

Arkansas English-Only Statute

Governor Clinton signed into law in 1987.

"That legislation, which Clinton later expressed second thoughts about signing, required English to be used to transact all official state business in Arkansas which has fewer Hispanic residents than most states. But it did not prohibit schools in the state from providing bilingual education."

Gannett News Service 9/2/92

"In Arkansas, legislators who support the effort say they wanted to avoid being required to produce official documents in more than one language. They also minimized the bill's importance, likening it to symbolic legislation that declared milk the state beverage, the fiddle the state musical instrument, the pine the state tree and the apple blossom the state flower."

The Associated Press 2/9/87

**ARKANSAS CODE OF 1987 ANNOTATED  
TITLE 1. GENERAL PROVISIONS  
CHAPTER 4. STATE SYMBOLS, MOTTO, ETC.**

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Current through Act 1319 of the 1993 Regular Session

1-4-117 Official language.

(a) The English language shall be the official language of the State of Arkansas.

(b) This section shall not prohibit the public schools from performing their duty to provide equal educational opportunities to all children.

**History.** Acts 1987, No. 40, § 1; 1987, No. 77, § 1.

A.C.A. § 1-4-117

AR ST § 1-4-117

END OF DOCUMENT

**ARKANSAS CODE OF 1987 ANNOTATED**

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**TITLE 16. PRACTICE, PROCEDURE, AND COURTS  
SUBTITLE 2. COURTS AND COURT OFFICERS  
CHAPTER 10. GENERAL PROVISIONS  
SUBCHAPTER 1. GENERAL PROVISIONS**

16-10-107. Process and proceedings to be in English language.

All writs, process, proceedings, and records in any court shall be in the English language, except that the proper and known name of process and technical words may be expressed in the language commonly used. They shall be made out on paper or parchment, in a fair and legible character, in words at length and not abbreviated; but such abbreviations as are commonly used in the English language may be used. Numbers may be expressed by Arabic figures or Roman numerals in the customary way.

History. Rev. Stat., ch. 43, § 18; C. & M. Dig., § 2102; Pope's Dig., § 2706; A.S.A. 1947, § 22-108.

A. C. A. § 16-10-107

AR ST § 16-10-107

END OF DOCUMENT

## DRAFT TALKING POINTS OPPOSING ENGLISH-ONLY LEGISLATION

English is the language of the United States. Of course, it is. That is not the issue. The issue is whether children who come here, while they are learning English, should be able to learn other things. The issue is whether American citizens who work hard and pay taxes and are older and who haven't mastered English yet should be able to vote like other citizens.

President Clinton, September 27, 1995

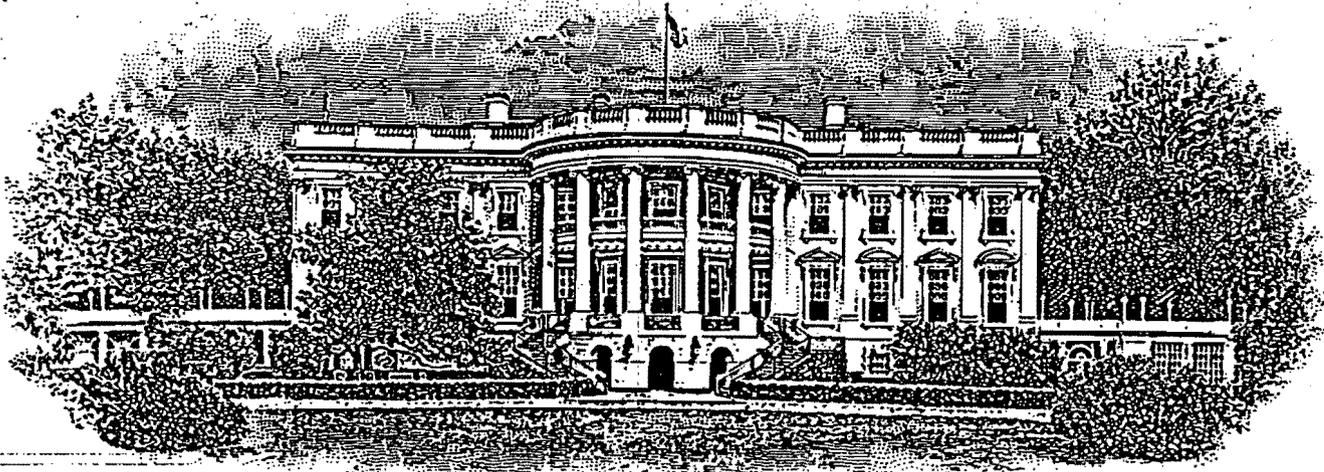
### The Administration Strongly Opposes "English-Only" Legislation

- The Administration strongly opposes English-only legislation such as S. 356 that generally seeks to eliminate governmental actions conducted in any language other than English. Such restrictions are unnecessary and threaten the Constitutional rights, health, safety, education and economic advancement of U.S. citizens.
- English-only legislative mandates will hinder the government's essential ability to fulfill its responsibilities and fully protect the interests of U.S. citizens.
- Such restrictions raise serious constitutional issues.

### English Already Is The Nation's Common Language -- English-Only Is Unnecessary

- Over 97 percent of Americans speak English, according to the 1990 U.S. Census.
- Virtually all of Federal government's business is conducted in English and 99.9% of Federal government documents are in English, according to a recent GAO report.
- For the rare exception when other languages are used, it promotes important national and community interests.
  - These interests include: national security; law enforcement, including communicating with crime victims, witnesses and defendants; border control, and informing individuals about their rights-- such as voting rights -- or how to access important services, such as police protection, public safety, and health care.
- People are learning English faster than ever before. Everyone recognizes that English language skills are necessary to advance economically and socially in our

# The White House



DOMESTIC POLICY

## FACSIMILE TRANSMISSION COVER SHEET

TO: Cecilia Munoz

FAX NUMBER: \_\_\_\_\_

TELEPHONE NUMBER: \_\_\_\_\_

FROM: Stephen C. Dasso

TELEPHONE NUMBER: \_\_\_\_\_

PAGES (INCLUDING COVER): 2

COMMENTS: I look forward to

seeing you tomorrow.

S

OFFICE OF LEGISLATIVE AFFAIRS

ROUTING SLIP

DATE: 8/20/96

- For your information
- For necessary action
- For comment
- Per conversation
- Per your request
- For signature

FROM: John Trasviña  
202/514-2111-phone  
202/514-5499-fax

TO: Stephen Warrath  
DPC



# Leadership Conference on Civil Rights

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Karen McGill Lawson

**TO:** Interested Persons  
**FROM:** LCCR Language Rights Task Force  
**DATE:** August 16, 1996  
**RE:** Information Packet on English-Only Initiatives

As you know, the House of Representatives recently passed H.R. 123, The English Language Empowerment Act, which designates English the 'official' language of the United States Government and also repeals Sections 203 and 4(f) and other anti-discrimination provisions of the Voting Rights Act for language minorities. The Senate will likely address similar legislation when it reconvenes in September. The enclosed materials provide background information on English-Only legislation pending before the 104th Congress.

While we agree that English proficiency is very important for success and full participation in American society, the overwhelming evidence suggests English-Only initiatives like S. 356 and H.R. 123, are misguided solutions to a problem that simply does not exist. The overwhelming percentage of Americans (97 percent) speak English "well" or "very well" and nothing in such legislation would do anything to further an individual's ability to learn English.

The Leadership Conference on Civil Rights believes English-Only measures like S. 356 and H.R. 123, target individuals for discriminatory treatment based solely on their language- minority status. In a nation comprised of immigrants, there will always be people making the transition from their native language to English. Refusing to serve these individuals until they master the English language unnecessarily constructs artificial walls, rather than fostering unity and building bridges. We strongly urge the Senate to oppose any measure that attempts to make English the official language of the United States Government.

Should you have any questions or need additional information, please contact any of the following individuals:

Wade Henderson or Brian Komar, Leadership Conference on Civil Rights (LCCR), (202) 466-3311.

Georgina Verdugo, Mexican American Legal Defense and Educational Fund (MALDEF), (202) 628-4074.

Karen Narasaki or Rich Albores, National Asian Pacific American Legal Consortium (NAPALC), (202) 296-2300.

Carmen Lepe, National Council of La Raza (NCLR), (202) 776-1753.

Jim Lyons or Jaime Zapatta, National Association for Bilingual Education (NABE) (202) 898-1829.

(\*Deceased)

"Equality In a Free, Plural, Democratic Society"



# Leadership Conference on Civil Rights

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## LCCR INFORMATION ON ENGLISH-ONLY INITIATIVES

August 1996

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United States Department of Justice, Office of Legislative Affairs, "Administrations Summary Opposing English-Only Amendment"

Summary of H.R. 123,

Talking Points On English-Only

LCCR, Language Minority Voting Assistance Enjoys Widespread Bipartisan Support and English-Only Initiatives Enjoy Widespread Bipartisan Opposition

Letter from Senator Ben Nighthorse Campbell (R-CO) on English-Only Legislation

Government Accounting Office, GAO Study Identifying the Number of Documents Written in Languages Other than English

United States Department of Commerce, Bureau of the Census, Letter on Number of Citizens Who Speak English

What if S. 356 Passes?

LCCR, List of National Organizations Opposed to English-Only Initiatives

NAPALC, "H.R. 123 -- The English Language Empowerment Act"

ACLU, "Myths and Realities About Repeal of Voting Rights Act Protections For Language Minority Citizens"

MALDEF, "MALDEF Opposes Official English Movement"

S. 356, The Language of Government Act of 1995

H.R. 123, The English Language Empowerment Act, as passed by the House 8-1-96

### Newspaper Articles on the Subject

Editorial. "The Good, the Bad, the Ridiculous," New York Times, August 3, 1996.

Editorial. "Bad Law in Any Language," Los Angeles Times, August 6, 1996.

Editorial. "Phony Solution in Search of an Imaginary Problem," USA TODAY, September 7, 1995.

Editorial. "Will We Ever Get Over Our Fear of Foreign Languages?" USA TODAY, April 6, 1995.

Associated Press. "Practically English-Only," Washington Post, September 27, 1995.

Luis E. Rumbaut. "English-Only -- Let's Go All the Way," letter to the editor Washington Post, September 16, 1995.

Christi Harlan. "Lawmakers Target Bilingual Ballots -- Political Parties, However, Speak En Espanol When They Court Hispanic Voters," Austin American-Statesman, June, 17, 1996.

Mark Falcoff. "Our Language Needs No Law," New York Times, August 5, 1996.

Steve Twomey. "In Plain English: Chill Out," Washington Post, September 18, 1995.

Gerald Parshall. "A Glorious Mongrel," U.S. News and World Reports, September 25, 1995.

THE WHITE HOUSE

WASHINGTON

August 1, 1996

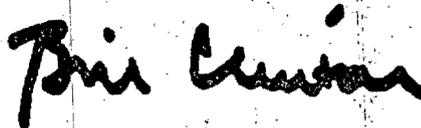
Dear Mr. Speaker:

I strongly urge the Congress to reject passage of H.R. 123, the English Language Empowerment Act. English is currently acknowledged as the common language of the United States throughout the world. There is no need for this divisive provision that seeks to require the Federal Government to conduct the vast majority of official business in English only and I intend to veto it if passed.

This bill would have numerous highly objectionable results. It would effectively exclude Americans who are not fully proficient in English from equal participation in society. For example, our nation's children who possess limited English proficiency would be denied equal opportunities in education. In addition, the most basic tenet of participatory democracy -- a citizen's right to vote, would be infringed by limiting the provision of assistance to exclusively English speaking citizens. Also, our ability to effectively conduct required business in writing with the millions of U.S. citizens in Puerto Rico and the States who do not read English would be severed.

We are a great nation of many voices. The Constitution and the Bill of Rights serve to unite all Americans and seek to guarantee freedom of speech, representative democracy, respect for due process, and equality of protection under the law. This proposal contradicts these principles. The Congress should reject this misguided proposal.

Sincerely,



The Honorable Newt Gingrich  
Speaker of the  
House of Representatives  
Washington, D.C. 20515



EXECUTIVE OFFICE OF THE PRESIDENT  
OFFICE OF MANAGEMENT AND BUDGET  
WASHINGTON, D.O. 20503

July 31, 1996  
(House Rules)

## STATEMENT OF ADMINISTRATION POLICY

(THIS STATEMENT HAS BEEN COORDINATED BY OMB WITH THE CONCERNED AGENCIES.)

### H.R. 123 - Language of Government Act (Emerson (R) MO and 197 cosponsors)

If H.R. 123 were presented to the President, the Attorney General, the Secretaries of Treasury, Health and Human Services, Housing and Urban Development, Education and Labor, and the Chairman of the Equal Employment Opportunity Commission would recommend that the bill be vetoed. H.R. 123 would establish English as the official language of the United States and require the Federal Government to conduct most official business only in English. This highly objectionable bill is unnecessary, inefficient, and divisive. It would:

- Effectively exclude Americans who are not fully proficient in English from employment, voting, and equal participation in society.
- Jeopardize the rights of students with limited English proficiency to equal educational opportunity as well as the ability of schools to communicate effectively with parents with limited English proficiency about the education of their children.
- Be subject to serious constitutional challenge. The bill's provision that it not be construed to be inconsistent with the Constitution is so general as to provide no clear guidance and thereby, would create widespread uncertainty in the Government's day-to-day operation.
- Make it impossible for the Federal Government to conduct required business in writing with the millions of U.S. citizens in Puerto Rico and the States who do not read English.
- Effectively repeal the minority language provisions of the Voting Rights Act, limiting meaningful electoral participation by minority language populations. (The proposed Cunningham amendment would actually repeal these provisions.)
- Impair the ability of American Indian tribal governments to engage in self-governance.
- Significantly increase barriers to effective law enforcement in immigrant communities.
- Create an unnecessary private right of action, inviting frivolous litigation against the Government.
- Potentially eliminate programs that promote the welfare of children and older Americans where an immediate public health risk does not exist. The bill could also prohibit

publication in foreign languages of informational pamphlets on subjects like Head Start, Social Security, Older Americans, the Americans with Disabilities Act, child support collection, and child abuse prevention.

English is universally acknowledged as the common language of the United States, but language alone is not the basis for nationhood. Americans are united by the principles enumerated in the Constitution and the Bill of Rights: freedom of speech, representative democracy, respect for due process, and equality of protection under the law. H.R. 123 is contrary to each of these principles.

\* \* \* \* \*



U. S. Department of Justice

Office of Legislative Affairs

Office of the Assistant Attorney General

Washington, D. C. 20530

**Administration Summary Opposing English Only Amendment**

We understand that S. 356, "The Language of Government Act of 1995," will be offered as an amendment to S. 1664, the Immigration Control and Financial Responsibility Act of 1996. For the reasons set forth below, the Administration strongly opposes S. 356 and its addition to S. 1664.

S. 356 would declare English the official language of the Government and require the Government to conduct all of its official business in English. S. 356 defines "official business" generally as "governmental actions, documents, or policies which are enforceable with the full weight and authority of the Government." It would eliminate all governmental actions that are conducted in languages other than English, except: (1) teaching foreign languages; (2) actions, documents, or policies not enforceable in the United States; (3) actions, documents, or policies necessary for international relations, trade, or commerce; (4) actions or documents that protect the public health; (5) actions that protect the rights of victims of crimes or criminal defendants; and (6) documents that use terms of art or phrases from languages other than English.

S. 356 proposes to fix a problem that does not exist. As the President has stated, there has never been a dispute that English is the common and primary language of the United States. According to the 1990 Census, 94% of all residents speak English well or very well and of the 13.8% of residents who speak languages other than English at home, 79% above the age of four speak English "well" or "very well". In fact, there is overwhelming demand for adult English language classes in communities with large, language minority populations. For example, in Los Angeles, the demand for these classes is so great that some schools operate 24 hours per day and 50,000 students are on the waiting lists city-wide. In New York City, an individual can wait up to 18 months for classes. To help meet this need, the President's fiscal year 1997 budget proposes a 13% increase over 1995 for adult English education.

The overwhelming majority of Federal official business is conducted in English. According to a recent GAO study, only 0.06% of Federal documents are in a language other than English - and these are translations of English documents. These non-English documents, such as income tax forms, voting assistance

information, decennial census forms, and medical care information, assist taxpaying citizens and residents who have limited English proficiency (LEP) and are subject to the laws of this country. In those very few instances where the Government uses languages other than English, the usage promotes vital interests, such as national security; law enforcement; border enforcement; civil rights; communicating with witnesses, prisoners or parolees; protecting and promoting public health; and informing people of their legal rights and responsibilities.

S. 356 would invite frivolous litigation against the Government. It would create a vague, private cause of action -- and allow attorney fees -- for anyone who believed that he or she had been injured by the Government's communication in a language other than English. Actual injury due to a failure to conduct all activities in English is highly conjectural since virtually all of the Government's business is conducted in English. S. 356 would impede Federal agencies performing vital tasks and delivering important information.

Although it is difficult to predict how the Supreme Court ultimately would resolve arguments that S. 356 violates constitutional protections, Yniguez v. Arizona for Official English, 69 F.3d 920 (9th Cir. 1995), cert. granted, 64 U.S.L.W. 3635, 3639 (U.S. Mar. 25, 1996) (No. 95-974), a case raising constitutional challenges to a similar State statute, is now pending before the Court. In that case, a divided Ninth Circuit Federal Court of Appeals ruled that the English-only requirements in the Arizona constitution were facially overbroad in violation of the free speech rights of State government employees. Although the dissent's argument in Yniguez is not without force, the existence of the Ninth Circuit's en banc decision raises a concern that the bill is vulnerable to First Amendment challenge.

If S. 356 applied to the legislative franchise of Members of Congress, it would violate the Speech or Debate Clause of the Constitution. If it prevented a Federal legislator, or the President or other Executive branch officials from communicating effectively with the persons he or she represented, a court might conclude that it interfered with a core element of representative government established by the Constitution. Since several ethnic and national origin minority groups in this country include large numbers of people with limited English proficiency, S. 356 could be challenged under the Equal Protection Clause of the Constitution, which prohibits discrimination on the basis of ethnicity or national origin. S. 356 also would be subject to attack on the ground that it violated the due process rights of non-English speakers who were parties to civil and administrative proceedings, such as deportation proceedings.

The broad language of S. 356 is at odds with the longstanding principle of government-to-government relations between the Federal government and Indian tribes. If broadly construed, S. 356 could repeal the specific mandates found in the

Native American Languages Act, 25 U.S.C. §§2901-2905, and related statutes. Recognizing that Indian languages are an essential aspect of tribal culture, the Native American Languages Act authorizes tribes to "preserve, protect, and promote the rights and freedom of Native Americans to use, practice, and develop Native American languages."

S. 356 would threaten the right of United States citizens to vote. It would effectively repeal the minority language provisions of the Voting Rights Act (VRA) which require the use of languages other than English in enforcement efforts, e.g., checking the accuracy of translations. The VRA also requires covered jurisdictions to provide election information and voting assistance to minority language citizens in a language they can better understand, to enable them to participate in the electoral process as effectively as English-speaking voters. The VRA helps many Native Americans and some other language minority citizens, especially older individuals, who continue to speak their traditional languages and to be affected by the lack of meaningful educational opportunities during their school years. In addition, over 3.5 million Puerto Ricans born and educated on the island are citizens by birth but often lack full English proficiency.

S. 356 could threaten public health. Although section 3 of the bill (creating section 165(2)(D)) excludes from its application "actions or documents that protect the public health," the "public health" is not defined and might not include programs within the Department of Health and Human Services (HHS) that promote the welfare of children and adults where an immediate public health risk does not exist, e.g., older Americans and AFDC recipients.

S. 356's mandate for "English only" would prevent the Government from making particularized judgments about the need to use languages in addition to English to provide or to obtain essential information. It is in the best interest of the Government -- as well as its customers -- for the public to understand clearly Government services and processes, and their rights.

S. 356 would hinder law enforcement and other governmental programs, such as tax collection; natural resource conservation; census data collection and other surveys; and promoting compliance with the law. S. 356 could affect HHS' ability to provide Medicaid and Medicare interpreter services; to print materials on HIV transmission, organ transplantation, food labeling, food safety, safe use of medicines and medical devices; and to produce Head Start publications, child support collection pamphlets, and child abuse prevention pamphlets in non-English languages. S. 356 could hamper enforcement of housing anti-discrimination laws by limiting the ability of the Department of Housing and Urban Development (HUD) to make complaint forms available in languages in addition to English. It could prevent

interviews with witnesses in languages other than English. It would limit HUD's ability to provide housing counseling to many low-income and minority families and to people who use other languages, such as sign language.

S. 356 would promote division and discrimination rather than foster unity in America. It would exacerbate national origin discrimination and intolerance against ethnic minorities who look or sound "foreign" and may not be English proficient. It would keep many Americans from the political and social mainstreams. It would undermine efforts like those of the Justice Department's Community Relations Service to ease community and racial conflicts through conciliation and community outreach. Thus, the Administration strongly opposes S. 356 and its addition to S. 1664, illegal immigration enforcement legislation the Administration supports.

## SUMMARY OF ENGLISH-ONLY BILL, HR 123 (7/30/96 Update)

### TITLE I: ENGLISH-ONLY REQUIREMENTS

Establishes Official English: Amends the United States Code to designate English as the "official language of the Federal Government." Adds new Chapter to United States Code – "Chapter 6: Language of the Federal Government"

Establishes Federal "affirmative obligation" to preserve English and encourage English learning; no educational funds provided: While the bill establishes a Federal obligation to encourage "greater opportunities for individuals to learn the English language" it does not authorize funds to teach English to minority language persons or offer other specific guidance.

Establishes Federal Government "English-only" mandate: "Representatives of the Federal Government shall conduct its official business in English."

- Defines "official business" to mean "government actions, documents, or policies which are enforceable with the full weight and authority of the Federal Government, and includes publications, income tax forms, information materials, and the content of franked mail".
- Excludes from definition of "official business":
  - teaching of languages;
  - actions, documents, or policies necessary for international relations, trade, or commerce;
  - actions or documents that protect public health and safety;
  - actions, documents, or policies that are not enforceable in the United States;
  - actions that protect the rights of victims of crimes or criminal defendants;
  - documents that utilize terms of art or phrases from languages other than English; and
  - unspecified matters relating to the Census.
- "Rules of construction" specify that English-only mandate shall not be construed to:
  - apply to oral communication in a foreign language;
  - to discriminate against or restrict the rights of any individual in this country;
  - to discourage or prevent the use of languages other than English in any nonofficial capacity; or
  - to repeal existing Federal laws, except where an existing Federal law directly contravenes the amendments – such as by requiring the use of a language other than English for official business of the Federal Government.

Establishes protections for English speakers: Protection against the denial of "services, assistance or facilities, directly or indirectly provided by the Federal Government, solely because the person communicates in English."

- Establishes a new "entitlement" for all persons living in the United States:
  - to communicate with the Federal Government in English;
  - to receive information from or contribute information to the Federal Government in English; and
  - to be informed of or be subjected to official orders in English.
- Mandates that all "naturalization" ceremonies be conducted "entirely in English".

Establishes legal right of action: Persons who claim their English language rights have been violated may file a civil action suit and obtain appropriate relief. Confers standing in the federal courts.

## **TITLE II: REPEAL OF BILINGUAL VOTING REQUIREMENTS**

**Repeals Bilingual Voting Ballots:** Repeals Section 203 of the Voting Rights Act (VRA) establishing bilingual voting ballots. The VRA sought to eliminate barriers to these rights, such as illiteracy and the lack of proficiency in the English language that impede meaningful participation in the electoral process. The minority language provisions added to the VRA in 1975 guarantee the right to vote to United States citizens who are not yet fully proficient in English.

**Strips Federal anti-discrimination protection related to voting for language minority citizens:** Title II repeals VRA Section 4(f)(2) which provides that "no voting qualification or prerequisite to voting, or standard, practice, or procedure shall be imposed or applied by any State or subdivision to deny or abridge the right of any citizen of the United States to vote because s/he is a member of a language minority group." Section 4(f)(2) is incorporated by reference in numerous sections of the VRA, effectively stripping nearly every anti-discrimination protection for language minorities.

### **TALKING POINTS - ENGLISH-ONLY IS UNNECESSARY**

**English is not threatened as our primary language:** According to the Census Bureau, 97% of the US population speaks English. Furthermore, only 0.06 percent of federal documents are in languages other than English, according to the General Accounting Office (GAO). Newcomers to our country are learning English faster than ever before. In fact, recent estimates indicate that only 13% of the demand for English-as-a-Second-Language (ESL) classes is being met – waiting lists in some major cities exceed 40,000.

**Bilingual voting ballots are critical for minority language populations:** Title II would have a devastating impact on the rights of language minority populations to participate fully in the democratic process. Removing language barriers is a targeted, low-cost, common sense solution to achieving informed participation, considering the complex language of ballot propositions and voting issues.

- Native Americans and Alaskan Natives, Puerto Ricans, The People of Guam and other U.S. territories, and elderly naturalized citizens will be particularly impacted.
- According to the Government Accounting Office, the average cost of providing written assistance is minuscule, costing an average of 2.9% of election expenses or less.
- Also, according to the Justice Department, since 1975, voter registration and voter turnout have increased substantially as a direct result of existing minority language provisions.

**English-only is unconstitutional and makes government inefficient and ineffective:** The Arizona "English-only" initiative has been found to be unconstitutional by the Ninth Circuit Court in *Yniguez v. Arizonans for Official English*. According to the Courts, it violates the First Amendment right to free speech. The 9th Circuit Court found that employees' knowledge of diverse languages made government more efficient and less costly. The Arizona law and legislation pending in Congress would outlaw communication between elected officials and their constituents in any language but English.

**English-only restricts access to services and government:** Millions of tax-paying citizens and residents would be unable to access and communicate with their government. That would include residents of Puerto Rico, Native American reservations and U.S. territories in the Pacific, whose right to communicate in a native language is protected by treaty or custom. English-only has nothing to do with improving education or educational opportunities. Instead of facilitating learning and communication, proponents of English-only focus on prohibiting the use of other languages.

**This is contrary to the American tradition and is divisive:** It is not the English language that unites us, but rather our democratic system based on our rights established by the Constitution of the United States. President Franklin Delano Roosevelt once said, "We are a nation of many nationalities, many races, many religions – bound together by a single unity, the unity of freedom and equality."

## Talking Points on English-Only - A Dangerous Solution to a Non-Existent Problem

"Official English" is English-only.

- The explicit purpose of every "official English" proposal is to prohibit the government from using any language but English. Thus a government that approves "official English" measures is an English-only government.

English-only is transparent political pandering and an issue with no substance.

- Language-minorities don't need to be coerced by the federal government to learn English: they already are. Over 95 percent of Americans speak English, according to the Census. And current generations of language-minorities are learning English faster than previous generations, writes researcher Dr. Calvin Veltman. In fact, language-minorities are literally losing sleep in an effort to learn learning English. In Los Angeles, demand for English classes is so great that some schools run 24 hours a day and 50,000 students are on waiting lists. Clearly, language-minorities do not need government telling them the obvious: that learning English is imperative.
- Only 0.06 percent of federal documents are in languages other than English, according to GAO. The GAO found of the over 400,000 documents produced by the federal government in the past five years, only 265 were printed in languages other English. Even of the few foreign language documents printed by the federal government, almost none were low-incidence languages. More than 8 of every 10 foreign language documents -- 217 of 265 -- were printed in Spanish, understandable given the nearly 3.6 million American citizens on Puerto Rico who speak Spanish as their first language. Low-incidence languages, such as Italian, Ukrainian, or Tagalog, were each used in printing only 1 of 400,000 known federal documents during the past five years.

American ideals of freedom, democracy, and tolerance -- not language -- have been and always will be the bonds that hold America together.

- America has remained strong and united because we share a common set of ideals and values. Approach virtually any American on the street and ask what it is that makes an American an "American": you would hear about American values and ideals like freedom, democracy, equality, tolerance, and opportunity. Conversely, approach an American World War II veteran

the process of learning English from communicating with their government. For example, English-only laws would forbid a Department of Agriculture bulletin on pesticide use, an INS pamphlet for recent immigrants on where to find English classes, a government insurance adjuster from using Spanish to talk to citizens about claims, Congressional staff from speaking to constituents in their native languages, and federal law enforcement agents from using languages other than to English to gather information on a crime. Communication between the government and tax-paying citizens should be encouraged, not prevented.

- It is manifestly inhumane to prohibit the disabled from communicating with the government in any language but English. A disabled language-minority American, for whom learning English would be extremely difficult, would be unable to receive the assistance of a translator when communicating with the government. English-only laws would forbid official use of American Sign Language (ASL), preventing government communication with the hard of hearing.

**English-only laws would prompt extensive, frivolous litigation.**

- English-only proposals allow anyone who believes they have been discriminated against for speaking English to sue the federal government. It is absurd to suggest that anyone has been harmed for trying to communicate with the government in English. It would only give anyone with an axe to grind against the federal government a opportunity to pursue frivolous and costly litigation.

**America should be thinking how to learning more, not less, languages.**

- Four of five jobs in the US are created through exports, and the majority of exports jobs are service-related. To succeed, American business must follow the credo of a sage Japanese salesman. When asked if English was the most important language to know in international business, he replied: "Not necessarily. The most important language to know is the language of the customer." In this regard, the 32 million American who speak languages in addition to English are a competitive advantage.



# Leadership Conference on Civil Rights

1629 "K" St., NW, Suite 1010  
Washington, D.C. 20006  
Phone: 202 / 466-3311  
Fax: 202 / 466-3435  
TTY: 202 / 785-3859

## Language Minority Voting Assistance Enjoys Widespread Bipartisan Support and English-Only Initiatives Enjoy Widespread Bipartisan Opposition

The following prominent national leaders are on record either as supporting the bilingual voting assistance provisions of the Voting Rights Act or opposing English-Only legislation:

"The English-Only issue has been around for years. It will be around for years and it will not be enacted into law and I think the good sense of the American people will prevail, that it won't happen. So I understand again how it angers you to think that people will not allow Navajos to speak and conduct official business in their own language, but let me just say, I don't think that that's a problem that you've got to face. I think we can beat it back. Senator Strom Thurmond who is now 93 years [old] has the record for filibustering the United States Senate. He talked for 24 hours and 3 minutes, which is no mean feat. I would, along with several of my colleagues, do everything we could to prevent that kind of legislation from passing."

-- Senator John McCain (R-AZ) -- before the Navajo Nation Council, January 18, 1996

"I don't think we need any laws that say English is the official language of the United States."

-- Governor Christine Todd Whitman (R-NJ) -- November 4, 1995 article in the record

"The Governor supports English Plus. He wants to see every Texan fully proficient in English...but because of the richness of our culture, and particularly with our Hispanic influences and proximity to Mexico, it is important for all Texans to learn other languages. He would be opposed to English-Only legislation."

-- Governor George W. Bush (R-TX) -- as per Ray Sullivan (press secretary), October, 1995

"So-called 'English-only' initiatives are not what New Mexicans want, and I've joined them in this view."

-- Senator Pete Domenici (R-NM) -- article in Albuquerque Journal, September 6, 1995

"I come before you today to reiterate the [Justice] Department's longstanding support for the minority language provisions of the Voting Rights Act, and to oppose H.R. 351 in the strongest terms. The initial enactment of the minority language provisions with the support of the Ford Administration and the subsequent extensions of those provisions with the support of the Reagan and Bush Administrations enjoyed strong bipartisan support in Congress. The Clinton Administration proudly joins this bipartisan tradition. The interest in a vital democracy -- through access to the ballot box -- knows no party."

-- Deval Patrick, Assistant Attorney General, Department of Justice Under President Bill Clinton  
April 18, 1996 in testimony before the Subcommittee on the Constitution, Committee on the Judiciary.

"We cannot be reminded too often that the right to vote is preservative of the other rights that we cherish in this country. It is the first obligation of our democracy to insure that our citizenry is given the opportunity to cast informed and effective ballots. That is the goal of section 203. It seeks to ensure that citizens have the information they need to participate effectively in the political process. I, therefore, strongly urge Congress to act promptly to extend section 203."

-- John Dunne, Assistant Attorney General, Department of Justice Under President George Bush  
April 8, 1992 in testimony before Subcommittee on Civil and Constitutional Rights, Committee on the Judiciary.

BEN NIGHTHORSE CAMPBELL  
COLORADO

# United States Senate

WASHINGTON, DC 20510-0605

November 6, 1995

Ms. Dorthy I. Height  
Chairperson  
Leadership Conference On Civil Rights  
1629 K St. N.W. Suite 1010  
Washington, D.C. 20006

Dear Dorthy:

Thank you for contacting my office with your concerns regarding legislation to make English the "official" language of the United States.

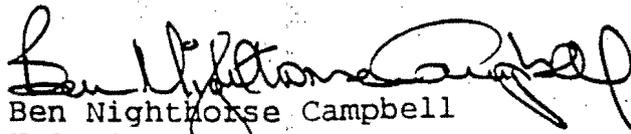
As you may know, there are two bills in the Senate, S. 356 and S.175, that would amend Title 4 of the United State Code, to declare English as the official language of the Government of the United States. Upon introduction, both of these bills were referred to the Senate Governmental Affairs Committee.

English Only bills are legislation in search of a problem that does not exist. In fact, 94 percent of United States residents speak English, according to the 1990 Census. An English Only law seeks not to promote national unity, but to restrict the constitutional rights of limited or non-English speaking persons in the areas of education and employment.

In a society which is becoming increasingly global, the expansion of markets beyond U.S. borders has indicated that those 32 million Americans who speak languages in addition to English are at a competitive advantage. This should be indicative to America that learning more languages, not less is what should be encouraged. America's strength and cultural vitality stems from it's diversity and pluralism, thus we should strive to preserve this linguistic and cultural diversity and promote mutual respect for all Americans.

As a person of color myself, I can assure you that I will vote against any attempt to make English the "official" language of the United States. Again, thank you for writing.

Sincerely,

  
Ben Nighthorse Campbell  
U.S. Senator

1129 PENNSYLVANIA STREET  
DENVER, CO 80203  
303/886-1800

19 OLD TOWN SQUARE  
SUITE 238, #33  
FT. COLLINS, CO 80524  
303/224-1808

743 HORIZON CT.  
SUITE 368  
GRAND JUNCTION, CO 81505  
303/241-6631

105 E. VERMILJO  
SUITE 600  
COLORADO SPRINGS, CO 80903  
719/636-8082

835 E. 2nd AVENUE  
SUITE 228  
DURANGO, CO 81301  
303/247-1809

720 N. MAIN STREET  
SUITE 402  
PUEBLO, CO 81003  
719/842-8987

GAO

Congress of the United States  
House of Representatives  
Washington, DC 20515

March 10, 1995

Mr. Bernard L. Ungar  
Director, Federal Human Resource  
Management Issues  
U.S. General Accounting Office  
441 G St., N.W. Room 3150  
Washington D.C. 20548

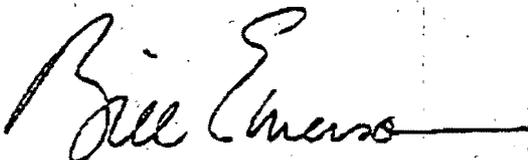
Dear Mr. Ungar:

We are writing to request a General Accounting Office (GAO) study to identify and quantify those federal government services provided in languages other than English. Specifically, we would ask the GAO to assess the precise impact of foreign language operations and services on the budget.

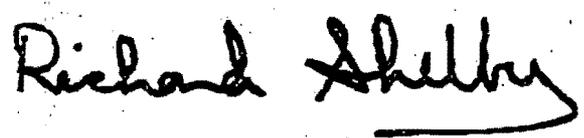
As supporters of the "Language of Government Act," a bill which would require that official operations of the federal government be conducted in English, we are interested in finding out the exact cost of all services currently offered by government agencies in languages other than English (excluding those offered by the Department of State and Defense.) Some of these might include any tax forms or documents printed in foreign languages and services offered by the Immigration and Naturalization Service in languages other than English. Your prompt assistance would be most appreciated.

Thank you for your attention to this matter and we look forward to hearing from you soon.

Sincerely,



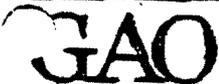
BILL EMERSON  
Member of Congress



RICHARD C. SHELBY  
U.S. Senator



WILLIAM F. CLINGER, JR.  
Member of Congress  
Chairman, House Government Reform and  
Oversight Committee



United States  
General Accounting Office  
Washington, D.C. 20548

Office of Congressional Relations 95 MAR 23 AM 11:12

March 20, 1995

The Honorable Richard C. Shelby  
United States Senate

Dear Senator Shelby:

We have received your letter of March 10, 1995, jointly signed by Representative Bill Emerson and Chairman William F. Clinger, Jr., House Committee on Government Reform and Oversight, requesting the General Accounting Office to conduct a study to identify and quantify federal government services provided in languages other than English.

We have forwarded your letter to our General Government Division. Staff from that Division will contact your office to discuss this matter further.

Sincerely yours,

William A. Gerken  
Legislative Advisor



United States  
General Accounting Office  
Washington, D.C. 20548

General Government Division

B-266194

September 20, 1995

The Honorable Richard C. Shelby  
United States Senate

The Honorable William F. Clinger, Jr.  
Chairman, Committee on Government  
Reform and Oversight  
House of Representatives

The Honorable Bill Emerson  
House of Representatives

This letter responds to your request that we identify federal government documents (excluding documents of the Departments of Defense and State) that are published in languages other than English. We found that no single, comprehensive data source existed within the federal government that could identify and quantify the total number of foreign language publications and documents issued both internally and externally by federal government agencies and organizations. However, we were able to identify two computerized databases containing information on publicly available publications and documents issued by federal agencies and organizations. The databases we identified were (1) the Government Printing Office's (GPO) monthly catalog of publications and (2) the National Technical Information Service's (NTIS) bibliographic database. In total, for the 5-year period, 1990 through 1994, the two databases contained over 400,000 records pertaining to federal agencies' reports, studies, fact sheets, maps, handbooks, conference proceedings, etc.

Table 1 presents the results of our searching these two databases for the 5-year period, 1990 through 1994. We identified 265 federal foreign language documents in the databases. The table presents, by federal department or agency, the number and percentage of foreign language documents published and available for distribution from these two data sources. As indicated in table 1, the federal agency that issued the greatest number of federal documents printed in a foreign language was the Social Security Administration. We identified 50 documents, or 19 percent of the 265 foreign language documents, as issued by the Social Security Administration.

GAO/GGD-95-243R, Federal Foreign Language Documents

B-266194

Table 1: Foreign Language Documents Issued  
by Federal Agencies, Calendar Years  
1990 through 1994

<u>Federal department/agency</u>	<u>Number of documents</u>	<u>Percent of total documents</u>
Agriculture Department	8	3.08
Bureau of the Census	9	3.4
Consumer Product Safety Commission	9	3.4
Customs Service	8	3.0
Education Department	16	6.0
Equal Employment Opportunity Commission	8	3.0
Energy Department	4	1.5
Environmental Protection Agency	4	1.5
Food and Drug Administration	19	7.2
Health and Human Services Department	36	9.8
Housing and Urban Development Department	4	1.5
Immigration and Naturalization Service	4	1.5
Inter-American Foundation	8	3.0
Internal Revenue Service	14	5.3
Justice Department	6	2.3
Labor Department	8	3.0
National Institutes of Health	14	5.3
Social Security Administration	50	18.9
Other <sup>a</sup>	46	17.4
Total	265	100.0%

<sup>a</sup>A total of 30 federal departments and agencies are included in this category.

Source: GAO analysis of the GPO and NTIS document databases.

As one might expect, the foreign language documents issued by the various federal departments and agencies covered subject matter and topics related to their operating missions and functions. For example, the Social Security Administration foreign language documents addressed such topics as Medicare, the Supplemental Security Income program, disability insurance, workers compensation, and various taxation topics. The foreign language documents of the National Institutes of Health included such topics as cancer, asthma, tooth care, and radiation therapy.

Our database document search identified Spanish as the most widely used foreign language in documents issued by federal departments and agencies. As indicated in table 2, of the 265 foreign language documents we identified, 221, or 83 percent, were written in Spanish. The next most frequently used language was French, in which 12 documents, or 5 percent, were written.

B-265194

Table 2: Breakout of Federal Documents  
by Type of Foreign Language, Calendar  
Years 1990 through 1994

Foreign language	Number of documents	Percent of total documents
Cambodian	1	0.4%
Chinese	2	0.8
French	12	4.5
German	1	0.4
Italian	1	0.4
Portuguese	3	1.1
Romanian	2	0.8
Russian	2	0.8
Samaritan	1	0.4
Spanish	221	83.4
Tagalog	1	0.4
Ukrainian	1	0.4
Multiple languages <sup>a</sup>	17	6.4
Total	265	100% <sup>b</sup>

<sup>a</sup>Documents in this category include text that was printed in more than one language--e.g. Spanish and English.

<sup>b</sup>Total does not add to 100 due to rounding.

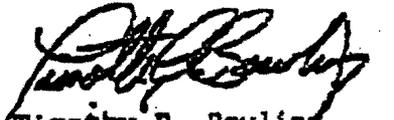
Source: GAO analysis of the GPO and NTIS document databases.

It should be noted that the above information was obtained from a computerized information query of the two databases cited. The documents identified in the search were not verified back to the published source document. Also, according to a GPO official, not all federal foreign language publications and documents may be included in the GPO monthly catalogue database. Apparently, federal departments and agencies have the discretion to print and distribute some document that are not to be included in the GPO database. Thus, the 265 foreign language documents we identified should not be considered to be a total federal governmentwide (excluding the Departments of State and Defense) figure for the cited 5-year period.

B-266194

We are sending copies of this letter to the Chairman, Senate Committee on Governmental Affairs, and will make it available to others upon request.

We trust that this information satisfactorily responds to your request. Please call us on (202) 512-3511 if you have any further questions.



Timothy P. Bowling  
Associate Director  
Federal Management and  
Workforce Issues

(966681)



UNITED STATES DEPARTMENT OF COMMERCE

Bureau of the Census

Washington, DC 20233-0001

November 27, 1995

Ms. Karen Hanson  
National Council of La Raza  
1111 19th Street N.W. Suite 1000  
Washington, D.C. 20036

Dear Ms. Hanson:

Thank you for your letter, coauthored with Rick Lopez of the National Association for Bilingual Education, regarding the 1990 census data on language other than English spoken at home.

You asked that the Census Bureau verify two statistics. The first is about projections of the numbers of persons who will be unable to speak English by 2050. The Census Bureau has not made projections of the numbers of persons who speak a language other than English or about their English speaking ability. There are no plans to do so.

The second misinterprets published 1990 census data. In the 1990 census about 32 million persons 5 years old and over reported that they speak a language other than English at home. The majority of those who speak another language also reported speaking English "very well." In fact, only 1.8 million persons reported that they do not speak English at all. The following table shows numbers of persons who reported speaking a language other than English at home and their ability to speak English.

All persons 5 years old and over	230,445,777
Speak only English at home	198,600,796
Speak another language	31,844,979
Speak English "very well"	17,862,477
Speak English "well"	7,310,301
Speak English "not well"	4,826,958
Speak English "not at all"	1,845,243

If I can be of further help, please call me at (301) 457-2464.

Sincerely,

Rosalind R. Bruno  
Education and Social  
Stratification Branch  
Population Division

cc: Mr. Lopez

## WHAT IF S. 356 PASSES?

- A Doctor in a Veterans Hospital treating a Puerto Rican veteran of combat could be prohibited from communicating with the Spanish-speaking family of the veteran unless it were determined that the communication had an impact on "public health."
- A federal law enforcement officer could not solicit information from witnesses or victims who didn't speak English if the matter were not a criminal case.
- An investigator of the Department of Labor could not interview employees of sweatshops to identify unlawful employment practices if the individuals didn't speak English.
- A teacher's aide in a Head Start program could not speak to the family of a participant in any language other than English. What if the child were sick, and needed to be picked up? How would that aide let the family know?
- A Senator or Congressperson or their staff could not respond to a constituent's inquiries in any language other than English. No newsletter, no "town hall" meeting, no speech, could be conducted in any language other than English.
- The Census Bureau could be prohibited from hiring bilingual census-takers or producing bilingual materials, thereby producing an inaccurate count and costing taxpayers money by having to conduct costly re-counts or other special sampling surveys.
- Any monolingual Spanish speaker of the island of Puerto Rico (which is populated by 3.6 million U.S. citizens) would be effectively cut off from the U.S. government -- they could not get information in Spanish from the Social Security Administration (SSA), the Internal Revenue Service (IRS), or the Selective Service Administration (SSA).
- An inspector for the Occupational Safety and Health Administration (OSHA) could be prevented from communicating with migrant farmworkers in any language other than English.
- A notice from the Environmental Protection Agency (EPA) could not be translated into any language other than English, which could undermine efforts to conserve water or the environment in areas where there are non-English speaking tourists or residents.
- The Immigration and Naturalization Service (INS) could be prohibited from interviewing asylum seekers in any language other than English.
- The Border Patrol could be prevented from communicating with immigrants to determine if they were in possession of valid visas or not.
- The U.S. would be violating international treaties to which it is a signatory -- including the Universal Declaration of Human Rights, which interprets the United Nations Charter.
- The government would have to create a new layer of bureaucracy to determine whether desired uses of languages other than English were exempt under the law.



# Leadership Conference on Civil Rights

1629 "K" St., NW, Suite 1010  
Washington, D.C. 20006  
Phone: 202 / 466-3311  
Fax: 202 / 466-3435  
TTY: 202 / 785-3859

## ORGANIZATIONS OPPOSING "ENGLISH-ONLY" INITIATIVES

### LEADERSHIP CONFERENCE ON CIVIL RIGHTS

A. PHILIP RANDOLPH INSTITUTE  
ADVOCATES FOR CHILDREN OF NEW YORK  
AMERICAN ASSOCIATION OF COLLEGES FOR TEACHER EDUCATION  
AMERICAN ARAB ANTI-DISCRIMINATION COMMITTEE  
AMERICAN ASSOCIATION OF UNIVERSITY WOMEN  
AMERICAN CIVIL LIBERTIES UNION  
AMERICAN ETHICAL UNION- WASHINGTON ETHICAL ACTION OFFICE  
AMERICAN FEDERATION OF LABOR- CONGRESS ON INDUSTRIAL ORGANIZATIONS  
AMERICAN FEDERATION OF TEACHERS  
AMERICAN JEWISH COMMITTEE  
AMERICAN JEWISH CONGRESS  
AMERICAN POSTAL WORKERS UNION, AFL-CIO  
AMERICANS FOR DEMOCRATIC ACTION  
ASIAN-PACIFIC AMERICAN LABOR ALLIANCE  
ASPIRA ASSOCIATION, INC.  
CENTER FOR LAW AND EDUCATION  
CENTER FOR WOMEN POLICY STUDIES  
CUBAN AMERICAN NATIONAL COUNCIL  
GEORGE WASHINGTON UNIVERSITY CENTER FOR POLICY STUDIES  
HISPANIC ASSOCIATION OF COLLEGES AND UNIVERSITIES  
INTERNATIONAL ASSOCIATION OF MACHINISTS  
INTERNATIONAL UNION OF ELECTRONIC WORKERS  
LABOR COUNCIL FOR LATIN AMERICAN ADVANCEMENT  
MANA: A NATIONAL LATINA ORGANIZATION  
MEXICAN AMERICAN LEGAL DEFENSE AND EDUCATIONAL FUND  
MISSISSIPPI HUMAN SERVICES AGENDA  
MULTICULTURAL EDUCATION, TRAINING AND ADVOCACY, INC.  
NATIONAL ASIAN PACIFIC AMERICAN LEGAL CONSORTIUM  
NATIONAL ASSOCIATION FOR BILINGUAL EDUCATION  
NATIONAL ASSOCIATION OF COLLEGE ADMISSIONS COUNSELORS  
NATIONAL ASSOCIATION OF LATINO ELECTED AND APPOINTED OFFICIALS  
NATIONAL ASSOCIATION OF MIGRANT EDUCATORS  
NATIONAL ASSOCIATION OF SCHOOL PSYCHOLOGISTS  
NATIONAL BLACK CAUCUS OF STATE LEGISLATORS  
NATIONAL CENTER FOR FAMILY LITERACY  
NATIONAL COALITION OF ADVOCATES FOR STUDENTS  
NATIONAL COUNCIL FOR LANGUAGE AND INTERNATIONAL STUDIES  
NATIONAL COUNCIL OF JEWISH WOMEN  
NATIONAL COUNCIL OF LA RAZA  
NATIONAL COUNCIL OF SENIOR CITIZENS  
NATIONAL DENTAL ASSOCIATION, INC.

NATIONAL EDUCATION ASSOCIATION  
NATIONAL GAY AND LESBIAN TASK FORCE  
NATIONAL INDIAN EDUCATION ASSOCIATION  
NATIONAL LEGAL AID & DEFENDER ASSOCIATION  
NATIONAL PARENT TEACHER ASSOCIATION  
NATIONAL PUERTO RICAN COALITION, INC.  
NATIONAL URBAN LEAGUE, INC.  
NAVAJO NATION  
ORGANIZATION OF CHINESE AMERICANS  
PEOPLE FOR THE AMERICAN WAY  
PHI BETA SIGMA FRATERNITY, INC.  
PUERTO RICAN LEGAL DEFENSE AND EDUCATION FUND  
STATEWIDE YOUTH ADVOCACY, INC., (NEW YORK)  
TEACHERS OF ENGLISH TO SPEAKERS OF OTHER LANGUAGES  
UNITE- UNION OF NEEDLETRADES, INDUSTRIAL AND TEXTILE EMPLOYEES  
UNITED CHURCH OF CHRIST- OFFICE FOR CHURCH IN SOCIETY  
UNITED METHODIST CHURCH- GENERAL BOARD OF CHURCH AND SOCIETY  
UNITARIAN UNIVERSALIST ASSOCIATION, WASHINGTON OFFICE  
WOMEN'S AMERICAN ORT  
YWCA OF THE USA

\* These organizations have gone on record as opposing "English-Only" proposals, or have endorsed the English Plus Resolution introduced by Rep. Jose Serrano (D-NY), which recognizes the importance of multilingualism and opposes "English-Only" measures.



**NAVAJO NATION WASHINGTON OFFICE**

**ALBERT A. HALE**  
**PRESIDENT**

**THOMAS E. AICITTY**  
**VICE-PRESIDENT**

**MARTIN AVERY**  
**EXECUTIVE DIRECTOR**

**1101 17TH STREET, N.W., SUITE 250**  
**WASHINGTON, D.C. 20036**  
**TELEPHONE (202) 775-0393**  
**FACSIMILE (202) 775-8075**

Dear Senator:

On behalf of the Navajo Nation and President Albert Hale, I respectfully request that you oppose any amendments to S. 269, the Immigration Reform bill, that would declare English the official language of the United States. Additionally, we are seriously concerned about S. 175 and S. 356, the "Language of Government Act," and other English Only legislation currently pending before the Senate Governmental Affairs Committee. While the Navajo Nation does not oppose the use of English, which is and has long been the common language of this country, we do however, oppose any move to suppress the teaching and utilization of the Navajo language.

In 1984, the Navajo Nation Council called for the teaching of both Navajo *and English* in all schools located on the Navajo Nation. In doing so, they recognized the need to provide a solid social, educational, and cultural foundation to Navajo children. Further, we must not forget the useful purpose the Navajo language served during World War II. As you may know, dedicated Navajo "Code Talkers" vitally contributed to the war effort, using the Navajo language to transmit and receive messages in the South Pacific. When freedom and the future of America were hanging in a precarious balance, the unified efforts of the Navajo people and other Americans exemplified that diverse cultures and languages of this land can cooperate and fight for a greater purpose.

We sincerely hope that rather than focus on the differences, which this proposed amendment and legislation clearly does, we can unite and face the enemies we share -- poverty, illiteracy, unemployment, and alcohol and substance abuse. As Navajo people, we must be afforded the right and the ability to practice and preserve our culture and tradition. I appreciate your support of our request. If you have further questions, please contact the Navajo Nation Washington Office at (202) 775-0393. Thank you.

Sincerely,

A handwritten signature in black ink, appearing to read "Martin Avery".

**Martin Avery**  
**Executive Director**



## H.R. 123 -- THE ENGLISH LANGUAGE EMPOWERMENT ACT

H.R. 123 declares English the "official" language of the United States and mandates that all government business be conducted in English with very few exceptions. H.R. 123 grants standing to sue in Federal district court to anyone who alleges injury from the violation of its requirements.

H.R. 123 is extreme and should be opposed for the following reasons:

▶ **English-only laws like H.R. 123 are targeted at racial and ethnic minorities.** H.R. 123 effectively prevents limited-English proficient Americans from communicating with the government. According to the 1990 Census, only 6% of the U.S. population, or 14 million Americans, do not speak English "very well." However, persons of Asian, Hispanic, or Native American descent constitute over 70 percent of limited-English proficient Americans (more than 10 million persons).

- Moreover, Asian Americans, Hispanics and Native Americans are far more likely to live in linguistically isolated households where no one over the age of 13 is able to fluently speak English.

- H.R. 123 will adversely affect nearly 2.5 million Asian Pacific Americans, 7.7 million Hispanic Americans, and 170,000 Native Americans by denying them the ability to communicate with government in a language other than English.

▶ **H.R. 123 is not merely a symbolic declaration that English is the official language of government.** To date, 18 states (AL, AR, AK, CA, CO, FL, GA, HI, IL, IN, KY, MS, NE, NC, ND, SC, TN, and VA) have enacted some form of legislation that declares English to be the official language of the state. In a majority of these states, the official English declarations are symbolic like the designation of the official state bird or flower and do not contain the extreme prohibitions on communications contained in H.R. 123.

▶ **English-only laws such as H.R. 123 have been found to be unconstitutional.** The Ninth Circuit Court of Appeals, *en banc*, has found that similar legislation passed by the State of Arizona violates the First Amendment guarantees of free speech. The Court found that the public had a right to receive information protected by the Constitution and concluded that the Arizona law would require that government "employees remain mute before members of the non-English speaking public who seek their assistance." Similarly, H.R. 123 will muzzle government officials and restrict the public's right to receive information from them. The Supreme Court will review this case in its Fall term.

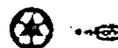
### AFFILIATES

Los Angeles  
Asian Pacific American  
Legal Center

New York  
Asian American Legal  
Defense & Education Fund

San Francisco  
Asian Law Caucus

OVER



- ▶ **H.R. 123 creates private "language police" who will burden the Federal courts with frivolous litigation.** The "language police" that H.R. 123 deputizes will clog the courts with untold numbers of frivolous actions challenging any governmental use of foreign languages, even when such use serves the public interest in health, safety, law enforcement and education. Government agencies will spend millions of dollars in litigation, promulgating regulations, and monitoring to clarify the breadth and scope of H.R. 123.
- ▶ **English is not in jeopardy of extinction in America.** English continues to be the common language of government and commerce in the U.S. A Government Accounting Office report states that less than one-tenth percent of all federal documents are printed in foreign languages (99.3% are printed in English).
- ▶ **Measures like H.R. 123 are not necessary to "encourage" them to learn English.** Many studies, including one by the University of Southern California's Lusk Center Research Institute, indicate that immigrants today are learning English as quickly as prior generations. **The demand for English classes in Los Angeles where classes run 24 hours a day, and New York where the waiting lists number over 40,000 is overwhelming.** These figures demonstrate that no legislative "encouragement" to learn English is necessary.
- ▶ **Punishing minority families for not being fluent in English, as H.R. 123 does, will not help anyone learn English.** Supporters of H.R. 123 are seeking to punish individuals for not being able to speak English fluently. These individuals already have economic and other incentives to learn English; the demand for English classes are proof of that. If H.R. 123 supporters want to encourage English, **they should make more resources available for ESL classes, rather than cutting the budget as they have been doing over the past two years.**
- ▶ **H.R. 123 is unfair and dangerous to hardworking immigrants and Native Americans who pay taxes and contribute to the community.** The bill would mean that **taxpayers would not have adequate access to government services, even when the government itself would otherwise determine that it would be more efficient and effective to provide language assistance to them.** Warning signs would only be in English. Immigrants and Native Americans who want to enforce labor, safety and antidiscrimination laws would be unable to do so. Businessmen would be unable to defend themselves adequately in regulatory and administrative hearings.
- ▶ **Rather than unify the country, H.R. 123 will legitimize racial and ethnic discrimination and embolden anti-immigrant vigilantes.** When California passed Proposition 187, a law that bars government services to anyone suspected of being an undocumented immigrant, white restaurant workers and others refused to serve anyone who looked Hispanic unless they could prove their citizenship. Citing the passage of Proposition 187, private citizens harassed Hispanics and Asian Pacific Americans. Hate crimes against Asian Pacific Americans rose over 80% in Southern California in 1995.



August 13, 1996

**MYTHS AND REALITIES ABOUT REPEAL OF VOTING RIGHTS ACT  
PROTECTIONS FOR LANGUAGE MINORITY CITIZENS**

The Senate is about to consider legislation that would partially dismantle prohibitions in the Voting Rights Act against artificial and discriminatory barriers to voting. Styled as English Only legislation, H.R. 123, the "Bill Emerson English Language Empowerment Act of 1996" as passed by the House, or S. 356, "The Language of Government Act" the legislation may come to the Senate floor either as a free standing bill or as an amendment to other legislation. Title II of H.R. 123 would explicitly repeal provisions of the Voting Rights Act that protect language minority citizens of the U.S. against discrimination at the ballot box, including its bilingual ballot provisions. S. 356 may be interpreted to override bilingual ballot provisions of the Voting Rights Act because it repeals any existing law that "directly contravenes" its mandate that the federal Government conduct official business only in English.

The Voting Rights Act was passed in response to widespread practices such as poll taxes and arbitrary tests that denied millions of Americans access to the ballot. Sadly, this legislation would resurrect the notion that such obstacles to voting are acceptable.

This memorandum refutes the myths giving rise to this misguided piece of legislation as it relates to protection of language minorities' voting rights. Note that though this memorandum focuses on bilingual ballots, ACLU strongly opposes the other English Only mandates of Title I of H.R. 123 and of S. 356.

**MYTH #1:** Title II of H.R. 123 only repeals the provisions of the Voting Rights Act that sometimes require that ballots be printed in languages other than English.

**REALITY:** Title II of H.R. 123 also repeals the provision of the Voting Rights Act that bars states from discriminating against language minority citizens at the ballot box. One provision Title II of H.R. 123 would repeal reads:

"No voting qualification or prerequisite to voting, or standard, practice, or procedure shall be imposed or applied by any State or political subdivision to deny or abridge the right of any citizen of the United States to vote because he is a member of a language minority group."

In addition, Title II of H.R. 123 appears to delete from the Voting Rights Act access to tools that have benefited language minority citizens victimized by such discrimination since 1975. It would delete references to language minority citizens from the provisions of the Voting Rights Act which: (i) authorize the appointment of federal examiners to enforce voting guarantees, (ii) authorize the courts to order suspension of tests and devices that abridge the right to vote, and (iii) require pre-clearance of changes in voting qualifications and procedures by covered jurisdictions to ensure that the changes are not discriminatory.

**MYTH #2:** Providing language assistance at the ballot box is expensive.

**REALITY:** The General Accounting Office (GAO) has found that the cost of providing language assistance in elections is nominal. In 79% of covered jurisdictions which responded, *oral* assistance added no additional cost. The average cost of *written* assistance amounted to only 7.6% of total election costs in covered jurisdictions, and 18 covered jurisdictions reported that provision of written assistance adds no cost.

**MYTH #3:** When available, language assistance for voting is not utilized.

**REALITY:** Language assistance is heavily utilized by language minority citizens. According to the National Asian Pacific American Legal Consortium (NAPALC), exit polls conducted in 1994 in New York City showed that 31.1% of all Asian American voters said they used language assistance materials, and in San Francisco, 13.6% of Chinese American voters said they used language assistance materials. The Southwest Voter Research Institute reported that in Texas, one out of every four Hispanic voters said they used language assistance materials, according to the Mexican American Legal Defense and Educational Fund (MALDEF).

**MYTH #4:** The availability of language assistance materials does not encourage language minority citizens to exercise their Constitutional right to vote.

**REALITY:** According to MALDEF, over the first 12 years after language assistance provisions were added to the Voting Rights Act, the number of registered Hispanic voters *doubled* in Arizona, California, Colorado, New Mexico, and Texas. According to the Justice Department, a MALDEF study found that 70% of Hispanic citizens with limited proficiency in English said they would be less likely to *register* to vote if language assistance was not available, and 72% said they would be less likely to *vote* if bilingual ballots were not available.

**MYTH #5:** Because every person who becomes a United States citizen must learn English, it makes no sense to provide voting ballots in other languages.

**REALITY:** Long-time elderly permanent residents do not have to learn English in order to become naturalized citizens. Language assistance is particular helpful to them. Even immigrants who are required to learn English meet the reading and writing requirement if they can read and write simple words and phrases. The complex ideas and sentence structures often present in ballot issues, such as bond proposals, anti-taxation initiatives, and constitutional amendments, are often difficult to comprehend even for native English speakers. To a language minority citizen, they can be impenetrable.

**MYTH #6:** Language assistance discourages language minority citizens from learning English.

**REALITY:** Evidence shows that the provision of language assistance in voting *has not discouraged* language minority citizens from learning English. According to MALDEF, which discussed a Rand Corporation Study, eleven years after language assistance went into effect, language minorities were learning English at a rate *equal to or faster* than previous generations of immigrants. The fact that language minority citizens have *not* been discouraged from learning English is evidenced by the overwhelming demand for classes in English as a Second Language (ESL). According to the Department of Justice, Civil Rights Division, in Los Angeles, some ESL schools operate 24 hours per day to keep up with demand, and there is *still* a 50,000 person waiting list. The DOJ Civil Rights Division also reported that it can take 18 months to get into an ESL class in New York, and other cities with large populations of language minority citizens are having similar problems. Nobody knows better than a non-English speaker that English language proficiency is a key to economic success in the United States.

**MYTH #7:** Providing voting assistance in languages other than English fragments our society by dividing it along ethnic lines.

**REALITY:** It is exclusion from participation in the democratic process, rather than the provision of language assistance, that threatens to divide our society along ethnic lines. By promoting participation in the democratic process, language assistance encourages a sense of equal opportunity and a stake in the outcome of elections which draws our country together. While English is our most common spoken language, it is our common belief in the democratic process which truly draws our country together.

For more information about this and other English Only legislation, please contact ACLU Legislative Counsel Gregory T. Nojeim at 202/675-2326. END



## **MALDEF OPPOSES OFFICIAL ENGLISH MOVEMENT**

The Mexican American Legal Defense and Educational Fund (MALDEF) opposes all efforts to make English the official language of any city, state or national government. Legislation aimed at making English the official language is unnecessary, divisive, hinders English acquisition, and is of questionable constitutionality.

### **Declarations of An "Official" Language Are Unnecessary**

English is overwhelmingly the dominant language in the United States. According to the 1990 U.S. Census, while 13.8 percent of U.S. residents speak languages other than English in their homes, 97 percent of U.S. residents above age four speak English "well or very well." Longtime residents as well as newly-arrived immigrants recognize the importance of speaking English, and are learning English at a faster rate than ever before. Proponents of official language legislation falsely assert that the primacy of English in the United States is threatened. However, the facts indicate that there is no linguistic "Balkanization" as proponents would have the public believe.

### **"Official" Language Laws Will Further Divide Our Country**

Rather than promoting the bond of a common language, these proposals will actually have the reverse effect. While English is unanimously recognized as the common language of the United States, providing services and opportunities to learn English do not diminish either the importance of English or confidence in a government that recognizes the importance of providing services in other languages. The frustrations of dealing with increased administrative inefficiency, exclusion from voting representation, and attempts to suppress language heighten intolerance cause less rather than greater national unity.

What brings us together as Americans are principles enumerated in the Constitution and Bill of Rights, namely the freedom to express our ideas, respect for due process and representative democracy, and opportunities to succeed. Official language laws go beyond undermining these principles, and create an atmosphere of isolation and discrimination.

### **Official English Laws May Be Unconstitutional**

The Supreme Court has long recognized Constitutional protections for minority language speakers. The court explicitly requires that a number of interactions between the government and its citizenry be conducted in the language best understood by some of its citizenry<sup>1</sup>, including education and access to justice. The Ninth Circuit Court of Appeals has ruled that the state of Arizona's official English law violates the U.S. Constitution. The court found the law violates the First Amendment, and noted that language understanding "cannot be coerced by methods which conflict with the Constitution."<sup>2</sup>

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**Official Language Proposals Will Destroy  
Efficiency and Public Confidence In Government  
And Create An Unwanted Federal Mandate on State Governments**

Proponents of an official government language misguidedly call for *all* government business to be conducted in English. The effect of such legislation would be a logistical nightmare, and catastrophic in emergency, employment, and virtually all public arenas.

Even with alleged exceptions for public welfare, emergency personnel could be prohibited from communicating in other languages in situations that may or may not be an emergency. People unable to obtain bilingual services may fail to seek necessary medical attention or immunization against contagious diseases, further endangering public health.

Government employees could be hampered from enforcing federal immigration and drug laws, collecting federal taxes, conducting business with foreign nationals, and providing services to *all* residents and taxpayers, regardless of linguistic abilities. Even the ability to vote, a right cherished by all citizens, would be denied to those who use language assistance provided through the Voting Rights Act.

Rather than streamlining government, these measures would create an unenforceable and expensive bureaucratic disaster, adding to an already overburdened federal government. This problem multiplies at the state level, affecting a variety of different interpretations of state service delivery. Local, state and federal service providers should be working together to provide the best, most efficient assistance, rather than create a more confused and burdensome system.

Language minority individuals, like other citizens and residents, contribute to our country through their work and their tax dollars. They are entitled to the full range of interactions with their government. We agree that government should operate in English--but not English only.

For further information, please contact Georgina Verdugo at MALDEF, Washington D.C. (202) 628-4074.

1. See, e.g. *Lau v. Nichols*, 415 U.S. 563 (1974); Voting Rights Act of 1965 as amended 42 U.S.C. §§1973 *et seq* (1992); Bilingual Education Act, 20 U.S.C. §§3221-3262; *Hernandez v. Texas*, 347 U.S. 475 (1954).
2. *Yniguez v. Arizonans for Official English*, 53 F.3d 1084 (9th Cir. 1995).

# The New York Times

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## The Good, the Bad, the Ridiculous

The Republic is being treated to the spectacle of grown men and women in Congress behaving like college students pulling a last-ditch all-nighter. Their aim is to pile up a record with which to impress the voters or to club their opponents this fall. The entire show is alarming because when Congress gets in a hurry it can do even more damage than when it has plenty of time.

Already this week, haste, ideology and politics conspired to produce a dreadful outcome in the form of a punitive welfare bill. After that start, it was logical to expect the worst. But as the clock ran out, Congress passed two worthy bills while some malicious ones appeared to stall. For example, Congress sent the White House a bill to protect workers' health coverage when they move from job to job, which will be, pathetically, the only real health care reform to come out of President Clinton's four years in office. The legislation does not help people pay for their own policies, but it will at least protect workers with pre-existing medical conditions who now fear that loss of their job will mean loss of health insurance.

Lawmakers were so eager to boost the minimum wage from \$4.25 to \$5.15 an hour that Senate leaders held it back until the last minute, as a promised reward for getting through the rest of the calendar. Having slashed away at the food stamp program and requiring that all mothers on welfare prepare to support their families on whatever work is available, the least Congress could do was make sure those low-skill jobs paid \$10,000 a year. Yesterday, both houses approved the increase.

The desire to look productive did not always translate into accomplishment. President Clinton's attempt to pass an anti-terrorism bill in the wake of the T.W.A. disaster ran into the brick wall of National Rifle Association opposition. The most desirable item in Mr. Clinton's proposal was a plan to make it easier to trace explosives by adding chemical

markers known as taggants to black powder and gunpowder during their manufacture. The President, in deference to the powerful gun lobby, had already watered down his idea before it hit the House of Representatives. Then Republicans substituted a meaningless non-government study on the already exhaustively studied taggant issue. Any anti-terrorism proposal that does not include this important method of finding the source of terrorist explosives is pure window dressing.

One of the most depressing signs that elections are upon us has been the Republican effort to pass anti-immigrant legislation that is so outrageous that Mr. Clinton will have to veto it. The goal is to tar the President with being "soft on immigration" in California, a crucial state where he is far ahead of Bob Dole in the polls. A bill that was once a sensible strengthening of existing immigration laws has been ruined by a House proposal to allow states to force children of illegal immigrants from public schools.

Another election-driven, easily misunderstood bill would require the Federal Government to conduct official business only in English. While doing nothing to meet the demand for more English classes, it would prohibit Social Security clerks from helping applicants in the language they understand best, require that Internal Revenue Service information be available only in English, and ban the use of multilanguage election forms. The irrationality of the proposal was made clear when the sponsors had to add a provision exempting the use of "e pluribus unum" on money from the ban.

Although the House has approved the English language bill, the confused stampede toward summer recess makes it unlikely that that measure or the equally mean-spirited Immigration bill will come up for a final vote until Congress returns in the fall. Unfortunately, then they will become more politically charged than ever.

L.A. TIMES  
Friday  
8-6-96

## Bad Law in Any Language

The House on Thursday passed a divisive and unnecessary bill that would declare English the official language of the United States and would invite civil suits from those who believed they had been injured by violation of its provisions. Its targets are racial and ethnic minorities, and it could create problems that do not now exist. This bill makes no sense.

Nobody disputes the status of English as the common language of the United States, but if this measure is enacted those people who speak a language other than English could face serious obstacles in their daily lives.

The bill would mandate that all U.S. government business be conducted in English with very few exceptions. Most federal documents would be printed in English only. The use of other languages would be allowed only to protect public health and safety, ensure the rights of crime victims and criminal defendants, and maintain national security.

If it becomes law, the bill will prevent citizens with a limited command of English from communicating effectively with their government. It would infringe on the public's right to receive constitutionally protected information, a right recently upheld by the federal bench in an Arizona case. The bill is sponsored by a Californian, Randy (Duke) Cunningham (R-San Diego), whose own state could be particularly hurt by its passage. California has by far the country's largest immigrant population.

Rather than ban the use of languages other than English in official federal government business, Congress should concentrate on promoting greater fluency in English by funding more English language instruction for adults and children. According to estimates, only 13% of the demand for courses in English as a second language is being met.

This bill is immigrant bashing. In any language, it would be bad law.

"USA TODAY hopes to serve as a forum for better understanding and unity to help make the USA truly one nation."

—Allen H. Neuharth  
Founder, Sept. 15, 1982



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Today's debate: OFFICIAL ENGLISH

# Will we ever get over our fear of foreign languages?

**OUR VIEW** 'Official English' is the latest overreaction to other languages. After 250 years, you'd think we'd learn.

Is the United States in danger of becoming a Tower of Babel?

Fearmongers peddling "official English" say it is. And they've persuaded 21 states and countless municipalities that they're right. All have made English their "official" language. Montana and South Dakota are the latest. Ten other states and Congress are weighing whether to join the parade.

Not a small accomplishment when your argument relies on fear, not fact.

In some places, official English amounts to little more than toothless pandering to anti-immigrant sentiment. In others, the laws are mean-spirited attacks on the rights of businesses to advertise as they see fit, barring non-English signs, or on services that help newcomers become full participants in society, eliminating English education programs. All give implicit license to other acts of discrimination.

And to what end? Fear of foreign speakers is older than the nation, rising in times of war, economic stress and increased immigration. Yet no calamity has occurred.

Benjamin Franklin saw it more than 250 years ago in Colonial Pennsylvania: "Few of the English understand the German language, and so cannot address them either from the press or pulpit." There were so many German speakers at the time of the

Revolution that the Articles of Confederation were published in German as well as English. But German is gone.

A Marylander who sailed to New York in 1744 complained: "I never was so destitute of conversation in my life. . . . I heard nothing but Dutch spoke all the way."

Sojourner Truth, born a slave in a Dutch-speaking community two centuries ago, didn't know a word of English at age 10. Without benefit of official-language laws, she became a brilliant speaker and evangelist — in English. Dutch died out.

In 1780, John Adams proposed an official academy to "purify, develop and dictate usage of" English. The Continental Congress rejected the idea as undemocratic and a threat to individual liberty — sound judgment then and sound judgment today.

It's a disgraceful tradition: New York once barred 1 million Yiddish-speaking citizens from voting. California disfranchised Chinese. Nebraska, in an anti-Kaiser frenzy, expelled German and any other foreign language from its elementary schools.

And it's unnecessary. The vast majority of immigrants are assimilating quite nicely. More than 95% of first-generation Mexican-Americans are proficient in English; by the second generation, most have totally lost their parents' native tongue. Tens of thousands of immigrants are on waiting lists for overenrolled adult English classes.

The urge to succeed drives most immigrants to learn English quickly. Laws that make the language "official" only deny our history and surrender to our fears.

# Phony solution in search of an imaginary problem

**OUR VIEW** Politicians are using official English to pander to public fear of immigrants.

Senate Majority Leader and presidential candidate Bob Dole obviously recognizes a popular slogan when he sees one. Monday, he became the latest advocate for making English the nation's "official language."

Official-English bills have been kicking around in Congress for years, and laws or constitutional amendments have been adopted in 22 states, including New Hampshire, Montana and South Dakota this year. The idea is simple and easy to sell. Unfortunately, it's also a feel-good answer to a largely imaginary problem — that American culture is threatened by non-English speakers. Dole, for instance, said "ethnic separatism" threatens the nation.

Hardly. While 32 million U.S. residents speak a foreign language at home, the vast majority speak English as well. Only 0.8% of the population, hardly enough to be a menace, can't speak English.

Census data show that nearly 90% of Latinos ages 5 and older speak English at home. And 98% of Latinos surveyed said they feel it is "essential" that their children learn to read and write English "perfectly."

In fact, the vast majority of today's Asian and Latino immigrants are acquiring English proficiency and assimilating as fast as did earlier generations of Italians, Russians and Germans. More than 95% of first-generation Mexican-Americans are English proficient, and more than 50% of second-generation Mexican-Americans have lost their native tongue altogether.

What would making English official mean? Dole didn't say. He hasn't endorsed any of the proposals pending in Congress.

But others have. The most widely supported, with 180 co-sponsors in the House and 17 in the Senate, would bar taxpayer

funding of publications, forms and ceremonies in other languages and call on government to "preserve and enhance the role of English." A hearing is scheduled Oct. 18.

Two other bills would require all government communications to be in English, terminate support for bilingual education and end the Voting Rights Act requirement that election ballots be available in other languages where there are heavy concentrations of minority-language speakers.

A fourth would write an official-English provision into the Constitution.

State and local experience suggests none of them would achieve anything of value. Even backers are hard pressed to cite positive results, for government is in fact overwhelmingly conducted in English already.

Meanwhile, anecdotal evidence suggests official English invites unexpected trouble. Hundreds of complaints have been filed against employers, shopkeepers, even bus drivers who cited official-English laws — wrongly — as grounds for firing workers or denying service.

A federal law would do no better.

The notion of barring native-language voting help to elderly immigrant-citizens, whom it was designed to help, is downright mean-spirited.

And bilingual education, except for minor financial support, isn't even a federal issue. Done right, it helps children get started in substantive schooling while also learning English. Most youngsters in the programs move into regular classes in less than three years.

Where it's done wrong, the states and school districts that control education — not Congress — will have to find an answer. And official English is not it.

In Georgia and Maryland this year, governors rejected political pandering and vetoed official-English bills. In seven other states, proposals failed in the legislature.

Official English is one more law we're better off without.

# Practically English-Only

Associated Press

**A** congressional study requested by advocates of English as the government's official language found only a tiny fraction of government communications in any other tongue.

Of about 400,000 titles, the General Accounting Office identified only 265 foreign-language documents. The documents were released by the Government Printing Office and a Commerce Department agency over five years.

The total covers everything from full agency reports to fact sheets and maps. But it does not include foreign-language communications by the State and Defense departments, which most English-only proponents consider legitimate.

It also does not include publications put out independently of the official printer. The Government Printing Office estimates it handles half of the federal government's printing and binding.

The study "gives an idea of what the universe was," said its author, Timothy P. Bowling, the GAO's associate director for federal management and work-force issues.

Of the titles reviewed, fewer than 0.06 percent were in a foreign language. A recent Census study found that 8.7 percent of U.S. residents are foreign-born. Despite the numbers, Sen. Richard

C. Shelby (R-Ala.), a sponsor of legislation mandating English for most federal communications, last week said the list of 265 "is in itself overwhelming," and shows the need for a language law.

More than 300 languages are spoken in the United States, he told a news conference. "It's unfathomable for the federal government to try to accommodate each and every language," he said.

The study found 221 of the documents were in Spanish, 17 were in multiple languages and 12 were in French. Of the rest, one to three documents were printed in each of 10 other languages.

The Social Security Administration was the largest single source of foreign-language communications, producing 50 documents. The Food and Drug Administration produced 19 and the Education Department, 16.

Shelby cited six titles as examples of the inappropriate use of tax dollars. They included "Investigation About the Reproductive Behavior of Young People in the City of Sao Paulo," produced in Portuguese by the Centers for Disease Control and Prevention; and, in Ukrainian, "Investigation of the Ukrainian Famine 1932-1933," by the Commission on the Ukraine.

But a listing of the subjects provided by the GAO showed the bulk of the titles concerned health and safety issues and explanations of Social Security programs. There were 13 documents of advice in Spanish on how to do taxes, and dozens on health matters.

Senate Majority Leader Robert J. Dole (R-Kan.), a presidential candidate, has endorsed the idea of making English the official language.

Although English-only advocates criticize Washington's encouragement of foreign-language education for immigrants, most legislative proposals focus on making the government unilingual.

## English Only—Let's Go All the Way

As an immigrant disposed to surrender my biculturalism for the sake of unity, I want to jump on the English-only bandwagon. The least that we can do for our children is to make sure they grow up monolingual. But I hope that candidates Bob Dole, Richard Lugar, Pat Buchanan, Pete Wilson and company are ready to go all the way.

The place to start is the official map of the future Unified United States of America. The Indian name of Miami, for example, should be translated into English. It will be in the state of Flowered Land. Out West, we'll have some new state names recovered from the Spanish: Arid Zone, Snowy Land and, north of New Mexico, Red Place (or just plain Red).

A lot of foreign Indian names will

have to be translated or replaced: Mississippi, Michigan, Arkansas, Massachusetts, Connecticut, Idaho, Dakota and so on. Sen. Dole can start by changing the name of his state, Kansas, to a proper English name (as I remember, Topeka has something to do with digging potatoes—that translation may be a delicate matter); then he can call on Phil Gramm to redo Texas, meeting perhaps in Saint Anthony.

California, of course, will need a good going over: The Angels, Saint Francis, Holy Cross, Saint Joseph and all of the other saints. The capital of New Mexico will become Holy Faith. Vermont will turn into Green Mountain, and those French names from the Louisiana Purchase will be properly Anglicized. Finally, winter-weary

northerners will vacation in Saint John, Rich Port.

After awhile, we could consider a campaign like the one Bulgaria conducted to change Turkish family names. Why be a Gonzalez when you can be a Gordon? Why not Kelly instead of Kowalski? Shortening names in the tradition of Ellis Island could come into vogue again. The possibilities are endless, and there's no need to review them now; we can really get down to work in January 1997. But no matter who wins the election, one thing is certain: We'll always remember Bob Dole and his fellow English-only candidates as the men who unified our country.

LUIS E. RUMBAUT  
Washington

# LAWMAKERS TARGET BILINGUAL BALLOTS – POLITICAL PARTIES, HOWEVER, SPEAK EN ESPANOL WHEN THEY COURT HISPANIC VOTERS

Christi Harlan – Austin American-Statesman – 6-17-96

Washington – From her office in Austin, Marta Cotera has a question for members of Congress who want to do away with printing ballots in both English and Spanish.

"Do these people live in a dream world?" asks Cotera, who has spent 21 years translating Austin city ballots into Spanish. She is thinking about voters among the 120,000 Hispanic residents of Austin. Members of Congress and other politicians are thinking about votes wherever they can find them.

For these politicians, Spanish has become both a tool and a target over the 18 months leading to this year's election. The Republican-led Congress has produced a spate of English-only legislation while Republican and Democratic national committees are cranking out interviews and news releases – en espanol.

"We encourage participation in the political process," said Mary Crawford, a spokeswoman for the Republican National Committee, which has been offering weekly news releases in Spanish since Chairman Haley Barbour took office. "It would be silly not to make the effort."

Spanish-speaking voters, however, can't help but feel a little besieged in this political year – by both parties. One of the more surprising examples of English-only fervor came six weeks ago, when the Senate voted that English was sufficient for deportation notices to illegal immigrants.

This week, the House Judiciary Committee is expected to vote on a measure that would repeal the section of the Voting Rights Act requiring ballots to be printed in a second language if a sufficient number of voters claim that language is their native tongue.

"It's totally nuts," Cotera said. "Somebody ought to tell these people that the Southwest was annexed (from Mexico). We have a city that's bigger than Laredo that's Hispanic in Austin."

Some supporters of English-only initiatives, like U.S. Rep. Sam Johnson, R-Plano, see the issue as one of access and economics. "He feels like it's an issue of making sure people who come into this country succeed," said spokeswoman Mindy Tucker. "We have to have a common language we can all communicate in."

Judiciary Committee member Lamar Smith, R-San Antonio, supports the repeal of the bilingual-ballot requirement, saying that immigrants who become citizens by passing an English-language test should be capable of voting on an English-language ballot.

Cotera disagrees. Speaking and understanding English is one thing, she said. "Reading election materials is something different."

The Hispanic Congressional Caucus and Hispanic-interest groups are lobbying against the bilingual-ballot repeal. Even if it passes, Texas law – passed in 1975 to match the Voting Rights Act requirement, mandates bilingual ballots.

"I don't know if there's enough sentiment around here to undo this," said Austin City Clerk Elden Aldridge, who is in charge of making sure Austin ballots are readable in both languages.

Some members of Congress argue that the cost of producing bilingual ballots justifies their abolition, but neither Austin nor Texas officials could put a price tag on bilingual ballots. Aldridge said the city pays Cotera and translators at her company about 10 cents a word for translations. The state pays a translator at the University of Texas, then spends \$100,000 mailing Spanish-language explanations of constitutional amendments to registered voters with Hispanic surnames, according to state elections administrators Melinda Nickless.

Gov. George W. Bush hasn't expressed a preference on multilingual ballots as he has on a House initiative to allow states to discontinue public education of children who are illegally in the United States. He's for educating all children.

But Bush does do interviews with Spanish-language news media – in Spanish.

"He's good," said Ray Sullivan. The governor is "nearly fluent. It gets a little tricky sometimes when you're dealing with a technical topic, like water treatment or the drought."

The Spanish-language media appreciate the effort.

"If you even appear you're trying, you're embraced," said Univision's Washington bureau chief Deborah Durham. "People who can speak it can often see things from a Hispanic view."

Durham dispatched a camera and a reporter Thursday to cover U.S. Rep. Gene Green's news conference about the Supreme Court ruling that rejected Green's majority-Hispanic congressional district in Houston.

Democrat Green, like most members of Texas' U.S. congressional delegation – including Rep. Lloyd Doggett, D-Austin – doesn't speak Spanish.

"I've been honored for two terms to serve this district," Green said of his 61 percent Hispanic district. "Thank goodness this district doesn't base its voting on ethnicity or race."

Green has learned what Republicans are catching on to: Hispanics aren't necessarily aligned with one political party or wedded to Hispanic candidates.

"There are significant portions of the Hispanic community that Republicans feel they can talk to," said Lisa Navarrete, spokeswoman for the National Committee of La Raza, an umbrella group for Hispanic organizations.

She applauds the Republican National Committee's efforts to use Spanish to reach the Hispanic community but cautioned against a mixed message.

"They've got all these guys running around the (Capitol) Hill, trying to do things on immigrations and English-only," she said. "It's counterintuitive to do both things."

STEVE TWOMEY

## In Plain English: Chill Out

**"T**his is Mr. Bay," Kim Oanh Cook says. "He just came from Vietnam."

Uh-oh. An immigrant. Probably can't speak like us. Probably one more reason folks want to make English our official language.

Alert Bob Dole.

Call Pat Buchanan.

Actually, as threats to linguistic unity go, Bay Van Ho isn't much. He's so slight that he's more like a 62-year-old rumor of a person.

How much English does he speak?

"Very little," Cook says.

She turns toward him.

"Speak English to him," she says, indicating me.

Bay looks uncomfortable in his chair.

"My name is Bay Van Ho," he says.

He had language lessons in Vietnam, but fluent he isn't. Can you believe it? None of your ancestors or mine came to these shores with such lousy English skills.

Did they?

Bay knows so little that he often travels to Falls Church to see Cook at the Vietnamese Resettlement Association, one of the organizations inhabiting a former Fairfax County public school that's now a multicultural center. Cook, the executive director, helps him figure out American ways because she is Vietnamese, too, having moved here for good in 1973.

Bay is a veteran of a losing army, the South Vietnamese one. For that, he spent a decade in prison after the fall of Saigon, followed by a decade as a laborer. The communists finally allowed him to emigrate to the United States, which accepted him under a program that helps those who served the government of our former ally. He arrived on June 23 with his seven children, ages 20 to 40.

Since their arrival, Bay has noticed something. It's an odd thing, given the buzz about declaring an official language.

"I only hear English," he says in Vietnamese, Cook translating.

Now that he mentions it, I only hear English, too. At Camden Yards, they do the lineups in English. Last season, "NYPD Blue" was in English, I believe. Even Bob Dylan sings in English, sort of.

Bay and I must not get around enough. English must be under siege from all the immigrant babbling. It must be in need of protection. Otherwise, many leaders, such as presidential candidates Dole and Buchanan, wouldn't be demanding that Congress enshrine English.

Would they?

Jim Boulet Jr., executive director of English First, a national group that supports making English the official language, suggests the movement has been misunderstood.

"There is no legislation in Congress pending or contemplated," he says, "that would force anyone to learn English, make anyone speak

English at home, make anyone speak English on the street or eliminate Chinatown in downtown D.C."

The goal, Boulet says, is merely to ensure that the government speaks and promotes only English. Right now, the government mandates \$8 billion worth of bilingual education for non-English-speaking youngsters, he says. It prints ballots and other documents in multiple languages. But studies have shown that bilingual education doesn't work, he says. It and other bilingual efforts—however well-meaning—wind up being costly failures that slow the pace at which immigrants are assimilated.

Instead, Boulet says, the government should stick to English to achieve what is in the interest of us all: the swift mastery by every newcomer of the one great thing that unifies this huge nation.

Who'd dispute that? Got to have a common language. And English is it.

Immigrants know that.

Bay knows that.

"He's taking ESL classes right now upstairs," Cook says, meaning English as a Second Language.

But so what if the government helps an immigrant's transition with a little bilingual behavior?

If bilingual education isn't working, fine. Kill it or reform it. But if the ancestors of a lot of us could speak, they just might say they would have adored having bilingual government forms when they applied for a benefit, and dual-language ballots that made the wording of a referendum clear, and health

pamphlets in their mother tongue.

Sure, that assistance costs tax dollars. But all the fretting over English isn't only about money. It's about unease.

Too many Americans fear that the country isn't theirs anymore. Buchanan speaks of an "invasion." Pushing for English is a way of pushing back. It's a way of registering a complaint that too many cabbies are unintelligible and too many 7-Eleven clerks are foreign-born. English-only tells newcomers that the unwelcome mat is out. Nice.

(In fairness to English First, Boulet says that "not everyone supports our cause for the right reason" and that the number of people driven by fear of the immigrants themselves is a "minority.")

We've had immigrant angst before. It was as silly then as now. Earlier waves of newcomers got with the program and became Americans. Today's might be from Asia, Latin America and Africa instead of Europe, but they'll wind up English-speaking Americans, too, or if they don't, their children surely will. Everyone ought to sit back and chill.

"I have decided to come here to live here," Bay Van Ho says, "and I feel I have to get adjusted to this society, and I need English to get a job, to communicate, to adjust. I can't survive without it."

He's an American-in-progress. That's how it's been done over the years. People arrive a them and end up an us. You know what Cook says the Vietnamese call the United States?

Nation of United Races.



## Our Language Needs No Law

By Mark Falcoff

**T**he United States, the most successful country in history, manages to be kept awake at night by imaginary perils. The latest threat to our well-being seems to be the prospect of losing our national language. Apparently you and I won't be speaking English much longer if something isn't done to prevent it.

But not to fear! Congress is riding to the rescue, with English-only legislation that would forbid the use of foreign languages on ballots and other Federal documents. The House has passed a bill that would make English the official language, and Bob Dole favors the idea. The object, we are told, is to accelerate the adoption of English by immigrants and discourage the persistence of linguistic ghettos.

Though 150 or so languages are spoken in this country, the supporters of the bill aren't worried about Urdu or Mandarin. They are concerned about the 14 million people whose native language is Spanish.

The United States is one of the world's major Spanish-speaking countries. It produces some of the most important Spanish-language television and radio programs. It has a vigorous Spanish-language press, and even mainstream publishers are beginning to print Spanish-language novels, essays and other nonfiction.

Should this worry us? House

Mark Falcoff is a resident scholar at

### The irrational fear of Spanish

Speaker Newt Gingrich thinks so, and as an example of the perils of linguistic pluralism he cites the movement in French-speaking Quebec to secede from English-speaking Canada.

Outside of Washington, particularly in the West and Southwest, the response to the "Spanish peril" has bordered on the hysterical, led by small groups of populist xenophobes. They are often driven to this position by the incendiary rhetoric of Hispanic activists who threaten to "take back" the West.

Let's look at the facts, not emotions. Most Spanish-speaking immigrants come to the United States seeking a better life, not to widen the territorial arc of their language. Most regard learning English as fundamental to economic and social advancement. The persistence of Spanish reflects not so much resistance to linguistic integration as it does the uninterrupted flow of newcomers. If there were no new immigrants from Spanish-speaking countries for 20 years, the percentage of Spanish speakers would diminish. If that is what most Americans want, let us revise the immigration laws.

Those who think English requires special protective legislation should look at what is going on in our society and elsewhere. English is the international language of finance, com-

munication, particularly higher and technical education. As the lingua franca of popular culture, it is spreading across the globe, particularly among young people, who consider English the key to all things modern, prosperous and hip. Why should teenagers of Latin origin be any different?

The United States is not vulnerable to the traps of linguistic separatism exemplified by countries with more evolved bilingual cultures. Unlike Canada, Belgium or Switzerland, America has no literary intellectual class dedicated to maintaining a consistent level of quality in a second language. (Indeed, the quality of spoken Spanish in the United States is often poor; some "bilingual" advertisements in New York subway cars are full of grammatical howlers.)

As Hispanics integrate economically and culturally into our society, they will likely lose their linguistic distinctiveness. Though the presence of a large Spanish-speaking population is a reality, we will never become a linguistically bifurcated country.

There are many divisive forces in American society, but language is not one of them. The United States is not a Balkan principality; there is no point in it acting as if it were. □

■ COMMENTARY

# A 'glorious mongrel'

*The language that some Americans want to defend against foreign invasions is itself a multicultural smorgasbord of borrowed words*

**B**ack in 1780, John Adams urged the creation of an American academy with a lofty mission—to keep the English language pure. The Continental Congress, preoccupied with other challenges (such as winning independence from Britain), let the proposal die. And wisely so. It would have been like giving a courtesan a chastity belt for her birthday. “The English language,” as Carl Sandburg once observed, “hasn’t got where it is by being pure.” Not from the get go.

The language that many now seek to shore up against the babel of America’s multicultural masses is itself a *smorgasbord* (Swedish) of words borrowed from foreign tongues. Three out of four words in the dictionary, in fact, are foreign born. Sometimes anglicized, sometimes not, many loan words are so familiar that most English speakers are aware of their exotic origins only vaguely if at all. We can borrow *sugar* from a neighbor only because English borrowed the word from Sanskrit centuries ago. Ask your *pal* (Romany) to go to the *opera* (Italian), and he may prefer instead to go hunting in the *boondocks* (Tagalog), to play *polo* (Tibetan) or to visit the *zoo* (Greek) to test his *skill* (Danish) at milking a *camel* (Hebrew), after which he may need a *shampoo* (Hindi). Whether silly or scholarly, many sentences have equally rich lineages, illustrating Dorothy Thompson’s *aphorism* (Greek) that English is a “glorious and imperial mongrel” (*mongrel*, fittingly, being pure English).

English itself is one of history’s most energetic immigrants. Three northern European tribes, the Angles, the Saxons and the Jutes, got the enterprise started by invading Britain around A.D. 449. The Vikings arrived from Scandinavia in A.D. 793 to mix it up, battle-ax against battle-ax, adverb against adverb. The Norse and Anglo-Saxon tongues melded, enriching the word hoard. Example: You *reared* a child (Anglo-Saxon) or *raised* a child (Norse). As every schoolchild used to know, the Norman French conquered England in 1066. The language of the Saxon peasantry then conquered the Norman aristocracy. The result was a tongue that kept its Germanic structure but took in a huge new vocabulary of French words and through it Latin and Greek terms. Traders, warriors, scholars, pirates and explorers all did their part to advance English’s cosmopolitan destiny.

The language was happily spiced with words from 50 languages even before the opening of the New World offered fresh avenues. Americans quickly became known for their

own coinages, the many “Americanisms” they invented—words like *groundhog*, *lightning rod*, *belittle* (minted by Thomas Jefferson), *seaboard*—new words for a new land. But American English also adopted American Indian terms (mostly place names) and welcomed useful words brought across the water by immigrants. The Dutch supplied *pit* (as found in fruit) and *boss* (as found in the front office), *sleigh*, *snoop* and *spook*. Spanish supplied *filibuster* and *bonanza*; Yiddish enabled Americans to *kibitz schmucks* who sold *schlock* or made *schmaltz*.

Big dictionary. Today, after 1,500 years of promiscuous acquisitiveness, the vocabulary of English is vast. The Oxford English Dictionary lists more than 600,000 words; German has fewer than one third that number, French fewer than one sixth. What makes English mammoth and unique is its great sea of synonyms, words with roughly the same meaning but different connotations, different levels of formality and different effects on the ear. Anglo-Saxon words are blunt, Latin words learned, French words musical. English speakers can calibrate the tone and meter of their prose with great precision. They may *end* (Anglo-Saxon), *finish* (French) or *conclude* (Latin) their remarks. A girl can be *fair* (Anglo-Saxon), *beautiful* (French) or *attractive* (Latin). A bully may evoke *fear* (Anglo-Saxon), *terror* (French) or *trepidation* (Latin).

Its depth and precision have helped make English the foremost language of science, diplomacy and international business—and the medium of T-shirts from Tijuana to Timbuktu. It is the native tongue of

350 million people and a second language for 350 million more. Half the books being published in the world are in English; so is 80 percent of the world’s computer text. While Americans debate bilingualism, foreigners learn English. Its popularity is fed by U.S. wealth and power, to be sure. But Richard Lederer, author of *The Miracle of Language* and other books on the peculiarities of English, believes the language’s “internationality” has innate appeal. Not only are English’s grammar and syntax relatively simple, the language’s sound system is flexible and “user friendly”—foreign words tend to be pronounced the same as in their original tongues. “We have the most cheerfully democratic and hospitable language that ever existed,” Lederer says. “Other people recognize their language in ours.” ■



*Three out of four words in the dictionary are foreign born.*

BY GERALD PARSHALL

104TH CONGRESS  
1ST SESSION

# S. 356

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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## IN THE SENATE OF THE UNITED STATES

FEBRUARY 3 (legislative day, JANUARY 30), 1995

Mr. SHELBY (for himself and Mr. COVERDELL) introduced the following bill; which was read twice and referred to the Committee on Governmental Affairs

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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,*

3 **SECTION 1. SHORT TITLE.**

4 This Act may be cited as the "Language of Govern-  
5 ment Act of 1995".

6 **SEC. 2. FINDINGS AND CONSTRUCTION.**

7 (a) FINDINGS.—The Congress finds and declares  
8 that—

1 (1) the United States is comprised of individ-  
2 uals and groups from diverse ethnic, cultural, and  
3 linguistic backgrounds;

4 (2) the United States has benefited and contin-  
5 ues to benefit from this rich diversity;

6 (3) throughout the history of the Nation, the  
7 common thread binding those of differing back-  
8 grounds has been a common language;

9 (4) in order to preserve unity in diversity, and  
10 to prevent division along linguistic lines, the United  
11 States should maintain a language common to all  
12 people;

13 (5) English has historically been the common  
14 language and the language of opportunity in the  
15 United States;

16 (6) the purpose of this Act is to help immi-  
17 grants better assimilate and take full advantage of  
18 economic and occupational opportunities in the Unit-  
19 ed States;

20 (7) by learning the English language, immi-  
21 grants will be empowered with the language skills  
22 and literacy necessary to become responsible citizens  
23 and productive workers in the United States;

24 (8) the use of a single common language in the  
25 conduct of the Federal Government's official busi-

1       ness will promote efficiency and fairness to all peo-  
2       ple;

3               (9) English should be recognized in law as the  
4       language of official business of the Federal Govern-  
5       ment; and

6               (10) any monetary savings derived by the Fed-  
7       eral Government from the enactment of this Act  
8       should be used for the teaching of non-English  
9       speaking immigrants the English language.

10       (b) CONSTRUCTION.—The amendments made by sec-  
11       tion 3—

12               (1) are not intended in any way to discriminate  
13       against or restrict the rights of any individual in the  
14       United States;

15               (2) are not intended to discourage or prevent  
16       the use of languages other than English in any  
17       nonofficial capacity; and

18               (3) except where an existing law of the United  
19       States directly contravenes the amendments made by  
20       section 3 (such as by requiring the use of a language  
21       other than English for official business of the Gov-  
22       ernment of the United States), are not intended to  
23       repeal existing laws of the United States.

1 **SEC. 3. ENGLISH AS THE OFFICIAL LANGUAGE OF GOVERN-**  
 2 **MENT.**

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

5 **“CHAPTER 6—LANGUAGE OF THE**  
 6 **GOVERNMENT**

“Sec.

“161. Declaration of official language of Government.

“162. Preserving and enhancing the role of the official language.

“163. Official Government activities in English.

“164. Standing.

“165. Definitions.

7 **“§ 161. Declaration of official language of Govern-**  
 8 **ment**

9 “The official language of the Government of the  
 10 United States is English.

11 **“§ 162. Preserving and enhancing the role of the offi-**  
 12 **cial language**

13 “The Government shall have an affirmative obligation  
 14 to preserve and enhance the role of English as the official  
 15 language of the United States Government. Such obliga-  
 16 tion shall include encouraging greater opportunities for in-  
 17 dividuals to learn the English language.

18 **“§ 163. Official Government activities in English**

19 “(a) CONDUCT OF BUSINESS.—The Government  
 20 shall conduct its official business in English.

21 “(b) DENIAL OF SERVICES.—No person shall be de-  
 22 nied services, assistance, or facilities, directly or indirectly

1 provided by the Government solely because the person  
2 communicates in English.

3 “(c) ENTITLEMENT.—Every person in the United  
4 States is entitled to—

5 “(1) communicate with the Government in Eng-  
6 lish;

7 “(2) receive information from or contribute in-  
8 formation to the Government in English; and

9 “(3) be informed of or be subject to official or-  
10 ders in English.

11 **§ 164. Standing**

12 “Any person alleging injury arising from a violation  
13 of this chapter shall have standing to sue in the courts  
14 of the United States under sections 2201 and 2202 of title  
15 28, United States Code, and for such other relief as may  
16 be considered appropriate by the courts.

17 **§ 165. Definitions**

18 “For purposes of this chapter:

19 “(1) GOVERNMENT.—The term ‘Government’  
20 means all branches of the Government of the United  
21 States and all employees and officials of the Govern-  
22 ment of the United States while performing official  
23 business.

24 “(2) OFFICIAL BUSINESS.—The term ‘official  
25 business’ means those governmental actions, docu-

1 ments, or policies which are enforceable with the full  
2 weight and authority of the Government, but does  
3 not include—

4 “(A) teaching of foreign languages;

5 “(B) actions, documents, or policies that  
6 are not enforceable in the United States;

7 “(C) actions, documents, or policies nec-  
8 essary for international relations, trade, or com-  
9 merce;

10 “(D) actions or documents that protect the  
11 public health;

12 “(E) actions that protect the rights of vic-  
13 tims of crimes or criminal defendants; and

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

16 (b) CONFORMING AMENDMENT.—The table of chap-  
17 ters for title 4, United States Code, is amended by adding  
18 at the end the following new item:

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

19 **SEC. 4. PREEMPTION.**

20 This Act (and the amendments made by this Act)  
21 shall not preempt any law of any State.

22 **SEC. 5. EFFECTIVE DATE.**

23 The amendments made by section 3 shall take effect  
24 upon the date of enactment of this Act, except that no

- 1 suit may be commenced to enforce or determine rights
- 2 under the amendments until January 1, 1996.

○

H.R.123 As passed by the House (Engrossed)

104th CONGRESS  
2d Session

H. R. 123

AN ACT

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

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 "Bill Emerson English Language Empowerment Act of 1996".

TITLE I--ENGLISH LANGUAGE EMPOWERMENT

SEC. 101. FINDINGS.

The Congress finds and declares the following:

- (1) The United States is comprised of individuals and groups from diverse ethnic, cultural, and linguistic backgrounds.
- (2) The United States has benefited and continues to benefit from this rich diversity.
- (3) Throughout the history of the United States, the common thread binding individuals of differing backgrounds has been a common language.
- (4) In order to preserve unity in diversity, and to prevent division along linguistic lines, the Federal Government should maintain a language common to all people.
- (5) English has historically been the common language and the language of opportunity in the United States.
- (6) The purpose of this title is to help immigrants better assimilate and take full advantage of economic and occupational opportunities in the United States.
- (7) By learning the English language, immigrants will be empowered with the language skills and literacy necessary to become responsible citizens and productive workers in the United States.
- (8) The use of a single common language in conducting official business of the Federal Government will promote efficiency and fairness to all people.
- (9) English should be recognized in law as the language of official business of the Federal Government.
- (10) Any monetary savings derived from the enactment of this title should be used for the teaching of the English language to non-English speaking immigrants.

SEC. 102. ENGLISH AS THE OFFICIAL LANGUAGE OF FEDERAL GOVERNMENT.

- (a) In General.--Title 4, United States Code, is amended by adding at the end the following new chapter:  
"CHAPTER 6--LANGUAGE OF THE 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

"Sec. 161. Declaration of official language of Federal Government

"The official language of the Federal Government is English.

"Sec. 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.

"Sec. 163. Official Federal Government activities in English

- "(a) Conduct of Business.--Representatives of the Federal Government shall conduct its official business in English.
- "(b) Denial of Services.--No person shall be denied services, assistance, or facilities, directly or indirectly provided by the Federal Government solely because the person communicates in English.
- "(c) Entitlement.--Every person in the United States is entitled--
  - "(1) to communicate with representatives of the Federal Government in English;
  - "(2) to receive information from or contribute information to the Federal Government in English; and
  - "(3) to be informed of or be subject to official orders in English.

"Sec. 164. 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.

"Sec. 165. Reform of naturalization requirements

"(a) Fluency.--It has been the longstanding national belief that full citizenship in the United States requires fluency in English. English is the language of opportunity for all immigrants to take their rightful place in society in the United States.

"(b) Ceremonies.--All authorized officials shall conduct all naturalization ceremonies entirely in English.

"Sec. 166. Application

"Except as otherwise provided in this chapter, the provisions of this chapter shall supersede any existing Federal law that contravenes such provisions (such as by requiring the use of a language other than English for official business of the Federal Government).

"Sec. 167. Rule of construction

"Nothing in this chapter shall be construed--

- "(1) to prohibit a Member of Congress or an employee or official of the Federal Government, while performing official business, from communicating orally with another person in a language other than 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 discriminate against or restrict the rights of any individual in the country; and
- "(4) to discourage or prevent the use of languages other than English in any nonofficial capacity.

"Sec. 168. Affirmation of constitutional protections

"Nothing in this chapter shall be construed to be inconsistent with the Constitution of the United States.

"Sec. 169. Definitions

"For purposes of this chapter:

- "(1) Federal government.--The term 'Federal Government' means all branches of the national Government and all employees and officials of the national Government while performing official business.
- "(2) Official business.--The term 'official business' means governmental actions, documents, or policies which are enforceable with the full weight and authority of the Federal Government, and includes publications, income tax forms, and informational materials, but does not include--
  - "(A) teaching of languages;
  - "(B) requirements under the Individuals with Disabilities Education Act;
  - "(C) actions, documents, or policies necessary for--
    - "(i) national security issues; or
    - "(ii) international relations, trade, or commerce;
  - "(D) actions or documents that protect the public health and safety;
  - "(E) actions or documents that facilitate the activities of the Bureau of the Census in compiling any census of population;
  - "(F) actions, documents, or policies that are not enforceable in the United States;
  - "(G) actions that protect the rights of victims of crimes or criminal defendants;
  - "(H) actions in which the United States has initiated a civil lawsuit; or
  - "(I) using terms of art or phrases from languages other than English.

"(3) United States.--The term 'United States' means the several States and the District of Columbia."

(b) Conforming Amendment.--The table of chapters for title 4, United States Code, is amended by adding at the end the following new item:

"6. Language of the Federal Government..... 161".

**SEC. 103. PREEMPTION.**

This title (and the amendments made by this title) shall not preempt any law of any State.

**SEC. 104. EFFECTIVE DATE.**

The amendments made by section 102 shall take effect on the date that is 180 days after the date of enactment of this Act.

**TITLE II--REPEAL OF BILINGUAL VOTING REQUIREMENTS**

**SEC. 201. REPEAL OF BILINGUAL VOTING REQUIREMENTS**

- (a) Bilingual Election Requirements.--Section 203 of the Voting Rights Act of 1965 (42 U.S.C. 1973aa-1a) is repealed.
- (b) Voting Rights.--Section 4 of the Voting Rights Act of 1965 (42 U.S.C. 1973b) is amended by striking subsection (f).

**SEC. 202. CONFORMING AMENDMENTS.**

- (a) References to Section 203.--The Voting Rights Act of 1965 (42 U.S.C. 1973 et seq.) is amended--
  - (1) in section 204, by striking "or 203,"; and
  - (2) in section 205, by striking ", 202, or 203" and inserting "or 202".
- (b) References to Section 4.--The Voting Rights Act of 1965 (42 U.S.C. 1973 et seq.) is amended--
  - (1) in sections 2(a), 3(a), 3(b), 3(c), 4(d), 5, 6, and 13, by striking ", or in contravention of the guarantees set forth in section 4(f)(2)";
  - (2) in paragraphs (1)(A) and (3) of section 4(a), by striking "or (in the case of a State or subdivision seeking a declaratory judgment under the second sentence of this subsection) in contravention of the guarantees of subsection (f)(2)";
  - (3) in paragraph (1)(B) of section 4(a), by striking "or (in the case of a State or subdivision seeking a declaratory judgment under the second sentence of this subsection) that denials or abridgements of the right to vote in contravention of the guarantees of subsection (f)(2) have occurred anywhere in the territory of such State or subdivision"; and
  - (4) in paragraph (5) of section 4(a), by striking "or (in the case of a State or subdivision which sought a declaratory judgment under the second sentence of this subsection) that denials or abridgements of the right to vote in contravention of the guarantees of subsection (f)(2) have occurred anywhere in the territory of such State or subdivision".

Passed the House of Representatives August 1, 1996.

Attest:

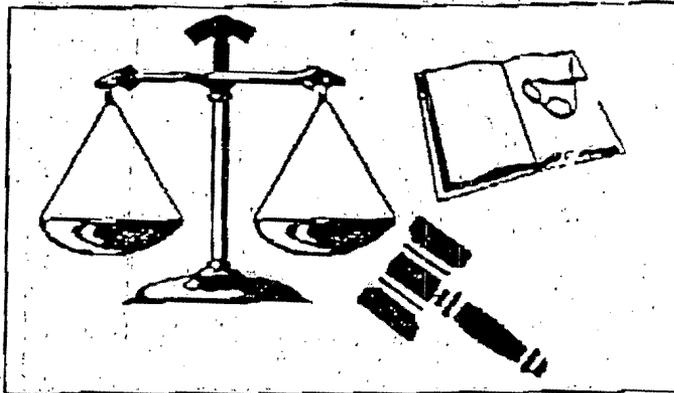
Clerk.

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# U.S. DEPARTMENT OF JUSTICE

## OFFICE OF LEGISLATIVE AFFAIRS

### FACSIMILE COVER SHEET



TO: Steve Wamack

FAX NO.: 456-7028

FROM: JOHN TRASVINA

PHONE: 202/514-2111 Fax: 514-5499

DATE: 7/25/96

NO. OF PAGES: 1 (EXCLUDING COVER)

COMMENTS: Steve - Attached are John's comments  
concerning English - Only P's. Let me  
know if you need additional information &  
I'll ask John to call you. Thanks Paula

Date: Thursday, July 25, 1996 9:49 am  
From: SMO02 (TRASVINA)  
Subject: Weekly White House info due by 11 am -Rep

Update the English Only section: The House Economic and Educational Opportunities Committee approved, 19-17, along party lines, H.R. 123, a bill to make English the official language of government. The Administration strongly opposed the bill and briefed Committee members. Amendments offered by Democratic members were narrowly defeated. These amendments would have provided exemptions for agencies which determined that implementation would not serve government efficiency and would have declared the Sense of Congress that all residents should speak English and other language and that adult English programs should be better funded. House floor action, in conjunction with H.R. 351, the Bilingual Ballot Repeal bill, is possible for next week.

# Panel OKs bill to make English official language of government

Democrats label measure 'mean-spirited' in bitter debate

By Brian Blomquist  
THE WASHINGTON TIMES

A House committee yesterday approved a bill that would require the federal government to conduct its official business only in English.

The Republican-backed bill, which Democrats attacked as "mean-spirited," would establish English as the official language of the U.S. government.

The full House is expected to vote on the politically popular bill in September. A similar bill has been introduced in the Senate.

The House Economic and Educational Opportunities Committee voted 19-7 for the "English Language Empowerment Act," which was crafted by Rep. Randy "Duke" Cunningham, California Republican.

The five hours of debate preceding the vote grew testy and personal at times, a likely glimpse of the fight to come on the House floor.

Rep. Lynn Woolsey, California Democrat, said the Republicans would "harm children" with the bill because it would prevent some women from reading government forms that would enable them to get food for their children.

Mr. Cunningham decried the "demagoguery" of the debate, defending himself and other Republicans from charges that the bill is racist.

"If we were racists, we would tell immigrants we don't want them to learn English," Mr. Cunningham said in an interview. "We would say to them, 'We want you to use your own language.'"

"Today, there are so many support areas funded by the government, they actually prohibit people from learning English."

Public support for pro-English legislation is high. A recent Gallup Poll found that 82 percent of voters support such a measure.

GOP presidential candidate Bob Dole supports the bill, and 22 states have declared English their official language. President Clinton, who signed a similar bill as governor of Arkansas in 1987, has

not taken a position on the Cunningham bill.

Though the measure would require federal agencies to use English in their official documents, there are several exceptions. Under the bill, the government could use other languages in language courses, national-security papers, international relations or commerce papers, public safety documents and census documents.

Mr. Cunningham's bill does not go as far as other GOP measures that would abolish bilingual education, and in being approved by the House panel, his proposal is closer to enactment than the other bills.

Committee Democrats, whose bill promoting multilingualism was defeated, looked for loopholes in the Cunningham bill, particularly an exception that would allow the government to use other languages in "documents that utilize terms of art or phrases from languages other than English."

Democrats and Republicans sparred over whether such an exception would apply to the words "E Pluribus Unum" that appear on U.S. currency, and whether coins could lead to lawsuits.

"This an increasingly bizarre and twisted debate," said Rep. Tim Roemer, Indiana Democrat.

# Molinari tells women Dole deserves their vote

By Laurie Kellman  
THE WASHINGTON TIMES

KING OF PRUSSIA, Pa. — Elizabeth Bodner can barely afford to keep her Pittsburgh-area coin-operated laundry open, but she can't afford to close it.

The reasons: Keeping up with federal regulations takes up half her time. The government sucks up most of her money. And the minimum-wage increase passed by Congress this month likely will sap whatever profit she may have made above her overhead.

"I make nothing, no profit," the 54-year-old mother said after a speech here by GOP presidential hopeful Bob Dole.

"My husband gets no pension after 44 years working in a small business. I pay all our health care," she said. "We were hoping this laundromat would give us a pension, but all it does is pay our bills."

Mrs. Bodner is the face of the constituency who overwhelmingly flock to President Clinton's reelection campaign — working women. Yesterday at a paper-clip plant inherited and owned by Linda Froehlich, with Rep. Susan Molinari at his side for the first time, Mr. Dole began in earnest to woo them to the GOP.

"I will invite Linda and ... thousands of other women to a first-ever White House conference focusing on how we can make the dream of owning a business a reality for more and more and more American women," Mr. Dole said.

During his speech to several hundred supporters at Mrs. Froehlich's Ace Wire Spring & Form Co. Inc., Mr. Dole also pledged to back legislation that would restore the home-office tax deduction reduced by the Supreme Court in 1993, to abolish the Internal Revenue Service, and to appoint a task force to identify unnecessary bureaucratic hurdles for small businesses erected by the federal government.

"I want to offer policies that will guarantee the expansion — and not the extinction — of the American dream," Mr. Dole said.

Mrs. Molinari yesterday test-drove parts of her keynote speech to the Republican National Convention as she stumped for Mr. Dole. As she is expected to do when the convention opens Aug. 12 in San Diego, Mrs. Molinari left out mention of her pro-choice po-

sition on the abortion debate raging in the GOP.

"There is a gender gap that shows up in poll after poll against Republican candidates," Mrs. Molinari said. "The fact remains that some Republicans and some Democrats deserve to have a gender gap, but not Bob Dole."

In typical rapid-response style, aides to Clinton-Gore '96 showered reporters with Small Business Administration statistics showing that under this administration, SBA loans to women increased 300 percent while it has cut its own budget by nearly 40 percent. And, one Democratic aide noted, it was Mr. Dole who allowed the minimum wage increase insisted upon by the administration to come to the floor this year.

Mr. Dole's visit to Pennsylvania came as a new Keystone Poll for Pennsylvania news organizations showed that Gov. Tom Ridge would not help Mr. Dole win the state if the GOP candidate picks him for the ticket. The poll of 500 registered voters found that with Mr. Ridge as the running mate, 19 percent of the respondents would be more likely to vote for Mr. Dole, while another 19 percent said they would be less likely to cast ballots for him.

At Hope's Country Fresh Cookies, founded and owned by businesswoman Hope Spivak Flick, Mr. Dole refused to say whether Mr. Ridge topped his list of hopefuls. But he made clear that the governor is on the list, and late yesterday retreated to spend private time with Mr. Ridge.

"He's a good man," Mr. Dole told reporters after sampling Hope's cookies. "We'll announce that later. I haven't yet made a decision. We're going through the process, to be very honest about it."

Pennsylvania is a battleground state that has picked presidents every year since 1972. Its 23 electoral votes put it near the top in influence on the border of the liberal and populous Northeast.

The Keystone poll showed that Mr. Clinton's lead over Mr. Dole in Pennsylvania has widened to 24 points, up from 17 points in April. The poll shows 56 percent of Pennsylvanians will vote for Mr. Clinton, while 32 percent support Mr. Dole.

"Poll? Don't worry about polls," Mr. Dole responded yesterday in the Philadelphia suburb.

Steve

Lyn

## Political Briefing

THE STATES AND THE ISSUES

### Strategy

## Republicans Counter Gingrich Scare

Democrats are trying to turn Speaker Newt Gingrich into a scary symbol of the right, but who can be the counterpart symbol for the Republicans? Judging from some recent commercials and news releases, some Republicans are turning to their tried and true standard of liberalism: Senator Edward M. Kennedy of Massachusetts.

In Minnesota, for example, a recent commercial for the National Republican Senatorial Committee asserted that Senator Paul Wellstone "spends more money than Ted Kennedy."

The committee has also begun issuing a "Kennedy Index" that ranks Democratic senators on the percentage of times they have voted with the Senator from Massachusetts.

And a new commercial by the Republican National Committee shows President Clinton and Mr. Kennedy as "liberal Democrats" blocking the "common-sense approach" to health care advanced by the Republicans.

Dan McLagan, a spokesman for the National Republican Senatorial Committee, said Mr. Kennedy remained a powerful symbol.

"Just the phrase — more liberal than Ted Kennedy — is powerful when it's true," Mr. McLagan said. "It's like saying richer than Bill Gates and tougher than Arnold Schwarzenegger."

Jeannie Kedas, a spokeswoman for Mr. Kennedy, countered, "They're running away from their record of slashing Medicare, slashing education and trashing the environment, and they'll try anything to change the subject."

Mr. Kennedy, by the way, is not on the ballot this year.

### The South

## Carolina Poll Reflects Dole's Challenge

A new measure of the challenge facing Bob Dole: A survey in North Carolina, considered something of a bellwether in the South, shows Mr. Dole with just a 2-point margin over President Clinton.

Other statewide polls, notably from California, have shown a substantial Clinton lead. But the North Carolina data may be particularly worrisome for Republicans, because the South is considered the party's base in amassing the 270 electoral votes necessary to win.

The poll, conducted last Thursday through Saturday by Mason-Dixon Political/Media Research, showed Mr. Dole with 46 percent of the vote to Mr. Clinton's 44 percent. Mr. Dole's lead had eroded 13 points since February, according to Mason-Dixon. The latest survey was based on interviews with 812 likely voters and had a margin of sampling error of plus or minus four percentage points.

Whit Ayres, a Republican pollster in Atlanta not connected to the Mason-Dixon poll, argued, "Any Southern states that George Bush won in 1992 ought to be the foundation for a Dole victory in 1996." (Mr. Bush, against an all-Southern Democratic ticket four years ago, carried the South except for Arkansas, Georgia, Louisiana and Tennessee.)

Mr. Ayres maintained that Mr. Dole could stabilize his Southern base easily enough, by naming a

Southern running mate. Coincidentally, the pollster's clients include former Gov. Carroll A. Campbell Jr. of South Carolina, one of the hotter names on the Vice-Presidential list at the moment, at least in the South.

### Welfare

## Wellstone Stands Alone in Voting

"Welfare Reform" has become a powerful political value, according to many strategists, ranking right up there with a strong defense and a hard-nosed attitude toward crime.

A case study came in the Senate this week when only 24 senators voted against the legislation that was promoted by its backers as a first step toward "reforming" the welfare system, although critics asserted it was punitive to poor children.

Only one of those 24 is running for re-election this year: Senator Paul Wellstone, Democrat of Minnesota, who faces a fierce challenge from the man he defeated six years ago, Rudy Boschwitz.

Mr. Wellstone was already under heavy fire on the welfare issue from his Republican opponents, who had unleashed a wave of angry commercials and press releases on his welfare stand and even erected a billboard across from his Minnesota campaign headquarters, denouncing him as "Senator Welfare."

After the vote, the Boschwitz campaign declared that Mr. Wellstone had "missed the boat on the most comprehensive and reasonable welfare reform bill of a generation."

John Ulyot, a Boschwitz campaign spokesman, said that the vote would "absolutely" hurt the Democratic candidate and asserted, "He's way to the left of President Clinton on this."

Robert Greenstein, director of the Center on Budget and Policy Priorities, a liberal research and advocacy group, said of Mr. Wellstone's vote, "It's this year's outstanding profile in courage." **ROBIN TONER**

# House Panel Approves Bill Making English Official Language

By ERIC SCHMITT

WASHINGTON, July 24 — A House committee narrowly approved a bill today making English the official language of the United States.

Republicans and Democrats, in five hours of sharply partisan debate, agreed that English is already the principal language of government, commerce and everyday life in this nation. But they were widely divided on whether to codify that fact in law and, more deeply, over what cultural, moral and language traits defined what it means to be an American.

Republicans, at a hearing of the House Economic and Educational Opportunities Committee, said their bill would halt a worrisome trend toward creating "language ghettos" that are leaving immigrants unprepared for the job market and forcing the Government to accommodate non-English speakers with documents, services and bilingual classes in several other languages.

"I do not want to see the country become ethnic enclaves," said Representative Marge Roukema, a New Jersey Republican.

But Democrats said the bill was unnecessary, unconstitutional and racist. "This is just a guise for a bill that's built on bias and bigotry," said Representative Matthew G. Martinez, a California Democrat.

The vote to send the bill to the House floor, where it will probably be considered in September, was 19 to 17, along party lines. A similar bill is pending in a Senate committee.

The Clinton Administration strongly opposes the bill, which is the latest effort in a decade-long campaign by English-only proponents to declare English the sole language used to make policy and to curb the spread of bilingual education and bilingual ballots. Bob Dole, the apparent Republican Presidential nominee, has supported the idea of making English the country's official language, although it has not yet

become a major campaign issue.

As written, the bill seeks to "help immigrants better assimilate" and "empower" them with new language and literacy skills.

"There are an increasing number of people who can't compete because they don't read, write or speak English," said Representative Randy Cunningham, a California Republican.

But when challenged to document this increase, Mr. Cunningham acknowledged that his assertion was largely based on anecdotal evidence from canvassing people in his district near San Diego.

To attract support from moderate Republicans, the bill's sponsors did not try to eliminate financing for bilingual education. The bill's definition of official business that must be conducted in English also exempts language instruction and documents or policies necessary for national security, public health and safety.

Proponents of the bill say accommodating non-English speakers is costly. In 1994, for example, the Internal Revenue Service printed and distributed 500,000 income-tax forms in Spanish at a cost of \$113,000. Only

718 of the forms were returned.

"America is a diverse country, but when we conduct business it should be in English," said Representative Lindsey Graham, Republican of South Carolina.

But critics of the bill said more than 97 percent of Americans already speak English well, and that 99 percent of all Government documents are published in English. Moreover, Democrats said, the most pressing need is not a English-language law, but more English classes for immigrants. English classes in community colleges in Los Angeles are filled 24 hours a day, and the waiting list for some English classes in New York City is as long as three years, legislators said.

Dueling facts aside, the most impassionate debate focused on what the English language means to this nation of immigrants.

"English language is an important glue for our society," said Representative Tim Hutchinson, Republican of Arkansas.

But many Democrats said there is much more to the United States than a common language. "What binds us together in this country is our freedoms and ideals," said Representative Gene Green, Democrat of Texas. "It's more than a language that makes us American."

THE NEW YORK TIMES

THURSDAY, JULY 25, 1996

# Victims' Families Demand the Facts

## Contradictory Reports Create Frustration

By Laurie Goodstein  
Washington Post Staff Writer

NEW YORK, July 24—One week after the crash of Trans World Airlines Flight 800, grieving relatives and friends of the dead passengers erupted in frustration over contradictory reports from government officials, and demanded immediate and reliable information directly from the beachfront command about any progress in the search for bodies.

"Tell us what you know, now," implored Joe Lynchner of Houston, who lost his wife and two young daughters, speaking for the families sequestered in the ballroom of an airport hotel waiting for information. "Everybody in that room has already been hurt as much as they possibly can. So ... don't spare us our feelings."

President Clinton plans to fly to New York Thursday morning to meet with the victims' families, the White House announced today.

Divers brought up three more bodies from the undersea wreckage today, and officials said that brought the total number of bodies recovered so far to 114. There were 230 people aboard the ill-fated airliner that exploded in a fireball shortly after taking off from John F. Kennedy International Airport last Wednesday evening and plunged into the ocean.

The families' exasperation and anger boiled over late last night after New York Gov. George E. Pataki (R), who has been a strong advocate for the victims' relatives, buoyed their spirits by announcing that divers had located large pieces of wreckage with "dozens and dozens" of bodies—a claim that was knocked down a few hours later by Robert Francis, vice chairman of the National Transportation Safety Board, who has been heading up the investigation on Long Island for the NTSB.

Pataki met privately with the victims' families for over an hour yesterday at Ramada Plaza Hotel near Kennedy airport and heard their grievances. Soon after, the governor said he spoke with White House Chief of Staff Leon E. Panetta and arranged for the families to be briefed on any new developments immediately, from a NTSB official, and before the press is given the information.

After Clinton's plans to meet with the families and talk to investigators were announced, Pataki said, "I think it will be reassuring to the families that

the president will be here tomorrow [Thursday]."

"It's tremendously important that the families be given first notification," Pataki said to reporters after his meeting with the victims' relatives. "Our goal is to get them as much information, accurately, and as quickly as possible."

And the governor stuck by his earlier announcement that divers believed they had located many of the remaining victims' bodies in the undersea wreck, saying, "We were told that information by divers and believe it to be accurate." Similarly, NTSB officials continued to say that every body located by divers had been promptly brought to the surface.

A New York state official involved in the investigation said that the governor had made his statements on Tuesday after being told by both Navy and New York state divers that they had personally seen that number of bodies while searching the debris field. The official, who requested anonymity, said that federal officials may have contradicted Pataki in a public briefing Tuesday evening because they realized it would take days for salvage teams to bring the bodies to the surface and did not want to aggravate the families by making them wait so long.

In the past week, the mourning relatives have been befuddled by the paucity of government officials proffering sometimes inconsistent information. They have met with the governor, the mayor, and representatives of the Federal Aviation Administration, the Coast Guard, the Suffolk County Medical Examiner's Office, the National Transportation Safety Board and the Federal Emergency Management Agency.

The alphabet soup of agency representatives seems to have been particularly exasperating for the friends and families of the French victims. There were 45 French citizens on board Paris-bound Flight 800.

"I want my brother! I don't want politics!" said Michel Olivier outside the Ramada. "They go around yesterday saying, 'We find a lot of bodies, we find a lot of bodies.' And they find nothing."

About 20 French family members emerged from the airport hotel today and berated the American rescue effort as inadequate, demanding that French divers and equipment be brought in for assistance. Their outburst brought French Consul General Patrick Gautrat racing to the hotel,

where he said that French specialists are already working with the NTSB.

"I talk to them on a daily basis and they say that the equipment there is very good in quality and quantity," Gautrat said. "I can understand their [the relatives'] reaction. Maybe Americans in France would have the same reaction. I can assure you it's a terrible experience to be in this hotel waiting for information."

While the nation anxiously awaits decisive word about what caused the crash, the victims' relatives and friends have insisted that their priority is to find their loved ones' remains. Some families already have claimed their relatives' remains and taken them home.

"The very important thing to us is to find our bodies and go back home," said Meyer Dadi, who lost his brother, Marcel, 45. "If you find the black box

[the plane's voice and cockpit data recorders], it doesn't matter."

Lynchner, the Houston man who lost his whole family in the disaster, said that even if the investigation required bringing up debris before bodies, it would not be worth the delay. Some officials have expressed concern that if the pieces of the aircraft remain underwater too long, residues helpful in determining possible sabotage may be wiped away or eroded.

Lynchner has already claimed the bodies of his wife, Pam, and his daughter Katie, 8. But he is still waiting to hear that divers have found his 10-year-old daughter Shannon. "I want my loved ones and the investigation is secondary," he said.

Staff writer Dale Russakoff contributed to this report.

## Jet Passengers Force Security Delay After Traveler Is Ejected

By Alice Reid  
Washington Post Staff Writer

A group of airline passengers were so jittery following last week's explosion of Trans World Airlines Flight 800 that they forced the delay and search of a Continental flight from National Airport to Houston Sunday evening after a passenger got into an altercation with a stewardess and had to be ushered off the plane.

The passengers feared the man had left a bomb on board, according to a witness.

Continental Airline officials confirmed that after a passenger was removed from Flight 541 to Houston, passengers insisted the plane return to the gate and be searched thoroughly by security before it was al-

lowed to leave more than an hour after its scheduled 7:15 p.m. departure time.

Laurie Strumpf, 40, a training specialist from Washington, was on board the plane and said that the man alarmed fellow passengers when he got into an argument with a stewardess about putting his seat back into an upright position before takeoff.

"Things degenerated, and he became very abusive," said Strumpf.

The man was removed from the plane by airport police but was not charged, according to an airports authority spokesman. His carry-on and checked luggage were also taken off the flight, according to a Continental spokesman. "It's not a federal regulation, but in this situation, it was clearly the thing to do," said spokesman David Messing.

The captain was preparing to taxi for takeoff when a group of passengers who had been sitting near the man told the stewardess that they were frightened and didn't want to leave Washington until the plane had been thoroughly searched, Strumpf said.

"They made us take all of our bags down from the overhead and we sat there with them on our laps," she said, but several passengers insisted they wanted authorities to take a more thorough look at the plane.

Then the Captain decided, "We're going back and have a safety check," she said.

With that, the plane went back to the terminal, passengers disembarked, and the airliner was searched before leaving for Houston.

# Los Angeles Times

## Learning the Language of Citizenship

DATE: 09-03-76  
PAGE: B-3

### National Debate Spurs a Rush to Gain English and Civics Skills

By PATRICK J. McDONNELL  
TIMES STAFF WRITER

**T**hey awake at 4 a.m. each weekday in their central Los Angeles apartment and, before first light, are soon hurtling in buses and trains en route to far-flung, low-paying jobs. But at day's end, Alberto and Rosa Diaz still find time for intensive study of English and U.S. civics four evenings a week at an adult school near Chinatown.

"Citizenship is more important now than ever," a fatigued Alberto Diaz said recently as the couple took a break from their three-hour class.

Although many people in Congress and elsewhere complain that immigrants aren't learning English, tens of thousands of noncitizens like Diaz and his wife are signing up for intensive instruction that will help them become U.S. citizens. In many cases, there are not enough classes to accommodate would-be citizens.

Agencies providing instruction in English and U.S. civics—knowledge needed to qualify for citizenship—say demand has been increasing rapidly in recent weeks, from Orange County to Los Angeles to Ventura County. Mostly, those enrolling are the working poor, striving to stay on top of the bills in their adopted nation, with little free time in their schedules. And many have been in the country for a decade or more.

The heightened sense of urgency, observers say, is linked to the intensifying national debate surrounding the immigration issue.

Just this week, Congress approved a historic welfare overhaul that would sharply restrict public benefits for millions—including many legal immigrants—and the House approved legislation making English the nation's official language. Looming in the background is a sweeping immigration bill that would, among other things, allow states to deny public education to illegal immigrant children.

"To be in America, you need English," said Samuel Gunasmyan, a 42-year-old Armenian in the same class as the Diazes at the Evans Community Adult School, wedged between Chinatown and the Harbor Freeway in downtown Los Angeles.

**W**ith immigration developments widely disseminated by ethnic press and broadcast outlets, noncitizens have seen the writing on the wall and are hastening to improve skills mandated for citizenship. Adult schools, community organizations and other groups sponsoring classes are scrambling to meet the demand, sometimes with volunteer teachers.

Officials of the Los Angeles Unified School District, the nation's largest provider of citizenship instruction, say demand has yet to exceed capacity, although numbers at Evans and other district facilities are expected to rise through the summer and fall. About 55,000 people took citizenship classes in the most recent school year, said Domingo Rodriguez, administrative coordinator for programs in citizenship and English as a second language for the district.

"We're expecting a huge increase this year," said Rodriguez, who is gearing up to hire additional teachers for the anticipated jump in demand.

Other districts report growing waiting lists.

In Orange County, community centers and churches, schoolrooms and college classes are filled to the limit as they try to meet the ever-increasing demand for English classes.

Vietnamese, Hmong, Iranians, Mexicans, Central Americans, Europeans and people from all over the world are flocking to classes in English as a second language, program directors say.

The impetus for many residents to learn English is political, some educators said.

There has been an upward trend in enrollment since the emergence of Proposition 187, which would have restricted services to illegal immigrants. "Now with the welfare bill, a lot more people know that they're going to lose benefits if they don't become citizens," said Vince Thacker, director of Community Resources Opportunity in Westminster.

At the East Valley Multipurpose Senior Center, in North Hollywood, administrators have seen a sharp rise in inquiries about English language instruction and other classes that prepare immigrants to become U.S. citizens.

"We have been inundated with telephone calls," said Geneva Ruiz-Hyatt, program coordi-

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cont'd

nator for the center's citizenship program. "People are terrified they will be left homeless, have their benefits drastically cut and have to go home."

The shortage of classroom space angers immigrant advocates and educators.

"It's a lot of baloney the anti-immigration people and the extremists are feeding us, that people don't want to learn English," said Emma Sirick, director of the Westminster site. "All our classes are always filled and people are always waiting. Some of my students are 70 years old, and this isn't easy for them, but they do it anyway."

El Concilio, an Oxnard-based Latino advocacy agency, has also seen a steady increase in the number of citizenship applicants it has assisted over the last few months, said executive director Francisco Dominguez.

The rush for such instruction reflects the unprecedented demand for U.S. citizenship among the nation's more than 10 million legal immigrants. Applications are expected to reach 1.2 million in the current fiscal year, with more than one-quarter of them coming from Southern California.

But not everyone is thrilled with the surge in citizenship and the enhanced interest in English-language and U.S. civics training.

Glenn Spencer, who heads Voices of Citizens Together, deplored what he called a "cheapening of the [citizenship] process."

"We would hope that these people are seriously interested in becoming part of our social fabric," said Spencer, whose group is based in Sherman Oaks.

As quickly becomes clear in an evening spent in a citizenship class at Evans, people have many different reasons for wanting to become U.S. citizens. Some fear a cutoff of public benefits. Others are eager to vote, a privilege accorded only to citizens. Others want to bring family members to this country, something that is much easier for citizens. Others hope to get better jobs. Almost all say it will be better for their children. Many speak longingly of the desire to travel back home with a U.S. passport. Most voice some combination of reasons.

"I live in America now, and this is a country for work," said Gunasmyan, 42, who arrived from Armenia almost five years ago with his wife and two children.

Trained as a chemical engineer in the former Soviet Union, Gunasmyan is now employed as a jeweler. His hope, he said in accented but good English, is that citizenship will help him get a better job. Without citizenship, his family could eventually lose almost \$800 in monthly benefits under the new welfare measure. But Gunasmyan says that is not his principal motivating factor.

"Welfare makes you lazy, and this isn't a country for lazy people," Gunasmyan said as he sat at his desk during a citizenship session.

Evans is a kind of ground zero for prospective citizens. Citizenship classes, along with English classes not specifically tailored to citizenship applicants, are provided from 7 a.m. to 9:15 p.m. As in many of the centers, staffers also assist in taking applicants' photographs and fingerprints, both needed for the citizenship applications. There is no charge, as is the case in most citizenship classes.

The special program of instruction, designed with assistance from the U.S. Immigration and Naturalization Service, which administers the application process, amounts to a kind of cram course for prospective citizens. Teachers provide intensive coaching in the intricacies of government requirements. Courses at Evans are designed to last 60 hours.

Topics covered include instruction in filling out the needed forms and tips on assorted requirements—for instance, applicants must have been legal residents for at least five years and have demonstrated good moral character. Applicants are also coached in how to handle the all-important and often-intimidating INS interview, at which most must demonstrate their English skills and knowledge of U.S. government.

Because many applicants are apprehensive about visiting the INS headquarters, the agency has begun interviewing more than 1,500 applicants a week at schools and social service agencies. Most have already undergone citizenship training courses. Consequently, about 90% of applicants interviewed away from INS offices pass the exam, compared to fewer than 70% for those interviewed at the INS, said Richard K. Rogers, the agency's district director in Los Angeles.

Citizenship applicants do not have to demonstrate English-language fluency, INS officials say, but must show the ability to field questions and speak English at a third- or fourth-grade level.

At Evans recently, under the direction of an English-speaking teacher, students divided into pairs and practiced the interview with each other. One person in each pair played the INS examiner, while the other was the applicant.

Some questions: Do you pay taxes every year? Would you help protect America? What is the Constitution?

The students' enthusiasm was obvious, even though many had been working since early in the morning and were tired.

"For my part, I want to be able to vote, to give a voice for our people," said Beatriz Mercado, a mother of seven, originally from Mexico, who was among those practicing her English.

A minivan driver who has worked as janitor and house cleaner and in sundry other jobs, Mercado says she is tired of being part of a voiceless minority. Like most others in the class, she said she agreed that welfare payments should be restricted—"I raised seven kids and never took welfare"—but she voiced reservations about possible reductions in federal Medicaid benefits for legal immigrants and cutbacks in school lunches for immigrant children.

English does not come readily to Maria Preciado, 46, who emigrated from Peru two years ago after being laid off from her job as a secretary. To her ear, English is not one language, but many. Preciado attends a class at Irvine Unified School District.

"But whenever I want to give up, I tell myself that my whole life will change when I can speak English—that's why I carry my dictionary with me like it's a bible," Preciado said in Spanish.

"When I can speak English, I won't feel so frustrated and so limited. I'll be able to make more friends, and I won't have to be embarrassed when someone speaks to me and I have to answer. Sorry, I don't speak English."

Times staff writers Andrew Blankstein, Carlos Lozano and Lisa Richardson contributed to this story.

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## Our Language Needs No Law

By Mark Falcoff

**T**he United States, the most successful country in history, manages to be kept awake at night by imaginary perils. The latest threat to our well-being seems to be the prospect of losing our national language. Apparently you and I won't be speaking English much longer if something isn't done to prevent it.

But not to fear! Congress is riding to the rescue, with English-only legislation that would forbid the use of foreign languages on ballots and other Federal documents. The House has passed a bill that would make English the official language, and Bob Dole favors the idea. The object, we are told, is to accelerate the adoption of English by immigrants and discourage the persistence of linguistic ghettos.

Though 150 or so languages are spoken in this country, the supporters of the bill aren't worried about Urdu or Mandarin. They are concerned about the 14 million people whose native language is Spanish.

The United States is one of the world's major Spanish-speaking countries. It produces some of the most important Spanish-language television and radio programs. It has a vigorous Spanish-language press, and even mainstream publishers are beginning to print Spanish-language novels, essays and other nonfiction.

Should this worry us? House

*Mark Falcoff is a resident scholar at the American Enterprise Institute.*

### The irrational fear of Spanish.

Speaker Newt Gingrich thinks so, and as an example of the perils of linguistic pluralism he cites the movement in French-speaking Quebec to secede from English-speaking Canada.

Outside of Washington, particularly in the West and Southwest, the response to the "Spanish peril" has bordered on the hysterical, fed by small groups of populist xenophobes. They are often driven to this position by the incendiary rhetoric of Hispanic activists who threaten to "take back" the West.

Let's look at the facts, not emotions. Most Spanish-speaking immigrants come to the United States seeking a better life, not to widen the territorial arc of their language. Most regard learning English as fundamental to economic and social advancement. The persistence of Spanish reflects not so much resistance to linguistic integration as it does the uninterrupted flow of newcomers. If there were no new immigrants from Spanish-speaking countries for 20 years, the percentage of Spanish speakers would diminish. If that is what most Americans want, let us revise the immigration laws.

Those who think English requires special protective legislation should look at what is going on in our society and elsewhere. English is the international language of finance, commerce, diplomacy, science and educa-

tion, particularly higher and technical education. As the lingua franca of popular culture, it is spreading across the globe, particularly among young people, who consider English the key to all things modern, prosperous and hip. Why should teenagers of Latin origin be any different?

The United States is not vulnerable to the traps of linguistic separatism exemplified by countries with more evolved bilingual cultures. Unlike Canada, Belgium or Switzerland, America has no literary intellectual class dedicated to maintaining a consistent level of quality in a second language. (Indeed, the quality of spoken Spanish in the United States is often poor; some "bilingual" advertisements in New York subway cars are full of grammatical howlers.)

As Hispanics integrate economically and culturally into our society, they will likely lose their linguistic distinctiveness. Though the presence of a large Spanish-speaking population is a reality, we will never become a linguistically bifurcated country.

There are many divisive forces in American society, but language is not one of them. The United States is not a Balkan principality; there is no point in it acting as if it were. □

## *Clinton Praises Bill Regulating Pesticide*

WASHINGTON, Aug. 3 (AP) — President Clinton said today that new legislation regulating pesticide residues in food would give all Americans, particularly children, the assurance that the fruit and vegetables they eat would not make them sick.

The President, who signed the bill in a ceremony in the Old Executive Office Building, said in his weekly radio address this morning that the Food Quality Protection Act was passed because Congress "turned

away from extremism" and gave it bipartisan support.

The President said a patchwork of standards would now be replaced with one simple one: "If a pesticide poses a danger to our children, then it won't be in our food."

The House and Senate passed the legislation last week. Sponsors said the new measure replaced often conflicting standards for regulating pesticide residues. They said some were too strict and some too lenient.

## Word for Word / Officially English

A Law to Learn 'Em a Thing or Two  
About the American Language

**W**ILL Los Angeles change its name to "The Angels" if a new bill making English the official language of the United States becomes law?

Probably not. But it would likely end the printing of Social Security forms, Internal Revenue documents and United States Park Service pamphlets in any language other than English. Documents for public safety, health or national security would be exempt.

Last week the House Economic and Educational Opportunities Committee narrowly approved such a bill, 19 to 17, with all Republicans voting in favor and all Democrats voting against. The House may vote on the measure as early as September; the Senate is considering a similar bill.

Although English is indisputably the central language of American life, Republicans say its primacy needs to be codified because the Government is catering too heavily to a growing number of immigrants who do not speak English well. Democrats, disagreeing, say that more than 97 percent of Americans speak English well, and that an English-first law is unnecessary, unconstitutional and racist.

Legislators last week jostled over how language defines what it means to be American. They also joked about regional idiosyncrasies that make English spoken with a Texas twang unintelligible to a New Englander. The hearing, of course, included occasional lapses in grammar and syntax.

ERIC SCHMITT

**George Miller, Democrat of California:** We promote Amtrak passes. We promote Park Service passes overseas. We use Federal dollars and Government officials to go overseas to promote American tourism. All of those pamphlets would have to be written in English?

**Lindsey Graham, Republican of South Carolina:** The purpose is to conduct the official business of the Federal Government in English. However, exemptions the bill has include actions, documents or policies necessary for national security issues, international relations, trade or commerce would be exempt. I think Part B of the bill would exempt what you're talking about.

**Miller:** So we would have an exemption to try to get a tourist to come here from Italy, but we wouldn't help someone get their Social Security?

**Graham:** Well, if you want to put it that way, yeah.

**Miller:** The U.S.G.S. [Geological Survey], the Park Service and the Forest Service publish maps with non-English proper names and places for a good portion of the United States

**Graham:** I think that would be covered under utilization of terms of art or phrases, like de facto, or any Latin phrase.

**Miller:** And Los Angeles or Arroyo Grande or Sierra Nevada? ... (laughter)

**Graham:** I don't believe that's what we're getting after.

**Randy (Duke) Cunningham, Republican of California:** I think we're getting to the point of ridiculous. There are common terms that are used on maps, like Los Angeles, San Francisco and San Diego. All of those things are acceptable, and the gentleman knows that.

**Matthew G. Martinez, Democrat of California:**

There are legal residents here who would be a part of that Census who are not required to speak English because they have not applied for naturalization ...

When you're trying to restrict people from getting the information they need, or the communication, you're going to end up costing us a lot more money than you save us ... From the beginning of the immigration of this country, all parents have wanted their children to learn English as well as they can ...

**Cunningham:** Again, the demagoguing is un-

paranoia about not being able to understand what someone else is saying.

**Pat Williams, Democrat of Montana:** I've been here 18 years and this is most maddening debate I've sat through, for me personally. It's absolutely maddening. We're missing each other on all sides. What is the problem and will this bill solve it?

**Graham:** One of the problems, for example, is the I.R.S. has sent out 500,000 publications that cost \$113,000 in Spanish. They got 700-and-something replies back, and it was a \$157 per publication. They're going to expand that program. I believe that's a problem we need to cut off now.

**Robert E. Andrews, Democrat of New Jersey:** The majority is guilty of a lot of things in pushing this legislation and one of the things they're guilty of is very sloppy drafting. I understand it was asserted by the sponsor of this amendment that coinage would not be covered, so that printing E Pluribus Unum on our money would not be against the laws of the United States. I'm not so sure that's right ... If a citizen sues here and claims that they're somehow aggrieved by use of Latin on our money or our coins, there is very clearly an issue of whether Latin is necessary for trade.

**Graham:** The exception that I would point the gentleman to is not the trade, commerce or international relations exception. It would be the exception that says documents that utilize terms of art or phrases from languages other than English would be exempt. I think our money is a document that does that and is exempt.

**Andrews:** With all due respect, you may think so, but that doesn't preclude someone from filing a suit and wasting probably more money than the I.R.S. spent to send out those income tax forms ...

**Chaka Fattah, Democrat of Pennsylvania:** Since we've all been speaking in English all day long, it's clear that we're not communicating very well with each other.

I hope that since there seems to be one thread of bipartisanship here, which is that we all agree, I think, that it'd be helpful to promote Americans learning other languages and that we probably ought to do more to make English available to people. And maybe one day soon we would spend all day actually working on that rather than working at cross-purposes.

**Cunningham:** People say symbolism isn't important ... I think, for example, an American citizen, the very first time you take the oath of this country, that you do it in English. It's only symbolic but it's very powerful.

**Fattah:** I think as an American citizen, if you could not speak or read at all, what is important is that you be committed to the ideals of this country, and that you be given the protection of the United States Constitution. This issue of language is about communication. What we should be working on is the substance of being an American, not the symbols so much.



Stuart Goldenberg

*The Republicans want  
government to stop  
catering to immigrants,  
but Democrats say a  
language law is  
unconstitutional and  
racist.*

believable ... There is also a trend in this country for American citizens not knowing English, which inhibits their ability to improve themselves and prepare themselves for the 21st century. The issue isn't even documentation. The issue is that we're trying to empower people.

Have you ever been in a foreign country and you hear someone speak English and it doesn't excite you? It empowers people. If you want to keep your people in a barrio, if you want to keep them restricted in little tight communities so only you can communicate with them, and we can't in English, then be my guest. But we're going to empower them to get out of that so they can have a piece of the American dream ...

**Martinez:** I don't live in a ghetto. I wasn't raised in a ghetto. I was raised in a neighborhood of community people. I represent people from neighborhoods, not ghettos. But who has tried to keep people in ghettos is people with the mentality like this, that would rather than understand the unity and collegialness of the American people that can come from all different and diverse backgrounds, would want to force on somebody because of their

## DRAFT GENERAL TALKING POINTS

English is already accepted as the common language of the United States; that is not the issue being debated. The issue is whether children who themselves or whose parents speak another language should be able to learn other things, while they are learning English. The issue is whether American citizens who work hard and pay taxes and haven't mastered English yet should be able to vote and have a meaningful participation in our democracy. [From President Clinton's address at the Congressional Hispanic Caucus Dinner, September 27, 1995.]

97 percent of the U.S. population speak English. Everyone recognizes that we all must have English language skills to advance economically and socially in our society. As a result, non-English speaking Americans and immigrants are demonstrating that they want to learn English and are rushing to do so at faster rates than ever before. Students in schools are absorbing English faster than earlier generations as they prepare to be fully participating and contributing adults in our society. Across America, adults are lining up, and there are waiting lists, to enroll in English-as-a-Second Language classes.

The government has a proper role, indeed a responsibility, to encourage English language proficiency. The government should fulfil that responsibility by providing instruction, including bilingual education as appropriate, to assist children and adults in attaining English proficiency.

In addition, the government has an obligation to protect the safety, health, and rights of its citizens. There are instances, for example, in which it is appropriate for the government to provide information in a language other than English, such as OSHA warnings, court interpreters, and public health and voter information.

Bilingual education is important, as well. It permits students to learn English and to keep pace with their classmates in other subjects while they are learning it. It should be emphasized that the decision to offer bilingual education is a local choice.

Assisting citizens exercise their right to vote, even if they are not fully proficient in English, is fundamental. Section 203 of the Voting Rights Act has enjoyed strong and enduring bipartisan support. The Act and subsequent amendments, which protect this right, were signed by Presidents Ford, Reagan and Bush.

There are a variety of English-Only proposals now before Congress. We have not yet taken a formal position on them. However, we are concerned about proposals which may hinder

the government's essential ability to fulfill its responsibilities to its citizens.

Amending the Constitution or limiting people's rights under the Constitution is very serious business. Thus, it is important to explore the serious practical implications of English Only legislation or constitutional amendments on the everyday lives of Americans in the 50 states, Puerto Rico, Guam and American Samoa.

**PHOTOCOPY  
PRESERVATION**

<u>Name</u>	<u>Agency</u>	<u>Phone</u>	<u>Fax</u>
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Norma V. Cantú	ED/OCR	205-5413	205-5381
Selin Pompe	ED/OBEMA	205-5463	205-3789

FAX-Memorandum

To: Steve Warnath  
From: Gabriela Uro  
Date: November 8, 1995  
Re: Education Talking Points related to English Only

Please find attached the draft of the talking points related to Education and the English Only initiatives. The document includes helpful facts for background and some Qs and As. We also developed a one-page background summary on the issues related to Title VI of the Civil Rights Act.

Also, if you think it would be helpful, we could also add to the Qs and As based on what members in Congress have stated at one time or another regarding this issue. Namely, this came up during the reauthorization of the Elementary and Secondary Education Act, during Appropriations, and during specific hearings on English Only. Please call me at 202/205-9157 if you have any questions.

cc: Norma Cantu  
Ron Petracca

**English as the Official Language  
Draft Talking Points Re: Education  
for Administration Statement**

English is already accepted as the common language of the United States; that is not the issue being debated. The issue is whether children who themselves or whose parents speak another language should be able to learn other things, while they are learning English. The issue is whether American citizens who work hard and pay taxes and haven't mastered English yet should be able to vote and have a meaningful participation in our democracy. [From President Clinton's address at the Congressional Hispanic Caucus Dinner, September 27, 1995.]

The bond of the American people is rooted in the shared values of freedom, democracy and human rights. Countless number of individuals, speaking a number of different languages, have come to America seeking such values and have continued to strengthen our nation's resolve to uphold these values.

Non-English speaking Americans and immigrants want to learn English and are doing so at even faster rates than before. These adults are lined up across America to enroll in English as a Second Language classes for adults.

**Facts Useful for Responding to Qs & As**

*English Proficiency and Usage of English*

- 97 percent of the U.S. population speak English
- of children (age 5-17) who speak a language other than English at home, the portion that speak English "very well" is growing faster (8.07%) than the total number of these "language minority" children
- only 0.06 percent of federal government documents are in languages other than English
- approximately 3 million limited English proficient (LEP) children and youth are enrolled in our schools today (approximately 6 percent of total enrollment)

*Education & Bilingual Education*

Although the discussion of English as the Official language is primarily framed as the opposite alternative to bilingual education, the issues are varied and far-reaching in education, affecting:

- (a) the flexibility of schools and school districts in determining the best educational practices—including language of instruction—to serve their students;
- (b) the strategies used to communicate with parents and families to establish a successful partnership for the education of all children; and
- (c) the compliance with statutory requirements regarding informing parents of the educational rights of their children.

- **specifically related to bilingual education, several facts are important to note:**

(a) Since originally enacted in 1968, the Bilingual Education Act has funded programs with the primary objective of helping student learn English. Consistent with this objective, the 1994 reauthorization of the Bilingual Education Act funds programs that: 1) make sure every child learns English, 2) make sure that every child masters academic subjects, such as math and science, while continuing to learn English, and 3) require that teachers serving students in those programs are proficient in English

(b) Title VI of the Civil Rights Act requires that schools provide meaningful access to the instructional program. Schools have the flexibility whether or not to use native language in instruction.

(c) Studies have shown that bilingual education, where native language is used, provides a solid academic foundation for students, as they learn English. Longitudinal studies which examine LEP students academic achievement have found that the late-exit students (those receiving instruction in their native language) demonstrated the ability to close the gap eventually between native speakers' performance and LEP students' performance over time (Ramirez et al 1991, Final Report: Longitudinal study of structured English immersion strategy, early-exit and late-exit bilingual education programs for language-minority children, Vol. II p. 639)

● **English as a Second Language classes for adults** are in high demand given the diversity of our population and latest immigration trends. Some important characteristics to note are:

(a) About two-thirds of all recent immigrants (3 years or less) are limited English proficient. There are an estimated 12 to 14 million LEP adults living in the U.S.

(b) On average, the majority of LEP adults have significantly lower incomes than other Americans.

(c) Entry requirements to postsecondary institutions include a level of English proficiency which generally exceeds that of LEP adults.

(d) LEP adults tend to suffer from limited access to public services, the inability to fill out forms for employment or government purposes, and a lack of knowledge about public affairs. In other words, LEP adults face many barriers to becoming active members of their communities and participating in our democracy.

(e) According to state performance reports, in 1993, an estimated 1.6 million persons were served by federally-funded adult education programs for ESL. A study of the high demand for ESL classes indicates that:

\* in mid-October of 1990, 25 percent of ESL programs surveyed reported having waiting lists and

\* ESL programs reported having 41 thousand individuals on waiting lists (8 percent of the population served).

### **Title VI of the Civil Rights Act of 1964 Implications for Limited English Proficient Students**

Title VI of the Civil Rights Act of 1964, 42 U.S.C. s2000d et seq., and its implementing regulation at 34 C.F.R. Part 100 require that each state and local educational agency that receives federal monies provide equal educational opportunity to limited English proficient (LEP) students. Additionally, Congress mandated in the Equal Educational Opportunities Act of 1974 that state and local educational agencies remove barriers to the education of LEP students.

#### ***Criteria to Determine Compliance***

To determine compliance with these federal civil rights laws, the Office for Civil Rights of the U. S. Department of Education (OCR) evaluates three factors:

- whether the recipient of federal funds is providing alternative language programs to LEP students which are necessary to ensure such students equal access to the educational benefits offered by the school;
- whether the alternative services provided are calculated to be effective; and
- whether the recipient's alternative program produces results indicating that students are learning English and gaining access to the overall educational program. See OCR's Lau policy memoranda, including, most recently, OCR's policy update of September 27, 1991.

***Does the law mandate a specific instructional program?***

Title VI does not mandate any specific instructional program or methodology; however, the Courts in interpreting Title VI have required that the methodology or program selected by the school be vouched for by sound educational judgment. Federal courts have approved of the adoption of transitional bilingual educational programs as educationally sound in a variety of federal Circuits (5th, 7th, 9th, 10th). On the other hand, courts have rejected submergence or English immersion programs.

**Often Asked Questions and Criticisms of Bilingual Education**

***1. Bilingual Education programs encourage native language proficiency instead of helping students learn English.***

Nothing is further from the truth. Since enacted in 1968, the primary objective of the Bilingual Education program has been to help students learn English.

***2. Bilingual Education programs delay and may impede students from learning English.***

Research shows that use of the native language does not interfere with the acquisition of a second language. Literacy development, academic skills, subject knowledge, and learning strategies developed in the native language will all transfer to the second language.

***3. Federal law requires schools to utilize native language for instruction.***

No regulation nor statute requires that native language be used for instruction. Bilingual education programs that receive federal funding do so by applying through a competitive process in which local education agencies submit their own instructional programs. The extent to which native language instruction is used is determined by the local educational agencies.

***4. Federally funded Bilingual Education programs are duplicative and no longer necessary.***

Bilingual education programs exist in numerous school districts across the nation. They are funded by local, state and federal funds. Studies indicate that LEP students are still falling behind their native English speaking peers and many are not receiving educational services for which they are entitled. The need for federal guidance and technical assistance in developing appropriate educational services for LEP students continues to exist. For FY 1995, over 1,600 applications were received to compete for bilingual education funds. There was only enough money available to fund 386 of these applications, equivalent to only 24 percent of all applications received.

***5. Does bilingual education minimize social assimilation?***

Opponents of Bilingual Education contend that using the native language promotes multiculturalism and thwarts cultural assimilation into American society. Others contend that the insistence on the development of English proficiency leads to rapid assimilation and cultural loss. Both positions are inaccurate—assimilation or non-assimilation is in the hands of parents and students, not of federal bilingual education programs.

**6. Does federally-funded bilingual education allow for the employment of teachers who are not proficient in English?**

No. Title VII requires that the program employ teachers who are proficient in English. Applicants must provide such an assurance as part of the application package.

ENGLISH AS OFFICIAL LANGUAGE DOJ PROPOSED TALKING POINTS

· The government has a proper role, indeed a responsibility, to encourage English language proficiency. The government should fulfill that responsibility by providing instruction, including bilingual education as appropriate, to assist children and adults in attaining English proficiency. All Americans, regardless of class or numbers of generations in the United States, must have English language skills to advance economically and socially in the society.

· In addition, the government also has an obligation to protect the safety, health, and rights of its citizens. There are any number of appropriate uses of instances in which it is appropriate for the government to provide information in a language other than English, such as OSHA warning signs, court interpreters, public health and voter information.

· We have not yet taken a formal position on the various English Only proposals now in Congress. However, we are studying them carefully and are paying particular attention to proposals which may hinder the government's essential ability to fulfill its responsibilities to its citizens, such as requiring federal employees to communicate only in English to United States citizens.

· Amending the Constitution or limiting people's rights under the Constitution is very serious business. Thus, it is important to explore the serious practical implications of English Only legislation or constitutional amendments on the everyday lives of Americans in the 50 states, Puerto Rico, Guam and American Samoa.

## English Only and Section 203 of the Voting Rights Act

--Section 203 was first added to the Voting Rights Act in 1975 in recognition that large numbers of American citizens spoke languages other than English and had been effectively excluded from participation in our electoral process.

--Each enactment and amendment of Section 203 enjoyed strong bipartisan support. The 1975, 1982 and 1992 laws were signed by Presidents Ford, Reagan and Bush.

--Congress found that the denial of the right to vote among such citizens was directly related to the unequal educational opportunities afforded them resulting in high illiteracy and low voting participation.

--As Senator Hatch noted in connection with the 1992 extension of section 203. "The right to vote is one of the most fundamental of human rights. Unless government assures access to the ballot box, citizenship is just an empty promise."

--Section 203 is carefully targeted to those communities with high numbers of language minority U.S. citizens of voting age who according to the Census are not fully proficient in English.

--The Voting Rights Act protects the rights of citizens such as Native Americans who continue to speak their traditional languages and residents of Puerto Rico who are U.S. citizens by birth but whose native tongue is Spanish. These limited English proficient citizens may require some language assistance in casting an informed ballot.

--Voter and registration figures among Latino U.S. citizens have increased dramatically since Section 203 was enacted whereas between 1972-76 these figures were declining. Providing bilingual materials, instruction and assistance makes a real difference for informing citizens, particularly the elderly, with limited English language abilities.

--Bilingual ballots on Election Day will not discourage the learning of English by limited English proficient citizens the remainder of the year any more than a ban on literacy requirements for voting discourages literacy.

--Congress examined the cost of bilingual compliance when it extended Section 203 in 1982 and 1992 and concluded that it was not burdensome. Indeed, in many jurisdictions, the cost is literally pennies per ballot and local registrars do not keep track of separate expenditures.

--Section 203 requires that voter information be provided in the language they understand best so that they may be informed voters. The entire citizenry benefits when citizens can cast informed votes and promotes our ideal of a true democracy.

## ENGLISH ONLY NATURALIZATION ISSUES

- ◆ Promoting citizenship, or making real the "N" in INS, is a top priority of the Immigration and Naturalization Service (INS). The million people currently seeking citizenship indicates a strong desire to become full fledged Americans.
- ◆ The INS recently announced a new initiative, Citizenship USA, to employ new examination methods and to streamline the processing of naturalization applications. Los Angeles is the first site of this major nationwide initiative.
- ◆ By law applicants for naturalization must pass English proficiency and civics tests in order to become citizens. INS wants to ensure that all Americans have the basic English language skills to advance in the United States.
- ◆ Since 1952, Congress has made naturalization more accessible to potential applicants by waiving the English language requirement for naturalization for elderly persons who have been legal permanent residents in the United States for at least 15 years. We strongly support this waiver for those members of our society who require special consideration--the elderly.
- ◆ There are now legislative proposals barring languages other than English at naturalization ceremonies. INS has traditionally conducted these ceremonies and administered the oath of allegiance in English and will continue to do so. However, providing some language assistance or translations during the ceremony is both practical and appropriate in certain situations. For example, a translation of the obligations of citizenship may be desirable before an audience which is English proficient, but may still encounter language difficulties with more technical concepts. It also makes the ceremony more understandable to other family members in the audience who may not know English. In addition, we are concerned that prohibiting a federal judge or a speaker at a ceremony from giving a salutation or congratulation in a language other than English would conflict with constitutional principles.

## DRAFT

English as the Official Language

- Seven bills and resolutions designating English as the official language of the United States have been introduced in the Congress. The House Committee on Economic and Educational Opportunities held hearings on those bills on October 18 and November 1.

- Efforts by Federal agencies to accommodate and serve those who are limited English proficient primarily involves printing documents in other languages and providing bilingual translators. The GAO reported in September that from 1990 to 1994, Federal agencies, apart from Defense and State, published 265 documents in languages other than English. This represented less than 1% of all government documents.

- In a speech, in September, to the Congressional Hispanic Caucus Institution, the President spoke against the need to make English the official language. "Of course English is the official language of the United States. That's not the issue. The issue is whether children who come here, while they are learning English, should be able to learn other things. The issue is whether American citizens who work hard and pay taxes and are older and haven't mastered English yet should be able to vote as others..."

[ ]

**Talking Points in Response to Foreign Language Ballots as Government Excess (Response to Roth on 1/25/96)**

--Section 203 was first added to the Voting Rights Act in 1975 in recognition that large numbers of American citizens who spoke languages other than English had been effectively excluded from participation in our electoral process.

--Each enactment and amendment of Section 203 enjoyed strong bipartisan support and the support of the Ford, Reagan and Bush Administrations. (All these enactments occurred during Republican Administrations.)

--As Congressman Hatch noted in connection with the 1992 extension of Section 203. "The right to vote is one of the most fundamental of human rights. Unless government assures access to the ballot box, citizenship is just an empty promise."

--Congress found that the denial of the right to vote among such citizens was directly related to the unequal educational opportunities afforded them resulting in high illiteracy and low voting participation.

--Section 203 is carefully targeted to those communities with high numbers of language minority U.S. citizens of voting age who according to the Census are not fully proficient in English.

--Under the coverage formula of Section 203, only persons who are actually unable to communicate effectively in English, as measured by the decennial census, are classified as language minorities. Thus, as English-language proficiency increases among the language minority population, minority language coverage should diminish.

--Both rates of voter registration and actual participation in elections by minority language individuals have increased since Section 203 was enacted. We are convinced that providing bilingual materials, instruction and assistance makes a real difference at the polls for minority language citizens with limited English language abilities.

-- The real world in this country is multicultural. Many Native Americans and some other language minority citizens, especially older individuals, continue to speak their traditional languages and live in isolation from English-speaking society.

--While English proficiency is the usual requirement for obtaining naturalized citizenship in this country, there are exceptions for elderly resident aliens who have been here 15-20 years, when they apply for citizenship.

--Puerto Ricans, who make up a significant percentage of the Hispanic population, are citizens by birth. Many of them have Spanish as their native tongue, and they may require some language assistance in casting an informed ballot.

--Bilingual ballots will not discourage the learning of English by limited English proficient citizens any more than a ban on literacy requirements for voting discourages literacy.

--Congress examined the cost of bilingual compliance when it extended Section 203 in 1982 and 1992 and concluded that it was not burdensome. The 1992 congressional examination was informed by the report of the General Accounting Office published in 1986, *Bilingual Voting Assistance: Costs of and Use During the November 1984 General Election*. Indeed, in many jurisdictions, the cost is literally pennies per ballot, and local registrars do not keep track of separate expenditures.

--Section 203 requires the use of minority languages in order to enable language minority citizens to be effective voters; it does not require jurisdictions to spend money that would not further this goal.

--Jurisdictions covered by Section 203 are encouraged to target their bilingual assistance and materials to those who need them and to tailor cost-effective programs. They are encouraged to work with local minority language communities to determine actual local needs, on a precinct-by-precinct basis.

--The Attorney General recommends that, where possible, bilingual ballots rather than separate English language and minority language ballots be used. The use of separate ballots can be more costly; separate ballots give rise to the possibility that the secrecy of the ballot will be lost if a separate minority language ballot is selected; and it requires the voter to identify him or herself as someone not totally fluent in English. In addition, many minority language citizens are bilingual and prefer the bilingual format. Only seven covered jurisdictions use separate minority language ballots because they conduct elections in two languages other than English (not including Native American languages not used in written form).

--The program adopted by Alameda County, California, provides for bilingual poll officials and bilingual election information for the Chinese-speaking citizens of Alameda County. There were 68,184 Chinese Americans in 1990, and the community is increasing rapidly. The program is marked by efficiency and effective targeting of information and materials to those who need them. It is also flexible and adapts to changing circumstances.

### Minority Language Ballots

In general, jurisdictions covered for Asian languages do not print individual foreign language ballots for voters but rather use punchcard systems or voting machines. For instance, Alameda County and Los Angeles County, California, both use punch cards. The punch card itself is identical for each voter -- it just has a lot of numbers. Each polling place has a booklet that fits over the punch card device that contains the names of the candidates. In Alameda County, under the plan provided by the consent decree, there will be two versions of the booklet, one in English and Spanish and one in English and Chinese. In Los Angeles County, there are separate booklets for each of the languages that are used. In New York City, voting machines are used. All three languages (English, Spanish, and Chinese) appear on the face of the machine.

It is unclear, under these circumstances, what the counties alleged by Roth are paying for in large numbers. Perhaps they are reporting the costs for sample ballots that are mailed to the voters (but this would not account for the data regarding number of ballots used).

In any event, according to the Civil Rights Division, the costs reported by Alameda County are outrageously high and appear inflated by unnecessary costs. Per voter costs may seem high because the County failed to publicize the availability of Chinese language voting materials available for the first time. Since the voters in need were unaware of the availability of Chinese language materials, few of these voters would have requested them. In addition, the county selected a high-cost printer, used unnecessarily expensive paper, and used an inefficient layout.

*Emergency*



UNITED STATES DEPARTMENT OF EDUCATION

OFFICE OF BILINGUAL EDUCATION AND  
MINORITY LANGUAGES AFFAIRS

330 C Street, SW, Room 5082  
Washington, D.C. 20202-6510

FACSIMILIE COVER SHEET

(202) 205-5463 phone  
(202) 205-8737 fax

SEND TO Organization	Wit Domestic Policy	From	Gabriela Uro
Attention	Steve Warnath	Date	2/28/96
Fax Number	456-7028	Phone Number	205 9157

- Urgent     
 Reply ASAP     
 Please Comment     
 Please Review     
 For your information

Total pages, including cover sheet:

9

COMMENT:

*Steve,*

*Our revised draft only changed a bit  
in the Civil Rights section.*

*Call me if you have questions.*

*Thanks,*

*Gabriela*

**CONFIDENTIALITY NOTICE**

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Draft 2/28/96 Page 1

## FAX-Memorandum

To: Steve Warnath  
From: Gabriela Uro  
Date: February 28, 1996  
Re: Revised Education Talking Points related to English Only

Please find attached the revised draft of the talking points related to Education and the English Only initiatives and our comments (minor) on the talking points submitted by other agencies. I am also sending you the memo we sent to OMB related to S.356 which should also apply to H.R.123 since they are the same.

I was a bit confused by the talking points related to bilingual ballots. There are two sets of these, one specifically responding to Roth (1/25/96). We probably should consolidate these to ensure consistency.

cc: Delia Pompa  
Norma Cantu  
Ron Petracca

**English as the Official Language  
Draft Talking Points Re: Education  
for Administration Statement**

English is already accepted as the common language of the United States; that is not the issue being debated. The issue is whether children who themselves or whose parents speak another language should be able to learn other things, while they are learning English. The issue is whether American citizens who work hard and pay taxes and haven't mastered English yet should be able to vote and have a meaningful participation in our democracy. [From President Clinton's address at the Congressional Hispanic Caucus Dinner, September 27, 1995.]

The bond of the American people is rooted in the shared values of freedom, democracy and human rights. Countless number of individuals, speaking a number of different languages, have come to America seeking such values and have continued to strengthen our nation's resolve to uphold these values.

Non-English speaking Americans and immigrants want to learn English and are doing so at even faster rates than before. These adults are lined up across America to enroll in English as a Second Language classes for adults.

**Facts Useful for Responding to Qs & As**

*English Proficiency and Usage of English*

- 97 percent of the U.S. population speak English
- of children (age 5-17) who speak a language other than English at home, the portion that speak English "very well" is growing faster (8.07%) than the total number of these "language minority" children
- only 0.06 percent of federal government documents are in languages other than English
- approximately 3 million limited English proficient (LEP) children and youth are enrolled in our schools today (approximately 6 percent of total enrollment)

*Education & Bilingual Education*

Although the discussion of English as the Official language is primarily framed as the opposite alternative to bilingual education; the issues are varied and far-reaching in education, affecting:

- (a) the flexibility of schools and school districts in determining the best educational practices—including language of instruction—to serve their students;
- (b) the strategies used to communicate with parents and families to establish a successful partnership for the education of all children; and
- (c) the compliance with statutory requirements regarding informing parents of the educational rights of their children.

- specifically related to bilingual education, several facts are important to note:

(a) Since originally enacted in 1968, the Bilingual Education Act has funded programs with the primary objective of helping student learn English. Consistent with this objective, the 1994 reauthorization of the Bilingual Education Act funds programs that: 1) make sure every child learns English, 2) make sure that every child masters academic subjects, such as math and science, while continuing to learn English, and 3) require that teachers serving students in those programs are proficient in English

(b) Title VI of the Civil Rights Act requires that schools provide meaningful access to the instructional program. Schools have the flexibility whether or not to use native language in instruction.

(c) Studies have shown that bilingual education, where native language is used, provides a solid academic foundation for students, as they learn English. Longitudinal studies which examine LEP students academic achievement have found that the late-exit students (those receiving instruction in their native language) demonstrated the ability to close the gap eventually between native speakers' performance and LEP students' performance over time (Ramirez et al 1991, Final Report: Longitudinal study of structured English immersion strategy, early-exit and late-exit bilingual education programs for language-minority children, Vol. II p. 639)

• **English as a Second Language classes for adults** are in high demand given the diversity of our population and latest immigration trends. Some important characteristics to note are:

(a) About two-thirds of all recent immigrants (3 years or less) are limited English proficient. There are an estimated 12 to 14 million LEP adults living in the U.S.

(b) On average, the majority of LEP adults have significantly lower incomes than other Americans.

(c) Entry requirements to postsecondary institutions include a level of English proficiency which generally exceeds that of LEP adults.

(d) LEP adults tend to suffer from limited access to public services, the inability to fill out forms for employment or government purposes, and a lack of knowledge about public affairs. In other words, LEP adults face many barriers to becoming active members of their communities and participating in our democracy.

(e) According to state performance reports, in 1993, an estimated 1.6 million persons were served by federally-funded adult education programs for ESL. A study of the high demand for ESL classes indicates that:

\* in mid-October of 1990, 25 percent of ESL programs surveyed reported having waiting lists and

\* ESL programs reported having 41 thousand individuals on waiting lists (8 percent of the population served).

### **Title VI of the Civil Rights Act of 1964 Implications for Limited English Proficient Students**

Title VI of the Civil Rights Act of 1964, 42 U.S.C. 2000d et seq., and its implementing regulation at 34 C.F.R. Part 100 require that each state and local educational agency that receives federal monies provide equal educational opportunity to limited English proficient (LEP) students. Additionally, Congress mandated in the Equal Educational Opportunities Act of 1974 that state and local educational agencies remove barriers to the education of LEP students.

#### ***Criteria to Determine Compliance***

To determine compliance with these federal civil rights laws, the Office for Civil Rights of the U. S. Department of Education (OCR) evaluates three factors:

- whether the recipient of federal funds is providing alternative language programs to LEP students which are necessary to ensure such students equal access to the educational benefits offered by the school;
- whether the alternative services provided are calculated to be effective; and
- whether the recipient's alternative program produces results indicating that students are learning English and gaining access to the overall educational program. See OCR's Lau policy memoranda, including, most recently, OCR's policy update of September 27, 1991.

***Does the law mandate a specific instructional program?***

Title VI does not mandate any specific instructional program or methodology; however, the Courts in interpreting Title VI have required that the methodology or program selected by the school be vouched for by sound educational judgment. Federal courts have approved of the adoption of transitional bilingual educational programs as educationally sound in a variety of federal Circuits (5th, 7th, 9th, 10th). In addition, bilingual education, structured immersion, developmental bilingual education, and English as a Second Language are recognized as legitimate educational strategies. On the other hand, courts have rejected programs that place students in all-English classrooms without special language instruction; these programs are often referred to as English immersion programs.

**Often Asked Questions and Criticisms of Bilingual Education**

***1. Bilingual Education programs encourage native language proficiency instead of helping students learn English.***

Nothing is further from the truth. Since enacted in 1968, the primary objective of the Bilingual Education program has been to help students learn English.

***2. Bilingual Education programs delay and may impede students from learning English.***

Research shows that use of the native language does not interfere with the acquisition of a second language. Literacy development, academic skills, subject knowledge, and learning strategies developed in the native language will all transfer to the second language.

***3. Federal law requires schools to utilize native language for instruction.***

No regulation nor statute requires that native language be used for instruction. Bilingual education programs that receive federal funding do so by applying through a competitive process in which local education agencies submit their own instructional programs. The extent to which native language instruction is used is determined by the local educational agencies.

***4. Federally funded Bilingual Education programs are duplicative and no longer necessary.***

Bilingual education programs exist in numerous school districts across the nation. They are funded by local, state and federal funds. Studies indicate that LEP students are still falling behind their native English speaking peers and many are not receiving educational services for which they are entitled. The need for federal guidance and technical assistance in developing appropriate educational services for LEP students continues to exist. For FY 1995, over 1,600 applications were received to compete for bilingual education funds. There was only enough money available to fund 386 of these applications, equivalent to only 24 percent of all applications received.

***5. Does bilingual education minimize social assimilation?***

Opponents of Bilingual Education contend that using the native language promotes multiculturalism and thwarts cultural assimilation into American society. Others contend

that the insistence on the development of English proficiency leads to rapid assimilation and cultural loss. Both positions are inaccurate—assimilation or non-assimilation is in the hands of parents and students, not of federal bilingual education programs.

**6. *Does federally-funded bilingual education allow for the employment of teachers who are not proficient in English?***

No. Title VII requires that the program employ teachers who are proficient in English. Applicants must provide such an assurance as part of the application package.

Revised Version 1/8/95

ENGLISH AS OFFICIAL LANGUAGE DOJ PROPOSED TALKING POINTS

The government has a proper role, indeed a responsibility, to encourage English language proficiency. The government should fulfill that responsibility by providing instruction, including bilingual education as appropriate, to assist children and adults in attaining English proficiency. All Americans, regardless of class or numbers of generations in the United States, must have English language skills to advance economically and socially in the society.

In addition, the government also has an obligation to protect the safety, health, and rights of its citizens. There are any number of ~~appropriate uses~~ of instances in which it is appropriate for the government to provide information in a language other than English, such as OSHA warning signs, court interpreters, public health and voter information.

We have not yet taken a formal position on the various English Only proposals now in Congress. However, we are studying them carefully and are paying particular attention to proposals which may hinder the government's essential ability to fulfill its responsibilities to its citizens, such as requiring federal employees to communicate only in English to United States citizens.

Amending the Constitution or limiting people's rights under the Constitution is very serious business. Thus, it is important to explore the serious practical implications of English Only legislation or constitutional amendments on the everyday lives of Americans in the 50 states, Puerto Rico, Guam and American Samoa.



UNITED STATES DEPARTMENT OF EDUCATION  
OFFICE OF THE GENERAL COUNSEL

Memorandum:

February 16, 1995

TO: Ms. Jill Gibbons, OMB

FROM: Department of Education  
attn: Randy Hansen 401-6265

SUBJECT: S. 356, the "Language of Government Act of 1995"

This responds to your request for the Department's views on S. 356.

We believe that, as drafted, S. 356 probably would not preclude the Department from funding instructional programs supported by bilingual education, Title I, and migrant education projects under Elementary and Secondary Education Act (all of which promote "greater opportunities for individuals to learn English"); from providing non-English translations of education and civil rights enforcement information; or from communicating with Puerto Rico and other non-English speaking territories in their native languages. However, because the legal effect of S. 356 will result from the interpretation of its quite vague terms, we are seriously concerned that, without a great deal more clarity, the bill's provisions could be administered in a prohibitive and extreme manner, cause confusion and divisiveness, and provide for a flood of new, wasteful litigation.

For example, as amended, section 163(a) of revised Title 4 would direct the "Government" to conduct "its official business in English". By this, does the bill intend at least an English language version of all Government documents or, alternatively, to ensure that Government documents are issued only in English? The latter is clearly impractical; but the definition of "official business" and its enumerated exclusions leave substantially unclear what is intended. Are public notices, pamphlets, parent communications, civil rights enforcement interviews of victims and witnesses, or program instructions "enforceable", and therefore "official business"? If so, for example, the prevention and remediation of civil rights violations would be greatly undermined.

Also, section 163(b) would create remedies for any person who is denied services or assistance "solely because the person communicates in English". It is unclear how, if at all, this provision would effect bilingual education programs that are

generally limited to limited English proficient children. Could an English proficient individual who was denied services under a Bilingual Education program file suit?

We understand that the Department of Justice is preparing a report addressing the constitutional issues presented by the bill. We hope that DOJ, in reporting on S. 356, will address the narrowing and chilling effect S. 356 may have on the enforcement of "national origin" anti-discrimination statutes (such as under Title VI of the Civil Rights Act of 1964), and whether Congress, in revised section 164, can create standing for any person "alleging injury."

We do not believe there is any real threat that the Federal Government will stop communicating in English (a recent GAO report indicates that fewer than one percent of all Federal documents are even translated into languages other than English). Nor do we believe that S. 356 will facilitate progress in helping non-English-speaking individuals learn the English language. In this regard, we note that despite the greater numbers of new immigrants who have entered the U.S. in the past 20 years (more than in any other period of our history), studies show that the rate at which these immigrants are shifting from their native language to English is accelerating and that the percentages of language minority students who speak English "very well" has significantly increased.

For all these reasons, we do not support S. 356.

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WASHINGTON TODAY: Supreme Court Test of English-Only Laws Could Fizzle

By RICHARD CARELLI  
Associated Press Writer

WASHINGTON (AP) - Already an issue in the presidential campaign and in Congress, the drive to make English the nation's official language also has reached the Supreme Court.

But the justices may avoid stepping into this emotional political thicket.

The legal case began when Maria-Kelly Yniguez challenged an Arizona law that barred her from speaking Spanish on her state job to people seeking help.

Adopted by voters in 1988, an amendment to the Arizona constitution required the state to "act in English and no other language." There were few exceptions. Arizona is one of 23 states that currently have English-only laws.

On Capitol Hill, a House committee has approved Republican legislation that would declare English the federal government's official language. If it became law, the measure, which has 199 co-sponsors, would bar the Internal Revenue Service from printing tax information in Spanish. Citizenship ceremonies would have to be conducted in English.

Bob Dole, the certain Republican presidential nominee, supports the federal legislation. "We need the glue of language to hold us together," he says.

But President Clinton has criticized the idea. English is "of course" the language of the United States, he says, but people should value "the culture, the traditions of everybody."

Historically, the court is reluctant to become involved in cases that are politically charged. It doesn't always avoid them, as demonstrated by past decisions outlawing school desegregation, requiring population balance in legislative districts and nullifying state laws outlawing abortion.

In the English-only case grounds exist for the court to avoid entering the case at this point.

Before the court makes any constitutional ruling, two procedural hurdles have to be cleared.

The justices are studying the legal standing of the amendment's chief supporter, the group Arizonans for Official English.

And the court wants to know if there is still a live "case and controversy" since the state employee who challenged the Arizona law quit her government job in 1990 for reasons unrelated to the legal fight.

(MORE)

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# ASSOCIATED PRESS

In her job with a state agency, Yniguez helped people who had medical malpractice claims. Many of them were far more comfortable speaking Spanish than English.

When Yniguez sued in an attempt to keep speaking Spanish on occasion in her job, she named Arizona as a defendant. Then-Gov. Rose Mofford, a critic of the law, did not appeal a federal judge's ruling that declared it unconstitutional.

AOE, which had spent plenty of money promoting the measure, intervened and pursued appeals aimed at reviving it.

Arizona officials are urging the justices to rule that AOE lacks the legal standing to defend the amendment because it was not a defendant. They also argue that the 9th U.S. Circuit Court of Appeals wrongly kept the case alive based on Yniguez's possible claim for nominal monetary damages.

AOE cogently argues that if it lacks legal standing to appeal, "then no initiative is safe from collusive suits."

"All a state would have to do to avoid initiatives it did not like was to refuse to appeal an adverse ruling," lawyers for the group say.

But the group's contention that Yniguez's resignation did not wash out the case appears less focused. The argument is built, in part, on portraying the real dispute as between AOE and another group, Arizonans Against Constitutional Tampering.

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EDITOR'S NOTE - Richard Carelli covers the Supreme Court for The Associated Press.

[official&english]

2/2

SOCIAL POLICY

LAW / JUDICIARY

# Panel OKs Bill To Make English Official Government Language

After several hours of highly partisan debate, the House Economic and Educational Opportunities Committee approved a bill July 24 that would make English the official language of the U.S. government. The party-line vote was 19-17.

The bill (HR 123) would require most federal government documents to be printed in English. Agencies could use other languages in certain cases to protect public health and safety, provide for national security, or protect the rights of crime victims or criminal defendants.

Randy "Duke" Cunningham, R-Calif., who led the charge for the measure, said English proficiency is necessary for workers "to achieve the American dream." He called English a "unifying force" in America, and said the bill would persuade non-English speakers to learn the language.

Democrats decried the effort, saying the bill would do nothing to help non-English speakers learn the language and would prevent many people from understanding their government. They said little government business is conducted in other languages anyway and adult English classes are already filled with people trying to learn.

"This sends a message of intoler-

*By Christopher Swope*

**BOXSCORE**

**Bill:** HR 123 — English as the official language of the U.S. government.

**Latest action:** House Economic and Educational Opportunities panel approved the bill July 24.

**Next likely action:** House floor debate.

**Background:** The bill would require federal agencies to conduct most business exclusively in English.

ance for those trying to learn English," said Xavier Becerra, D-Calif., adding that the bill would shut off his predominantly Spanish-speaking parents from the government.

The measure would affect many government activities, including congressional communications, the printing of tax forms and dispersal of information on Social Security benefits.

The bill, introduced by the late Bill Emerson, R-Mo., would not cut government involvement in bilingual education, nor would it prohibit federal employees from speaking other languages, on or off the job.

Lindsey Graham, R-S.C., said the

measure would save the government money, and cited the recent example of the Internal Revenue Service printing 500,000 tax forms in Spanish, only to have fewer than 1,000 returned.

Democrats countered with a recent General Accounting Office study that found only 265 documents out of 400,000 released by the Government Printing Office over five years to be in foreign languages.

The committee rejected a Becerra substitute that would have allowed continuation of services in other languages, encouraged expanded opportunities for those learning English, and assisted American Indians in preserving their languages. The party-line vote was 17-22.

Committee Chairman Bill Goodling, R-Pa., said the substitute ran "100 percent opposite" of the bill, and that he would "hate to put a price tag" on any government effort to help tribes preserve their languages.

The committee also rejected, 18-18, an amendment by Resident Commissioner Carlos Romero-Barceló, D-Puerto Rico, that would have allowed federal agencies to conduct official business in languages other than English when doing so would be most efficient.

The panel accepted by voice vote an amendment by Matthew G. Martinez, D-Calif., to exempt the 10-year census from the bill, because a head count conducted only in English could exacerbate problems with undercounting minorities.

The bill is expected on the House floor this year. The Senate Governmental Affairs Committee is expected to mark up a similar bill (S 356) soon. ■

**Discrimination****WOMAN WHO THOUGHT SHE WAS PREGNANT  
CAN SUE FOR BIAS UNDER PDA, COURT FINDS**

A federal district court in Florida has upheld the right of a woman who thought she was pregnant to sue for pregnancy discrimination under Title VII of the 1964 Civil Rights Act and the Florida Civil Rights Act of 1992. The court, however, found that the plaintiff failed to demonstrate a prima facie case of pregnancy discrimination (*Jolley v. Phillips Educational Group of Central Florida Inc. d/b/a Phillips Junior College*, DC MFla, No. 95-147-CIV-ORL-22, 7/8/96).

"Based on Congress' intent underlying the PDA [Pregnancy Discrimination Act] and its plain language, the court agrees that [plaintiff] could fall within Title VII's protected class if she could properly make out a prima facie case," the court ruled.

However, the court concluded that the plaintiff, Tonia Jolley, could not make that case and, therefore, it granted the defendant's motion for partial summary judgment as to the claims of pregnancy discrimination under the federal and state laws.

Jolley was employed by Phillips Junior College as an admissions/recruitment representative in July 1992. In August 1993, a newly hired admissions department director, Tony Wallace, announced that he would make some changes, including moving representatives' desks from their private offices into one main room and extending their work hours into the evening in exchange for additional work breaks during the day.

**Woman Told Boss She Might Be Pregnant**

The three employees involved protested the changes that Wallace proposed, but Jolley disagreed vociferously. This, Wallace said, led him to terminate Jolley on the basis of poor attitude and insubordination. Jolley said the termination was a violation of her protected status under the PDA amendment to Title VII because she had told Wallace prior to her termination that she thought she might be pregnant.

When Wallace told employees they would have to move their own desks, Jolley said she refused to move hers and explained to Wallace that she thought she might be pregnant. According to the court, Wallace asked Jolley "You mean you weren't put through a machine to make sure that you couldn't have children before you started here?"

During testimony, Jolley and another female representative from Phillips testified that Wallace did not like women attempting to mix careers with raising children.

Shortly afterward, Wallace terminated Jolley, saying it was because of her "'attitude.'"

**Pregnancy Discrimination Not Proven**

Phillips contended in its defense that Jolley could not seek pregnancy discrimination protection because she was not, in fact, pregnant at the time she was dismissed. Although Phillips presented several cases to support its contention, the court said that none of the cases cited required that a woman be pregnant to recover damages under PDA.

Citing statutory language, case law, and legislative history, Judge Anne C. Conway of the U.S. District Court for the Middle District of Florida

said it is clear that a plaintiff need not be pregnant to be classified a member of Title VII's protected class. However, she noted, the issue under consideration was whether Jolley deserved protected status under the facts in her case.

While Jolley presented information that Wallace had made derogatory remarks concerning women, children, and Jolley's potential for becoming pregnant, the court said Jolley did not present a convincing argument that those views led to her dismissal. Rather, Phillips' presentation of events leading up to Jolley's termination show more convincingly that she was dismissed because she antagonized Wallace when he tried to implement new policies.

"It was this confrontation, and not the "'pregnancy'" conversation, that directly preceded Jolley's termination," the court wrote. In granting the defendant's motion for partial summary judgment on the pregnancy discrimination claim, the court concluded that Jolley did not offer sufficient evidence to establish a prima facie case under the PDA.



## Anti-Americanization

By John D. Fonte

*Today, as in the past, Americans are faced with the formidable task of incorporating millions of immigrants into our civilization. During the Clinton years, however, unlike in the days of Teddy Roosevelt and Woodrow Wilson, the goal of assimilation has come under attack and with it the very definition of American citizenship.*

At the beginning of the twentieth century, large numbers of immigrants from ethnic groups relatively new to the American melting pot entered the United States. American presidents, Republicans and Democrats alike, agreed on two basic goals: teach the newcomers English and make them Americans. The clear aim was to strengthen our national identity—to reinforce the *unum in e pluribus unum*—by assimilating the new arrivals into American civilization.

As the twentieth century nears its end, large numbers of immigrants from ethnic groups relatively new to the American melting pot are, once again, entering the United States. Today, however, the American president, William Jefferson Clinton, promotes policies that are directly opposed to the strategies advocated by Theodore Roosevelt, William Howard Taft, and Woodrow Wilson. Instead of promoting Americanization and emphasizing the learning of English, the current occupant of the White House favors policies that weaken our national identity—de facto anti-assimilation measures, anti-English-language initiatives, and an indifference to substantive citizenship training.

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John D. Fonte is visiting scholar at the American Enterprise Institute. This article appeared in the *National Review* on September 2, 1996.

President Clinton and Education Secretary Riley tell us that their goal in supporting bilingual education is “transitional.” Schools should teach kids basic subjects in the children’s primary language so that they do not fall behind in math, science, history, and the like while they are learning English. Education professionals, however—the people who actually run the schools—strongly emphasize “cultural preservation.” Thus the Los Angeles Unified School District advises teachers “not to encourage language-minority” parents to speak English at home, but instead “to encourage them to strongly promote development of the primary (non-English) language” in their children. Current law buttresses the bilingual establishment by requiring that 75 percent of all programs for newcomers be taught in the student’s native language. This is at odds with proven principles of learning a second language, which is best done by writing and speaking it as much as possible, not simply by attending a one-hour class five days a week.

### Evaluating Bilingualism

Even measured by its own criteria, bilingual education is a failure. It neither teaches English well, nor keeps students from falling behind in other subjects. A recent and

comprehensive evaluation reported in the research journal sponsored by the National Council of Teachers of English found that "there is no body of research evidence to support the notion that non-English-speaking children will read, write, and do academic work in English better if they learn to read, write, and do academic work in their home language first."

The dismal failure of bilingual education to teach children English has led to open revolts by Hispanic parents in New York, California, New Jersey, and Nebraska. In the Bushwick section of Brooklyn, 150 Latino parents organized to fight for English instruction for their children. Sister Kathy Maire, a Roman Catholic nun working with the parents, stated: "The bottom line is these kids are being robbed of their futures." In Los Angeles some 100 Hispanic parents pulled their children out of a local school to protest bilingual education. Indeed, a U.S. Department of Education survey of Mexican- and Cuban-American parents revealed that four-fifths opposed teaching their children in Spanish, if this meant that less time would be devoted to English. Unfortunately, the education bureaucracy has a vested interest in keeping children in bilingual programs, because as the students "transition out" of native language instruction, the schools lose government funds.

In this fight, the Clinton Administration has from the beginning stood on the side of the bilingual establishment. Even before he was elected president, Bill Clinton, in an article in *Phi Delta Kappan* (October 1992), blasted the Bush Administration for not spending enough money on bilingual education. Once in power, the Clintonites have not simply advocated more money for existing bilingual programs; they have expanded multilingual education. For example, the Administration's major education bill, the Improving America's School Act of 1994, authorized federal funds to develop written grammar for previously oral American Indian and Native Alaskan languages. Thus instead of merely preserving primary languages, bilingual education under Clinton may include inventing what are essentially new written languages.

For the first time, the congressionally mandated National Assessment for Educational Progress

(NAEP), the "Nation's Report Card," will be given in Spanish as well as in English. Clinton's Deputy Secretary of Education Madelein Kunin sent a memorandum to the civil servant in charge of the tests stating that "excluding" children whose English is limited violated the Civil Rights Act and ordering that these students should be accommodated by providing them with Spanish versions of the math and science tests. The irony in giving the tests for the NAEP to American students in a language other than English appears to have gone unnoticed by either the Clinton Administration or the Republican Congress, which has remained mute on this issue. As Jorge Amselle of the Center for Equal Opportunity put it, "If [the students] ace a history test in Spanish and flunk it in English, it's not going to do them any good when they go to get a job."

### **The Dumbing Down of Citizenship**

In a brilliant new book, *Americans No More: The Death of Citizenship*, syndicated columnist Georgie Anne Geyer chronicles in painful detail the steady diminution of naturalization, the once meaningful process of immigrants' becoming American citizens. While the dumbing down of citizenship did not begin on January 20, 1993, it has clearly accelerated under the Clinton Administration. In December 1995 the Administration expanded the use of foreign languages on citizenship tests: Four hundred new centers give the test in Spanish. Plans are underway to offer tests in Korean, Vietnamese, and Tagalog.

The attitude toward the importance of English for American citizenship is reflected in the comments of Jess Nieto, a director of one of the community organizations authorized by the Immigration and Naturalization Service (INS) to give citizenship tests. Nieto declared, "Many of these people (resident aliens applying for citizenship) have been here a million years. Why should they have to take the test in English?"

The citizenship tests themselves have been stripped of much of the rich historical, civic, and patriotic content that once made studying for and passing the test a truly gratifying experience in the life of a new American citizen. Even the dignified and moving court ceremony for swear-

ing in new immigrants is no longer mandatory. Besides the INS, over eight hundred organizations are now eligible to give citizenship tests. Leftist advocacy groups such as the Asylum and Refugee Rights Project, Washington Lawyers' Committee for Civil Rights under the Law, and the Mexican-American Legal Defense and Educational Fund are working closely with the INS. Ironically, activist lawyers who spend their working hours litigating against any legal distinctions between citizens and noncitizens are often running the official process that makes resident aliens American citizens.

Prevailing attitudes about citizenship and American identity are revealed in the words and actions of Clinton appointees. For example, Eugene Garcia, Clinton's bilingual education chief from 1993 to 1995, told a conference of bilingual educators: "The border for many is nonexistent. For me, for intellectual reasons, that border shall be nonexistent." INS Commissioner Doris Meissner has suggested that the Oath of Allegiance in which new citizens promise to "absolutely and entirely renounce and abjure all allegiance and fidelity to any foreign prince, potentate, state, or sovereignty, . . . support and defend the Constitution and the laws of the United States of America against all enemies, foreign and domestic" is "anachronistic" and should be changed. One of Mrs. Meissner's chief lieutenants at the INS, Alexander Alienikoff, has, according to Georgie Anne Geyer, "argued constantly that it was time no longer to distinguish or differentiate between citizens and legal aliens." Another top Clinton official, Robert Bach, wrote a report for the Ford Foundation recommending that noncitizens be permitted, indeed encouraged, to vote in local elections. In addition, Housing and Urban Development Secretary Henry Cisneros threatened to cut off federal funds to Allentown, Pennsylvania, after the city declared English its official language. (Allentown agreed not to enforce the ordinance and HUD funds continued.)

### **Competing Visions of the Future**

For the past several decades, Americans have had a continuing argument over two visions of the future, an argument that will determine the

fate of our national identity. Do we promote English or multilingualism? Do we strengthen American citizenship or do we diminish it? Should we be a multiethnic nation or a multicultural one? A multiethnic nation means an America composed of individual citizens belonging to racial and ethnic groups from all over the world. On the other hand, a multicultural nation emphasizes group identity, not individual citizenship. It establishes different legal and language rights for different racial and ethnic groups, rejects assimilation, and erases distinctions between citizens and noncitizens.

There is no doubt that the Clinton Administration has joined the battle on the side of multilingualism and multiculturalism. The words and deeds of the Administration are clear and consistent: expand official multilingualism wherever possible; water down the substantive meaning of citizenship; blur distinctions between citizens and noncitizens; advocate voting by noncitizens; and use Federal Government power to harass opponents of these policies.

Recently, Congress has started to challenge the Administration. On August 1, a bill making English the official language of the United States and allowing states to eliminate multilingual ballots passed the House. Despite these efforts, a serious and sustained intellectual and moral argument against the continuing assault on American national identity has not yet been heard. In the final analysis, the struggle between multiethnic America and multicultural America will be won by the side that is able to articulate an intellectual and moral argument that resonates with the American people.

The Clinton Administration and their multilingualist allies have not made a compelling case for their radical new vision of America, but they have largely succeeded in scaring off and intimidating potential opposition. Their strategy is name calling—denounce opponents of official multilingualism as mean-spirited, racist, and bigoted. Thus the American Civil Liberties Union characterizes opposition to official multilingualism in terms of "hate mongering" and "fostering bigotry and intolerance."

No wonder opponents of official multilingualism have been hesitant to make this a major

issue, knowing they will be vilified as racists and bigots. My guess, however, is that the great silent majority of Americans from all ethnic and racial backgrounds is waiting—indeed hungering—to hear the voice of multiethnic America challenge the multilingual/multicultural forces and dislodge them from the moral high ground.

This voice of multiethnic America would tell us: We the People of the United States, a self-governing and free people, have a moral right to transmit our way of life and our national heritage to future generations of America. Fluency in English is essential for full participation in our society. To tell newcomers to America otherwise is to lie to them. To be an American citizen is a privilege, not a right. To cheapen citizenship and blur the boundaries between citizens and noncitizens is to mock the sacrifices that have sustained our nation for more than two hundred years. If we do not take citizenship seriously, we do not take our constitutional democracy seriously.

## Conclusion

Therefore, we should establish English as our official language, eliminate bilingual education and multilingual ballots, and end the corruption of our naturalization process. Moreover, as people on both sides of the immigration debate—including Linda Chavez, John Miller, Dan Stein, and the late Barbara Jordan—have suggested, it is time to launch a new civic integration effort, similar to the Americanization initiatives earlier this century. Nothing could be more welcoming and inclusive than fostering English and teaching the responsibilities of citizenship to newcomers. Those of us whose parents and grandparents came through Ellis Island at the turn of the century are particularly grateful that

Presidents Roosevelt, Taft, and Wilson advocated Americanization, instead of multilingualism and multiculturalism.

Opposition to official multilingualism does not mean that Americans should not learn foreign languages, or that we are not free to speak whatever language we want, or that languages other than English can not be used in places such as courts and hospitals. It means that English should be the *official* language of *public* business in our liberal democracy.

Yes, as with people everywhere, there is bigotry among us. However, the genius of America is that we have worked to overcome unfair discrimination and irrational prejudice. To make the learning of English a priority and to strengthen the substance of citizenship does not mean we are racists and bigots. It means that we take our national heritage and our constitutional democracy seriously.

The position advanced by the multicultural establishment amounts to a bluff. It is at odds with the feelings and instincts of the American majority and of the minorities that these policies are allegedly designed to help. For, in the end, it is the advocates of bilingual education who have prevented Latino kids from advancing. It is a patronizing establishment that is stealing their keys to the American dream. What is needed is an open discussion of the facts and values in question. Once that happens, the bluff will be called and the great American public will demand that we end official multilingualism, eliminate bilingual education and foreign language ballots, take naturalization seriously, and, in the spirit of Teddy Roosevelt, William Howard Taft, and Woodrow Wilson, launch a new campaign for Americanization and civic integration.

**SUBCOMMITTEE ON THE CONSTITUTION**  
Committee on the Judiciary  
U.S. House of Representatives

**H.R. 351 - "Bilingual Voting Requirements Repeal Act"**  
2226 Rayburn House Office Building  
April 18, 1996  
9:30 a.m.

**WITNESS LIST**

**PANEL I**

**Honorable John Porter**, U.S. House of Representatives, Illinois/10th District  
**Honorable Bob Livingston**, U.S. House of Representatives, Louisiana/1st District  
**Honorable Xavier Becerra**, U.S. House of Representatives, California/30th District  
**Honorable Bill Lipinski**, U.S. House of Representatives, Illinois/3rd District  
**Honorable Nydia Velázquez**, U.S. House of Representatives, New York/12th District  
**Honorable Peter King**, U.S. House of Representatives, New York/3rd District

**PANEL II**

**John Silber**, President, Boston University  
**Karen Narasaki**, Executive Director, National Asian Pacific American Legal Consortium  
**Ronald Rotunda**, the Albert E. Jenner, Jr. Professor of Law, University of Illinois

**PANEL III**

**Honorable Doyal Patrick**, Assistant Attorney General, U.S. Department of Justice, Civil Rights Division

**PANEL IV**

**Linda Chavez**, President, Center for Equal Opportunity  
**Antonia Hernandez**, President and General Counsel, Mexican American Legal Defense & Education Fund  
**Frances Fairry**, Clerk and Recorder, Yuba County, California

# The New York Times

DATE: 7/25/96PAGE: A19

## House Panel Approves Bill Making English Official Language

By ERIC SCHMITT

WASHINGTON, July 24 — A House committee narrowly approved a bill today making English the official language of the United States.

Republicans and Democrats, in five hours of sharply partisan debate, agreed that English is already the principal language of government, commerce and everyday life in this nation. But they were widely divided on whether to codify that fact in law and, more deeply, over what cultural, moral and language traits defined what it means to be an American.

Republicans, at a hearing of the House Economic and Educational Opportunities Committee, said their bill would halt a worrisome trend toward creating "language ghettos" that are leaving immigrants unprepared for the job market and forcing the Government to accommodate non-English speakers with documents, services and bilingual classes in several other languages.

"I do not want to see the country become ethnic enclaves," said Representative Marge Roukema, a New Jersey Republican.

But Democrats said the bill was unnecessary, unconstitutional and racist. "This is just a guise for a bill that's built on bias and bigotry," said Representative Matthew G. Martinez, a California Democrat.

The vote to send the bill to the House floor, where it will probably be considered in September, was 19 to 17, along party lines. A similar bill is pending in a Senate committee.

The Clinton Administration strongly opposes the bill, which is the latest effort in a decade-long campaign by English-only proponents to declare English the sole language used to make policy and to curb the spread of bilingual education and bilingual ballots. Bob Dole, the apparent Republican Presidential nominee, has supported the idea of making English the country's official language, although it has not yet

become a major campaign issue.

As written, the bill seeks to "help immigrants better assimilate" and "empower" them with new language and literacy skills.

"There are an increasing number of people who can't compete because they don't read, write or speak English," said Representative Randy Cunningham, a California Republican.

But when challenged to document this increase, Mr. Cunningham acknowledged that his assertion was largely based on anecdotal evidence from canvassing people in his dis-

trict near San Diego.

To attract support from moderate Republicans, the bill's sponsors did not try to eliminate financing for bilingual education. The bill's definition of official business that must be conducted in English also exempts language instruction and documents or policies necessary for national security, public health and safety.

Proponents of the bill say accommodating non-English speakers is costly. In 1994, for example, the Internal Revenue Service printed and distributed 500,000 income-tax forms in Spanish at a cost of \$113,000. Only

718 of the forms were returned.

"America is a diverse country, but when we conduct business it should be in English," said Representative Lindsey Graham, Republican of South Carolina.

But critics of the bill said more than 97 percent of Americans already speak English well, and that 99 percent of all Government documents are published in English. Moreover, Democrats said, the most pressing need is not a English-language law, but more English classes for immigrants. English classes in community colleges in Los Angeles are filled 24 hours a day, and the waiting list for some English classes in New York City is as long as three years, legislators said.

Dueling facts aside, the most impassionate debate focused on what the English language means to this nation of immigrants.

"English language is an important glue for our society," said Representative Tim Hutchinson, Republican of Arkansas.

But many Democrats said there is much more to the United States than a common language. "What binds us together in this country is our freedoms and ideals," said Representative Gene Green, Democrat of Texas. "It's more than a language that makes us American."

## Panel OKs bill to make English official language of government

### Democrats label measure 'mean-spirited' in bitter debate

By Brian Blomquist  
THE WASHINGTON TIMES

A House committee yesterday approved a bill that would require the federal government to conduct its official business only in English.

The Republican-backed bill, which Democrats attacked as "mean-spirited," would establish English as the official language of the U.S. government.

The full House is expected to vote on the politically popular bill in September. A similar bill has been introduced in the Senate.

The House Economic and Educational Opportunities Committee voted 19-7 for the "English Language Empowerment Act," which was crafted by Rep. Randy "Duke" Cunningham, California Republican.

The five hours of debate preceding the vote grew testy and personal at times, a likely glimpse of the fight to come on the House floor.

Rep. Lynn Woolsey, California Democrat, said the Republicans would "harm children" with the bill because it would prevent some women from reading government forms that would enable them to get food for their children.

Mr. Cunningham decried the

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*Public support for pro-English legislation is high. A Gallup Poll found that 82 percent of voters support such a measure.*

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"demagoguery" of the debate, defending himself and other Republicans from charges that the bill is racist.

"If we were racists, we would tell immigrants we don't want them to learn English," Mr. Cunningham said in an interview. "We would say to them, 'We want you to use your own language.'"

"Today, there are so many support areas funded by the government, they actually prohibit people from learning English."

Public support for pro-English legislation is high. A recent Gallup Poll found that 82 percent of voters support such a measure.

GOP presidential candidate Bob Dole supports the bill, and 22 states have declared English their official language. President Clinton, who signed a similar bill as governor of Arkansas in 1987, has

not taken a position on the Cunningham bill.

Though the measure would require federal agencies to use English in their official documents, there are several exceptions. Under the bill, the government could use other languages in language courses, national-security papers, international relations or commerce papers, public safety documents and census documents.

Mr. Cunningham's bill does not go as far as other GOP measures that would abolish bilingual education, and in being approved by the House panel, his proposal is closer to enactment than the other bills.

Committee Democrats, whose bill promoting multilingualism was defeated, looked for loopholes in the Cunningham bill, particularly an exception that would allow the government to use other languages in "documents that utilize terms of art or phrases from languages other than English."

Democrats and Republicans sparred over whether such an exception would apply to the words "E Pluribus Unum" that appear on U.S. currency, and whether coins could lead to lawsuits.

"This an increasingly bizarre and twisted debate," said Rep. Tim Roemer, Indiana Democrat.

**LEGAL BEAT**

# English-Only Rules Spur Workers to Speak Legalese

By ANN DAVIS

Staff Reporter of THE WALL STREET JOURNAL

Mercy Prado was told never to speak Spanish on the job unless a customer spoke it first. Her boss at a Luria's store in Coral Gables, Fla., prohibited employees from speaking Spanish before the store opened to customers and even, she alleges, on bathroom breaks.

Ms. Prado contends that she was so "humiliated" by the policy — and by her boss's chants of "English, English, English" — that she quit. Her allegations are made in a discrimination lawsuit filed in U.S. District Court in Miami against her former employer, L. Luria & Son Inc., a general-merchandise retail chain based in Miami Lakes, Fla.

Luria insists the English-only policy is legal and has asked the court to throw out the suit.

Ms. Prado has joined the rising ranks of workers filing discrimination suits over English-only rules. Nationwide, employers increasingly are prohibiting their workers from speaking Spanish, Chinese or Tagalog — indeed, any language other than English — in front of customers, on assembly lines, even in company cafeterias. They are taking their cues from the passage of nearly two dozen state laws declaring English the official language and from several recent decisions by federal appeals courts upholding English-only rules in the workplace.

Companies say the rules are necessary because speaking a language not understood by colleagues or customers is both

## Examples for Employers

### POSSIBLY PERMISSIBLE

- A chemical-refining plant requires English for employees working directly with dangerous chemicals.
- All workers on the deck of an oil rig are required to speak English because they need to communicate quickly and respond effectively to emergencies.
- A factory requires English of workers who must share tools on an assembly line and are paid according to the number of components they assemble.

### POSSIBLY NOT

- A chemical-refining plant requires English for clerical workers who do not work directly with dangerous chemicals.
- A retailer requires English at all times during working hours because its customers object to employees speaking Spanish.
- An insurance company orders English-only after employees argue in Spanish and are openly insubordinate to their supervisor.

Source: Compliance manual used by EEOC investigators

rude and inefficient — not to mention a safety hazard in such places as oil refineries, hospital operating rooms or production lines where clear communication is essential. "You're not imposing these rules to be mean," says Barry Lawrence of the Society for Human Resource Management in Alexandria, Va. "You're making these rules with productivity in mind, so that everybody can . . . be on the same page."

But the U.S. Equal Employment Opportunity Commission and plaintiffs like Ms. Prado contend the rules at some companies go too far. The agency has seen a big

jump in complaints about English-only policies in the year since it started tracking them. It maintains in guidelines for employers that such rules discriminate against people based on their national origin unless they can be "justified by business necessity." EEOC Chairman Gilbert F. Casellas says the arguments some companies make are "as onerous and offensive as suggesting that for the purposes of your business image, all your employees ought to be white or have blond hair."

The guidelines and the rulings not-

withstanding, the legality of the English-only policies is unclear. Businesses uncertain how to enforce such policies were hoping the U.S. Supreme Court would give them some guidance this term in a case involving a challenge to Arizona's law requiring public servants to speak only English. But the court has indicated that it very likely will dispose of the issue on procedural grounds, shedding little light on the legality of English-only rules.

Federal appeals courts haven't been much help. The Ninth U.S. Circuit Court of Appeals in San Francisco, with jurisdiction over a huge immigrant population in Western states, in 1993 ruled the EEOC guidelines invalid and said English-only policies are legal in all but a few circumstances. But the exceptions — when the employee speaks no English or when English-only rules are proved to foster a "hostile environment" for minorities — leave room for lawsuits.

The EEOC's San Francisco office, for example, is investigating a 1995 complaint by employees of a San Rafael, Calif., nursing home now owned by Vencor Inc., Louisville, Ky. Some of the workers say they don't speak English and made that known when they were hired. Vencor defends its policy of requiring employees to speak the same language as patients; it points out that the EEOC previously found its policy nondiscriminatory at one of its other homes.

The nonprofit Employment Law Center in San Francisco, meanwhile, has

Please Turn to Page B6, Column 5

1 of 2

# **EEOC News Clips**

*for*

*January 23, 1997*



*Compiled by*

*The Office of Communications and Legislative Affairs*

# English-Only Rules Rile Workers

*Continued From Page B1*

raised concerns with Packard Bell NEC Inc. about language practices at its computer-assembly plant in Sacramento, Calif. The center argues that certain jobs may be so routine that allowing workers to speak occasionally in another language isn't a safety hazard. It wrote the company after a supervisor said in a memo that "all communication in the workplace" must be in English.

Karen Schmidt, Packard Bell NEC's senior director of human resources, says English is necessary to maintain safety and product quality at the plant, which employs 3,500 people who speak eight foreign languages. But she says the company didn't authorize the memo, doesn't discipline workers for lapsing into another language and doesn't care what they speak in such places as the lunchroom or the locker room.

Three other appeals courts have recently thrown out challenges to English-only policies but issued their rulings in a way that doesn't carry the weight of legal precedent. None of the three ruled on the validity of the EEOC guidelines. The appeals court in Atlanta in 1993 upheld a lower-court ruling that the Salvation Army's correctional-services unit in Tampa, Fla., could require workers to speak English because doing so served the "legitimate business purposes" of helping supervisors manage their staffs and co-workers understand one another.

And last year, courts in Richmond, Va., and New Orleans found that English-only rules at a branch of Dominion Bank, now a unit of First Union Corp., and a Houston nursery school, respectively, weren't enforced in a way that discriminated against minorities.

The EEOC, nevertheless, continues to go after companies for violating its guidelines, filing a suit as recently as last month. Over the past decade, 10 of the 13

employers the agency has sued have abandoned English-only rules. In 1995, for instance, an American Red Cross infectious-disease lab in Rockville, Md., retracted an English-only directive covering employees in its laboratory and office areas. Wallach's Inc., a men's clothing retailer no longer in business, agreed to pay a former cashier at a New York store \$30,015 as part of a consent decree with the EEOC in 1994.

In the pending Luria case in Miami, the supervisor wanted employees to speak English, even before store hours, because "he didn't speak any Spanish," says the retailer's lawyer, Peter L. Sampo. Luria contends Ms. Prado quit because she didn't like the long hours and the pressure.

Ms. Prado, a former customer-service manager, doesn't deny the stress. In court documents, she claims that her boss stood outside the bathroom, listening for Spanish, and warned her to switch to English when she came out. Before quitting, she says in an affidavit, she told co-workers: "This is a nightmare."

**INSIDE**  
**AGRICULTURE**


# 'Listening Session' Aims At Discrimination Issues

By Michael A. Fletcher  
 Washington Post Staff Writer

**A**griculture Secretary Dan Glickman got an earful yesterday from his department's employees and angry black farmers, who demanded that USDA back up its stated commitment to civil rights with action.

Many of those who spoke at the "listening session" hosted by Glickman described the sprawling, 90,000-employee department as ruled by an entrenched network of employees who fostered a culture that tolerated racial and sex discrimination.

Women talked about being passed over for promotions and cited instances of sexual harassment. Asian Americans complained about a "sticky floor" that caused them to languish in entry-level jobs. Blacks talked about "glass ceilings" and of being ignored when bosses awarded performance bonuses.

But the most dramatic testimony came from members of the National Black Farmers Association, who brought the Jefferson Auditorium at department headquarters to a hush when telling of losing their livelihoods because of what they called rampant loan discrimination within USDA, which is the lender of last resort for America's farmers.

Over the years, department civil rights investigators have affirmed that discrimination did occur in a series of cases where black farmers—whose ranks are dwindling at three times the rate of white farmers—have been denied operating or other loans, but USDA has not yet settled those claims.

"We have come here to cash a check," said John Boyd, a southern Virginia farmer and president of the farmers group. "We have yet to receive a settlement ... but

we have been receiving a lot of lip service."

Black farmers said they are left to scratch out a living on small, inefficient farms, without adequate financing and in environments that sometimes are racially hostile.

Robert Williams, a Texas cotton farmer who has sued the department for loan discrimination, said that a racist banner was once

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*"We have yet to receive a settlement ... but we have been receiving a lot of lip service."*

— John Boyd, president,  
 National Black Farmers Association

left on his property. The spray-painted message on it was: "KKK Go Home Niger [sic]." Members of the black farmers group carried the banner around the room, then mounted the stage to hold it behind Glickman and the "civil rights action team" he has assembled to deal with the department's discrimination problems.

James W. Myart Jr., a San Antonio civil rights attorney who is general counsel to the farmers group, said the stress caused by the discrimination faced by black farmers has sometimes resulted in devastating health problems.

James Bowie, a Louisiana farmer who said he lost all but 40 acres of his land because of discrimination within USDA, reported having suffered multiple strokes because of the stress related to his case. His wife also has had stress-related health problems, he said.

Pointing to a frail Bowie, Myart told Glickman: "Look at what this has done to him. His last wish is for you to give him his land back so he can be buried on it."

Yesterday's session was the latest in a series of gatherings Glickman and his top deputies have been holding across the country this month in the wake of a new wave of publicity about racial discrimination in USDA programs and among its employees.

"I don't want the vestige of discrimination to afflict this department," Glickman said in explaining why he ordered the sessions.

He added that information gathered during the hearings will be used to develop recommendations for helping the department address discrimination complaints, which have come up repeatedly over the years. The civil rights action team is scheduled to make proposals to Glickman by mid-February.

"This is going to be my legacy," Glickman told reporters. "We're going to shape this place up. Period."

Glickman last month ordered a temporary halt to farm foreclosures until each case was reviewed for possible racial discrimination or other problems. Glickman also has authorized a USDA official to look into and—if warranted—settle discrimination complaints on file against USDA.

In addition, Farm Service Agency Administrator Grant Buntrock, who oversees many farmer loan programs, has announced plans to resign, officials said.

But while Glickman is talking tough, some of the department's longtime employees are skeptical about whether his words will result in action.

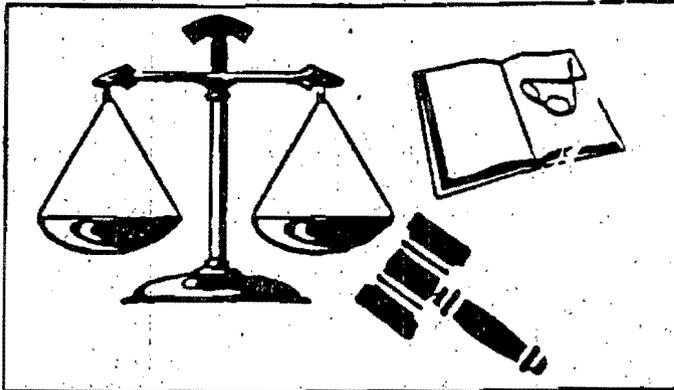
In her statement, Karin Leperi, a 13-year USDA employee, criticized the department for hosting "grandstanding ceremonies" that do not "demonstrate substance" while employees accused of discrimination sometimes are promoted into the upper reaches of the USDA hierarchy.

"My challenge to you ... is to add substance where only form currently exists," Leperi told Glickman. "One way to get substance is by penalizing those perpetrators of civil rights violations, rather than rewarding and promoting them."

# U.S. DEPARTMENT OF JUSTICE

## OFFICE OF LEGISLATIVE AFFAIRS

### FACSIMILE COVER SHEET



TO: Steve Warmuth

FAX NO.: 456-7028

FROM: JOHN TRASVIÑA

PHONE: 202/514-2111

DATE: 11/6

NO. OF PAGES: 2 (EXCLUDING COVER)

COMMENTS: English Only Talking Pts  
Nat 2 - related tomorrow

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ENGLISH AS OFFICIAL LANGUAGE DOJ PROPOSED TALKING POINTS

The government has a proper role, indeed a responsibility, to encourage English language proficiency. The government should fulfill that responsibility by educating children and adults. All Americans, regardless of class or numbers of generations in the United States, must have English language skills to advance economically and socially in the society.

In addition, the government also has a responsibility to protect the safety, health, and rights of its citizens. There are any number of appropriate uses of languages other than English by the government, such as OSHA warning signs, court interpreters, public health and voter information.

We have not yet taken a formal position on the various English Only proposals now in Congress. However, we are studying them carefully and are paying particular attention to proposals which may hinder the government's essential ability to fulfill its responsibilities to its citizens, such as requiring federal employees to communicate only in English to United States citizens.

Amending the Constitution or limiting people's rights under the Constitution is very serious business. Thus, it is important to explore the serious practical implications of English Only legislation or constitutional amendments on the everyday lives of Americans in the 50 states, Puerto Rico, Guam and American Samoa.

## Talking Points on English Only and Section 203 of the Voting Rights Act

--Language assistance for voters has been provided since 1965 and, after careful examination and documentation, was expanded by Congress in 1975, 1982 and 1992. Section 203 was first added to the Voting Rights Act in 1975 in recognition that large numbers of American citizens spoke languages other than English and had been effectively excluded from participation in our electoral process.

--Each enactment and amendment of Section 203 enjoyed strong bipartisan support. The 1975, 1982 and 1992 laws were signed by Presidents Ford, Reagan and Bush.

--Congress found that the denial of the right to vote among such citizens was directly related to the unequal educational opportunities afforded them resulting in high illiteracy and low voting participation.

--As Senator Hatch noted in connection with the 1992 extension of section 203. "The right to vote is one of the most fundamental of human rights. Unless government assures access to the ballot box, citizenship is just an empty promise."

--The Voting Rights Act is carefully targeted to those communities with large numbers of language minority U.S. citizens of voting age who are not fully proficient in English. It takes into account the special circumstances of Native Americans who continue to speak their traditional languages and residents of Puerto Rico who are U.S. citizens by birth but, when they were children, studied in primarily Spanish language schools.

--Voter registration and participation rates among Latino U.S. citizens have increased dramatically since Section 203 was enacted. Language assistance in registration and at the polls makes a real difference for citizens, particularly the elderly, with limited English language abilities.

--Getting a bilingual ballot on Election Day does not discourage the learning of English the remaining 364 days a year any more than a ban on literacy requirements for voting discourages literacy.

--Congress examined the cost of bilingual compliance when it extended Section 203 in 1982 and 1992 and concluded that it was not burdensome. Indeed, in many jurisdictions, the cost is literally pennies per ballot and local registrars do not keep track of separate expenditures.

--Section 203 requires that voter information be provided in the language they understand best so that they may be informed voters. The entire citizenry benefits when citizens can cast informed votes.

# U.S. DEPARTMENT OF HEALTH & HUMAN SERVICES OFFICE FOR CIVIL RIGHTS



## OFFICE OF THE DIRECTOR

### FAX TRANSMISSION COVER SHEET

**TO**

**FROM**

Name: Steve Warnath

Name: Dennis Hayashi

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\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

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# of Pages Including Cover: 3

FAX #: 456-7028

**MESSAGE:**

04-17-96 32:42PM FROM SENATOR AKAKA DC

TO 95145495

POC2/004

Author: Nancy Langley at akaka-dc
Date: 4/17/96 9:13 AM
Priority: Normal
TO: John Yagami
TO: Esther Kissina
Subject: Revised Stevens' amendment to S. 356

Message Contents

Below is a revised amendment to S. 356 which Senator Stevens' will offer at the markup Thursday.

or if you have the "s" drive, it is located:
s:\witness.lsk\full.com\1996hear\markup\final356.amd

Stevens Amendment to S.356

On page 1, line 5 strike "1895" and insert in lieu thereof "1996".

On page 1, beginning on line 6, strike all through page 4, line 8, and insert the following:

"SEC. 2. ENGLISH AS THE OFFICIAL LANGUAGE OF GOVERNMENT

"Title 4, United States Code, is amended by adding at the end the following new chapter:

"CHAPTER 6 - LANGUAGE OF THE UNITED STATES GOVERNMENT

- "Sec. 161. Findings and Construction
"162. Declaration of official language of the United States Government
"163. Maintaining the role of the official language of the United States Government
"164. Official Government activities in English
"165. Standing
"166. Definitions; Miscellaneous
"167. No preemption of State or Territorial law
"Sec. 161. Findings and Construction

"(a) FINDINGS

- "The Congress finds that--
"(1) the United States of America is comprised of individuals and groups of individuals from diverse ethnic, cultural, and linguistic backgrounds;
"(2) the United States of America and its citizens have benefited and continue to benefit from this rich diversity;
"(3) throughout the history of this Nation, one common thread binding the different backgrounds together has been a common language;
"(4) in order to maintain unity in diversity, the United States Government should use a language common to most people in the United States while assisting and protecting those who lack full access to that language;
"(5) English has historically been the most common language used by the United States Government;
"(6) by learning and using the English language in interactions with the United States Government, immigrants to the United States of America will be empowered with the literacy which enables United States Government employees who speak only English to render services most effectively to those immigrants;
"(7) Native American languages have a unique status because they exist nowhere else in the world, and in creating a language policy for the United States Government, due consideration must be given to Native American languages and the policies and laws assisting their survival, revitalization, study, and use; and
"(8) English should be recognized in law as the language of the official business of the United States Government.

US-11-70 02-2228 FOUR SENATOR DRAFT BY

**"(b) CONSTRUCTION.**

"(1) This chapter shall not be construed in any way to discriminate against or restrict the rights of any citizen of the United States;

"(2) This chapter shall not be construed to discourage or prevent the use of languages other than English by the United State Government in business that is not official business as defined in this chapter; and

"(3) This chapter shall not be construed to repeal any law of the United States.

"Sec. 162. Declaration of Official Language of the United States Government."

On page 4, strike lines 11 and 12 and insert the following

"Sec. 163. Maintaining the role of the official language of the United States Government

On page 4, line 14 strike "preserve and enhance" and insert in lieu thereof "maintain".

On page 4, line 18 strike "163" and insert in lieu thereof "164".

On page 4, line 22 strike the third comma and "directly or indirectly".

On page 5, line 11 strike "164" and insert in lieu thereof "165".

On page 5, lines 12 - 13 strike "from a violation of" and insert in lieu thereof "under".

On page 5, line 17 strike all and and insert in lieu thereof

"Sec. 166. Definitions; Miscellaneous.

On page 5, line 18, after the first apostrophe insert "(a)"

On page 5, line 23 insert the following new sentence: "The term 'Government' shall not include recipients of contracts, grants, or funding directly from the Government of the United States, nor recipients of contracts, grants, or funding provided indirectly from the Government of the United States through any independent agent or instrumentality."

On page 5, beginning on line 24 strike all through page 6, line 21 and insert in lieu thereof

"(2) OFFICIAL BUSINESS. The term 'official business' means those public documents, acts, statements, votes, hearings and proceedings issued, conducted, or implemented pursuant to the sovereign power of the United States of America and through the rules of procedure, deliberation or adjudication of the Executive, Judicial, and Legislative branches of the United States Government, including, but not limited to, the Administrative Procedures Act (5 U.S.C. 501 et seq), Title 28 of the United States Code, and the rules and laws governing the Houses of Congress, but does not include

"(A) the use of indigenous, Native American, or foreign languages in educational settings;

"(B) the use of languages other than English pursuant to federal voting law and the needs of Members of Congress to communicate with their constituencies;

"(C) public documents, acts, statements, votes, hearings and proceedings that are not enforceable in the United States of America;

"(D) public documents, acts, statements, votes, hearings and proceedings necessary for international relations, international trade, or international commerce;

"(E) public documents, acts, statements, votes, hearings and proceedings for the protection of individual or public health, safety, and entitlements;

"(F) public documents, acts, statements, votes, hearings and proceedings that protect the rights of victims of crime or criminal defendants;

"(G) public documents, acts, statements, votes, hearings and proceedings that utilize terms of art or phrases from languages other than English; and

"(H) bilingual education or activities pursuant to the Native American Languages Act (25 U.S.C. 2901 et seq.).

"(b) MISCELLANEOUS. This chapter shall not prohibit the United States Government from carrying out its responsibilities under law to provide or permit equal education opportunities in public schools, equal voting opportunities to citizens, and language translation or other opportunities necessary to preserve individual rights guaranteed under

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the Constitution.

"Sec. 167. No preemption of State or Territorial law

"This chapter shall not preempt any law of any State or Territory of the United States."

On page 6, line 22 strike "5" and insert in lieu thereof "3".

On page 7, line 2 strike "1996" and insert in lieu thereof "1997".

On page 7, at the end of line 2 insert the following new section

"SEC. 4. CONFORMING AMENDMENT

The table of chapters for Title 4, United States Code, is amended by adding at the end the following new item:

"6. Language of Government

.....  
..... 161"

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