Office of the Attorney General
Washington, D. C. 20530

July 14, 2025

See third Recommended Action in Section III (page 3)
"Use Technology to Save Costs"

MEMORANDUM FOR ALL FEDERAL AGENCIES

FROM: THE ATTORNEY GENERAL

SUBJECT: IMPLEMENTATION OF EXECUTIVE ORDER NO. 14,224: DESIGNATING ENGLISH AS THE OFFICIAL LANGUAGE OF THE UNITED STATES OF AMERICA

## I. INTRODUCTION

As President Trump recognized in his Executive Order No. 14,224, 90 Fed. Reg. 11363 (Mar. 6, 2025) (Executive Order 14,224), it is in America's best interest for the federal government to have one official language: English.[1] A shared language binds Americans together, transcending different backgrounds to create a common foundation for public discourse, government operations, and civic life, while leaving ample room for the vibrant linguistic diversity that thrives in private and community spheres. This policy streamlines federal processes—ensuring forms, notices, websites, and advisories are consistent, clear, and cost-effective—thus reducing administrative burdens and enhancing operational efficiency across agencies. Beyond efficiency, English proficiency empowers individuals with a vital pathway to civic engagement, equipping them with the tools to contribute to public discourse, volunteer in civic initiatives, and meaningfully monitor current events—key pillars of informed citizenship and participation in our democracy. This initiative is not merely a return to tradition but a forward-looking strategy to enhance social and economic integration, offering all residents the opportunity to learn and embrace English as a means of achieving the American dream.

This memorandum provides actionable guidance to federal agencies for implementing Executive Order 14,224, which revoked Executive Order No. 13,166, 65 Fed. Reg. 50121 (Aug.

[1] Executive Order 14,224 specifies that it must be implemented consistent with applicable law, and applicable law includes requirements to provide effective communication to individuals with disabilities under the Rehabilitation Act of 1973, 29 U.S.C. § 791 *et seq.*, the Americans with Disabilities Act of 1990, 42 U.S.C. § 12101 *et seq.*, and their implementing regulations.

16, 2000) (Executive Order 13,166).[2] The prior order had directed agencies to enhance access to federal programs for persons with limited English proficiency (LEP) and required tailored guidance for recipients of federal funding under Title VI of the Civil Rights Act of 1964, 42 U.S.C. § 2000d *et seq*. Many interpreted this directive as mandating extensive translation services beyond legal requirements, often prioritizing multilingualism over English proficiency among new Americans. Acknowledging that such policies could impede assimilation and strain resources, Executive Order 14,224 rescinded this approach. Consistent with that direction, the Department of Justice will lead a coordinated effort to minimize non-essential multilingual services, redirect resources toward English-language education and assimilation, and ensure compliance with legal obligations through targeted measures where necessary.

In the sections that follow, this memorandum outlines immediate compliance actions, recommended steps for agencies, and the legal framework supporting this shift. By prioritizing English as the official language, we strengthen national unity and operational efficiency while providing agencies with practical tools to balance this mandate with mission-critical responsibilities. The Department is committed to supporting agencies in this transition, ensuring that Executive Order 14,224's vision is realized amid the realities of America's diverse population.

## II. IMMEDIATE COMPLIANCE ACTIONS

The Department will take the following actions to implement Executive Order 14,224. While the legal analysis supporting these actions is provided in subsequent sections, these compliance actions represent the immediate steps taken by the Department:

- **Rescind Prior LEP Guidance:** The Department will rescind all prior guidance to recipients of funding regarding Title VI's prohibition against national origin discrimination affecting limited English proficient persons, which was issued under Executive Order 13,166.[3]
- **Conduct Internal Review:** The Department will complete a full internal inventory of all existing non-English services, and release Department-wide plans to phase out unnecessary multilingual offerings. The Department will consider redirecting these funds towards research and programs that would expedite English-language acquisition and increase English-language proficiency and assimilation.

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[2] This policy directive concerning the enforcement of Title VI of the Civil Rights Act of 1964, 42 U.S.C. § 2000d *et seq.*, *as amended*, is being issued by the authority granted by Executive Order No. 12,250, 3 C.F.R. § 298 (1981), and Department of Justice regulations at 28 C.F.R. § 0.51.

[3] This includes *Guidance to Federal Financial Assistance Recipients Regarding Title VI Prohibition Against National Origin Discrimination Affecting Limited English Proficient Persons*, 67 Fed. Reg. 41455 (June 18, 2002); *Memo. re: Federal Government's Renewed Commitment to Language Access Obligations Under Executive Order 13,166*, Attorney General Eric Holder (Feb. 11, 2011); and *Memo. re: Strengthening the Federal Government's Commitment to Language Access*, Attorney General Merrick Garland (Nov. 11, 2022).

- **Temporarily Suspend Existing LEP Guidance:** The Department will temporarily suspend operations of LEP.gov and all other public-facing materials related to language access for individuals with LEP, including Letters, Internet posts, YouTube videos, and training materials, pending an internal review. Those materials will be replaced after new guidance is issued with materials reflecting Executive Order 14,224, Title VI, and the Constitution.

- **Issue New Guidance:** Over the next 60 days, the Department will collect input and recommendations from its sister agencies across the federal government about their federally conducted programs and policies that may be legally implemented in an English-only format. Within 120 days, the Department will circulate and request comment from agencies that have written and issued internal language access plans to gather questions, challenges, and practical input, to ensure our updated guidance is realistic, responsive, and reflective of actual operational needs. Within 180 days, the Department will issue new guidance, for public comment, that presents clear, practical guidelines that help agencies prioritize English while explaining precisely when and how multilingual assistance remains necessary to fulfill their respective agencies' mission and efficiently provide Government services. The Department will collect public comment on the guidance for 30 days and then review all comments to determine what modifications, if any, to the policy guidance are necessary.

## III. RECOMMENDED ACTIONS

The Department encourages all other federal agencies to take the following actions, all while complying with applicable law and the Constitution:

- **Review Guidance Issued Based on Executive Order 13,166:** Agencies should review prior guidance based on Executive Order 13,166 and rescind such guidance if it conflicts with Executive Order 14,224 and is not mandated by law or the Constitution. Agency heads shall make decisions as they deem necessary to fulfill their agencies' mission and efficiently provide government services and are not required to amend, remove, or otherwise stop production of all multilingual documents, products, or other services prepared or offered.

- **Consider English-Only Services:** Where allowed by law, agencies should determine which of their programs, grants, and policies might serve the public at large better if operated exclusively in English.

- **Use Technology to Save Costs:** Technological advances in translation services will permit agencies to produce cost-effective methods for bridging language barriers and reducing inefficiencies with the translation process. The Department encourages other agencies to follow its approach of considering responsible use of artificial intelligence and machine translation to communicate with individuals who are limited English proficient.

- **Include Disclaimers that English Is the Official Language:** If a federal agency deems a multilingual service to be mission critical, such information should be translated accurately and include a clear note that English is the official language and authoritative version of all federal information.
- **Redirect Funds Toward English Education:** Agencies that save costs by reducing translation services should consider redirecting those funds toward research and programs that improve English proficiency and assimilation.

## IV. LEGAL FRAMEWORK

The Equal Protection Clause requires the government to treat similarly situated people alike. *City of Cleburne v. Cleburne Living Ctr.*, 473 U.S. 432, 439 (1985). Immutable characteristics determined solely by the accident of birth such as race and national origin are typically the basis for finding a suspect class. *Frontiero v. Richardson*, 411 U.S. 677, 686 (1973) (plurality opinion); *Williams v. Pryor*, 240 F.3d 944, 947 (11th Cir. 2001). However—and critical to this guidance—language proficiency is not interchangeable with national origin or race. *Franklin v. District of Columbia*, 960 F. Supp. 394, 432 (D.D.C. 1997), *rev'd in part and vacated in part on other grounds*, 163 F.3d 625 (D.C. Cir. 1998). Consequently, language, by itself, does not identify members of a suspect class. *Frontera v. Sindell*, 522 F.2d 1215, 1219-20 (6th Cir. 1975); *Carmona v. Sheffield*, 475 F.2d 738, 739 (9th Cir. 1973).

Courts that have considered English language requirements have found that language is not an immutable characteristic and thus language-based classifications are not subject to strict scrutiny in multiple contexts including Social Security disability benefits administration, law enforcement, prisons, and civil service exams. In *Soberal-Perez v. Heckler*, 717 F.2d 36 (2d Cir. 1983), the Second Circuit found that the Department of Health and Human Services' policy of providing written forms and oral instructions to applicants for Social Security disability benefits only in English was not unconstitutional racial or ethnic discrimination under the Equal Protection Clause against Hispanic applicants with limited English proficiency. *Id.* at 41. In *Aponte-Pinto v. Woods*, 2018 WL 6611484 (N.D. Fla. Nov. 19, 2018), the court found that an inmate who spoke only Spanish and was expelled from a substance abuse program did not merit strict-scrutiny standard of review because "[l]anguage and national origin are not interchangeable," and "[l]anguage . . . by itself, does not identify members of a suspect class." *Id.* at *5, *report and recommendation adopted*, 2018 WL 6604338 (N.D. Fla. Dec. 17, 2018). In *Moua v. City of Chico*, 324 F. Supp. 2d 1132 (E.D. Cal. 2004), the court held that a law enforcement agency's failure to provide interpreter services for non-English speaking Hmong crime victims was not national origin discrimination under the Equal Protection Clause and therefore not subject to strict scrutiny. *Id.* at 1139. The court stated that "no case has held that the provision of services in the English language amounts to discrimination against non-English speakers based on ethnicity or national origin." *Id.* at 1137-38. The court noted that "[w]ere the government to target a particular language group for differential treatment, the inference might be drawn that the intended target is the racial or ethnic group closely associated with that language group," but absent evidence that a policy has the intention of "singling out . . . one language group for a denial of interpreter services," there is no constitutional violation. *Id.* And finally in *Fontera v. Sindell*, 522 F.2d 1215 (6th Cir. 1975),

the Sixth Circuit held that conducting a civil service exam only in English did not amount to racial or ethnic discrimination under the Equal Protection Clause against a Hispanic exam taker with limited English proficiency and that rational basis review applied. *Id.* at 1220. The court concluded that "in conducting the examination in English the Commission violated no constitutional or civil right of Frontera." *Id.*

Historically, the Department has provided guidance on language assistance services for individuals with LEP based on two sources of authority, Title VI of the Civil Rights Act of 1964 when discussing recipient obligations (federally-assisted) and Executive Order 13,166 when discussing federal agency obligations (federally-conducted). Title VI provides that "[n]o person in the United States shall, on the ground of race, color, or national origin, be excluded from participation in, be denied the benefits of, or be subjected to discrimination under any program or activity receiving Federal financial assistance." 42 U.S.C. § 2000d. Title VI concerns non-discrimination conditions on the receipt of federal financial assistance, and more particularly to the receipt of federal "[g]rants and loans," "property," "personnel" and "[a]ny Federal agreement, arrangement, or other contract which has as one of its purposes the provision of assistance." 28 C.F.R. § 42.102(c); *see also* 28 C.F.R. § 42.105 (requiring funding recipient sign contractual assurance of compliance with Title VI).

In 1970, the Department of Health, Education, and Welfare—a predecessor to both the Department of Health and Human Services and the Department of Education—asserted that Title VI's prohibition against national origin discrimination included discrimination against persons with limited English proficiency. Identification of Discrimination and Denial of Services on the Basis of National Origin, 35 Fed. Reg. 11595 (July 18, 1970). While since overruled, the Supreme Court originally agreed in *Lau v. Nichols*, 414 U.S. 563 (1974). In *Lau*, the Court held that language assistance services are required to ensure that individuals have meaningful access to federally funded programs, and that the denial of such access could constitute national origin discrimination. *Id.* at 563, 568. In 2000, the Department issued guidance counseling that the failure to provide language assistance has significant discriminatory effects on the basis of national origin and placed the treatment of LEP individuals under Title VI and agencies' implementing regulations. *Enforcement of Title VI of the Civil Rights Act of 1964—National Origin Discrimination Against Persons with Limited English Proficiency*, 65 Fed. Reg. 50123 (Aug. 16, 2000). In doing so, the guidance relied on both intentional and disparate impact theories of discrimination.

The Department will no longer rely on the Title VI disparate impact regulations and directs other agencies similarly. The Supreme Court has recognized that *Lau* "interpreted § 601 [of Title VI] itself to proscribe disparate-impact discrimination"—an interpretation that the Court has since rejected. *See Alexander v. Sandoval*, 532 U.S. 275, 285 (2001). And the Supreme Court has made clear that the scope of Title VI extends no further than the Fourteenth Amendment. *See United States v. Fordice*, 505 U.S. 717, 732 n.7 (1992). "In view of the clear legislative intent, Title VI must be held to proscribe only those racial classifications that would violate the Equal Protection Clause or the Fifth Amendment." *Regents of the Univ. of Cal. v. Bakke*, 438 U.S. 265, 287 (1978) (opinion of Powell, J.); *id.* at 352 (Brennan, White, Marshall, and Blackmun, JJ., concurring in the judgment in part and dissenting in part) ("Title VI's definition of racial discrimination is absolutely coextensive with the Constitution's."). The Equal Protection Clause, and therefore Title VI,

prohibits only intentional discrimination, not disparate impact. *Sandoval*, 532 U.S. at 280-81; *Washington v. Davis*, 426 U.S. 229, 239-42 (1976).

The Eighth Circuit has concluded that under Title VI language and national origin classifications are not interchangeable. *See Mumid v. Abraham Lincoln High Sch.*, 618 F.3d 789, 795 (8th Cir. 2010) ("[A] policy that treats students with limited English proficiency differently than other students in the district does not facially discriminate based on national origin."); *Hannoon v. Fawn Eng'g Corp.*, 324 F.3d 1041, 1048 (8th Cir. 2003) (similar).[4] The Eighth Circuit has also determined that a policy that treats people—either employees, or students, or patients, and so forth, of a federal funding recipient—with limited English proficiency differently does not facially discriminate based on national origin. *Mumid*, 618 F.3d at 795.

In certain limited circumstances, language can be used as a proxy or a vehicle to intentionally discriminate based on national origin. If a language classification is used as a proxy for national origin discrimination, then discrimination based on language may be tantamount to discrimination based on national origin. *See Yniguez v. Arizonans for Off. Eng.*, 69 F.3d 920, 947-48 (9th Cir. 1995) ("[L]anguage is . . . close[ly related to] . . . national origin [and] restrictions on the use of languages may mask discrimination against specific national origin groups or, more generally, conceal nativist sentiment . . . ."), *judgment vacated on other grounds* by *Arizonans for Off. Eng. v. Arizona*, 520 U.S. 43 (1997); *Montes v. Vail Clinic, Inc.*, 497 F.3d 1160, 1170 (10th Cir. 2007) ("Language may be used as a covert basis for national origin discrimination." (citation omitted)). But the *intent* to discriminate based on race, color, or national origin must be present to violate Title VI. *See Sandoval*, 532 U.S. at 280-81; *see also Alexander v. Choate*, 469 U.S. 287, 293 (1985) ("Title VI itself directly reache[s] only instances of intentional discrimination.").[5] A statute that classifies based on language, but is neutral on its face with respect to national origin, should be considered a mere proxy for national origin discrimination only if the classification is "unexplainable on grounds other than" national origin discrimination. *Village of Arlington Heights v. Metropolitan Hous. Dev. Corp.*, 429 U.S. 252, 266 (1977). "But such cases are rare." *Id.* This new guidance reflects the law as it stands today.

## V. CONCLUSION

The Department of Justice is committed to partnering with federal agencies to establish English as the official language of the United States, strengthening national unity and enhancing

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[4] *But see Yniguez v. Arizonans for Off. Eng.*, 69 F.3d 920, 947-48 (9th Cir. 1995); *Montes*, 497 F.3d at 1170; *Methelus v. School Bd. of Collier Cnty.*, 243 F. Supp. 3d 1266, 1277 (M.D. Fla. 2017) (recognizing the "the common-sense interrelationship between limited English proficiency and national origin").

[5] Similarly, Title VII does not pose a prohibition on employers from establishing English-only workplace rules in some cases. *See Pacheco v. New York Presbyterian Hosp.*, 593 F. Supp. 2d 599 (S.D.N.Y. 2009) (hospital unit's "English-only" practice did not amount to disparate treatment under Title VII); *Garcia v. Gloor*, 618 F.2d 264 (5th Cir. 1980) (English-only rule in the workplace did not create a disparate impact to Hispanic employees).

government efficiency in accordance with Executive Order 14,224. This guidance equips agencies with practical tools to implement this transformative policy while upholding their core missions. For questions or assistance, please contact the Office of Legal Policy at DOJ.OLP@usdoj.gov or your agency's designated DOJ liaison. Together, we will advance English as our shared language, fostering a more cohesive and engaged nation.