be printed in the RECORD.

There being no objection, the text of the bill was ordered to be printed in the RECORD, as follows:

S. 991

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE.

This Act may be cited as the "English Language Unity Act of 2009".

SEC. 2. FINDINGS.

The Congress finds and declares the following:

(1) The United States is comprised of individuals from diverse ethnic, cultural, and linguistic backgrounds, and continues to benefit from this rich diversity.

(2) Throughout the history of the United States, the common thread binding individuals of differing backgrounds has been the English language.

(3) Among the powers reserved to the States respectively is the power to establish the English language as the official language of the respective States, and otherwise to promote the English language within the respective States, subject to the prohibitions enumerated in the Constitution of the United States and in laws of the respective States.

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

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

"CHAPTER 6—OFFICIAL LANGUAGE

"§ 161. Official language of the United States

"The official language of the United States is English.

"§ 162. Preserving and enhancing the role of the official language

"Representatives of the Federal Government shall have an affirmative obligation to preserve and enhance the role of English as the official language of the Federal Government. Such obligation shall include encouraging greater opportunities for individuals to learn the English language.

"§ 163. Official functions of Government to be conducted in English

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

"(b) SCOPE.—For the purposes of this section, the term 'United States' means the several States and the District of Columbia, and the term 'official' refers to any function that (i) binds the Government, (ii) is required by law, or (iii) is otherwise subject to scrutiny by either the press or the public.

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

- "(1) teaching of languages;
- "(2) requirements under the Individuals with Disabilities Education Act;
- "(3) actions, documents, or policies necessary for national security, international relations, trade, tourism, or commerce;
- "(4) actions or documents that protect the public health and safety;
- "(5) actions or documents that facilitate the activities of the Bureau of the Census in compiling any census of population;
- "(6) actions that protect the rights of victims of crimes or criminal defendants; or
- "(7) using terms of art or phrases from languages other than English.

"§ 164. Uniform English language rule for naturalization

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

"(b) CEREMONIES.—All naturalization ceremonies shall be conducted in English.

"§ 165. Rules of construction

"Nothing in this chapter shall be construed—

"(1) to prohibit a Member of Congress or any officer or agent of the Federal Government, while performing official functions, from communicating unofficially through any medium with another person in a language other than English (as long as official functions are performed in English);

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

"(3) to disparage any language or to discourage any person from learning or using a language; or

"(4) to be inconsistent with the Constitution of the United States.

"§ 166. Standing

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

(b) CLERICAL AMENDMENT.—The table of chapters at the beginning of title 4, United States Code, is amended by inserting after the item relating to chapter 5 the following new item:

"CHAPTER 6. OFFICIAL LANGUAGE".

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

(a) IN GENERAL.—Chapter 1 of title 1, United States Code, is amended by adding at the end the following new section:

"§ 8. General rules of construction for laws of the United States

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

"(b) Any ambiguity in the English language text of the Laws of the United States shall be resolved, in accordance with the last two articles of the Bill of Rights, not to deny or disparage rights retained by the people, and to reserve powers to the States respectively, or to the people."

(b) CLERICAL AMENDMENT.—The table of sections at the beginning of chapter 1 of title 1, is amended by inserting after the item relating to section 7 the following new item:

"8. General Rules of Construction for Laws of the United States."