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Comments: Attached are comments from Education on the  
SAP on HR123. We are inclined to make the suggested  
change unless you object. Please let me know  
if you agree with the change. Thanks  
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## ED Comments on H.R. 123 SAP

July 29, 1996

ED believes that the statement that the bill would "[e]ffectively exclude Americans who are not fully proficient in English from education" is a significant (and potentially dangerous) overstatement for the following reasons:

- (1) the bill applies only to Federal activities, not State or local activities;
- (2) there remains the question whether Federal bilingual ed. programs and adult programs, "outreach" activities, and parent involvement activities conducted in languages other than English are "official business" within the meaning of the bill (i.e., "governmental actions...which are enforceable with the full weight and authority of the Federal Government");
- (3) section 167(2) states that the bill should not be construed "to discriminate or restrict the rights of any individual in the country," presumably including Law/Title VI rights;
- (4) to the extent that the need for non-English instruction or communication with parents is rooted in the Equal Protection Clause or other constitutional provision, the Mink amendment would provide some protection; and
- (5) the bill provides as an express exception to "official business" the "teaching of languages," which presumably includes English and arguably includes instruction in other subjects that has the indirect effect of increasing knowledge of English.

We do feel that it is fair to say that the bill's effect on Federal bilingual education programs, adult education programs conducted in languages other than English, and adult "outreach" and parent involvement activities is unclear and likely to cause considerable confusion and litigation. We suggest the following language for the SAP: "the bill would 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."

## LEARNING ENGLISH - Some Basic Facts on Immigrants and Acquisition of the English Language

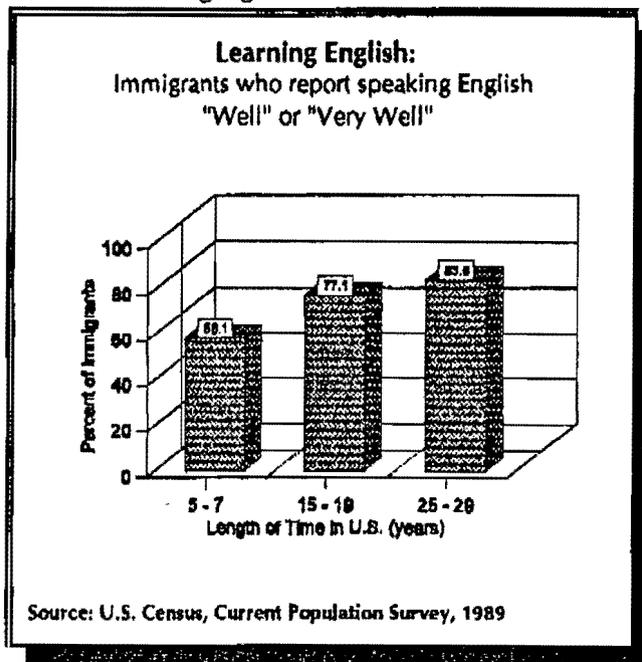
Ability to speak English is one measure of immigrant adaptation in the United States. According to recent research, today's immigrants are strongly motivated to learn English and may actually make the transition to English *more quickly* than immigrants of the past.

**Many immigrants already speak English when they arrive.** According to the Census Bureau, approximately one-quarter of newly arrived immigrants come from countries where English is either the dominant or official language. Even immigrants from other countries are likely to speak English when they arrive; approximately 20% of immigrants from Spanish-dominant countries speak English "well," as do more than 50% of immigrants from countries where another language is dominant.

Census data clearly shows that the longer immigrants are in the U.S., the more likely they are to speak English well. While the data shows that immigrants do learn English, the rates that immigrants learn English vary depending on economic status, education, and age. There are immigrants who take much longer to learn English and some who, perhaps because of their lack of education and their need to work two or three jobs to make ends meet, may never learn the language. These immigrants are the exception.

Furthermore, it appears that between generations, immigrants are becoming completely dominant in English, and losing their native language at a faster pace than immigrants early in this century. Previously, it had taken three generations for an immigrant family to completely lose its native tongue: immigrants would learn enough English to get by while remaining dominant in their native language; their children would be bilingual, gradually losing their ethnic language as they grew older; and *their* children—the grandchildren of immigrants—would be largely monolingual English speakers. In recent decades, there appears to be a trend towards monolingual English speaking in the *children* of immigrants.

**Immigrants flock to English classes.** Immigrant demand for English classes far outstrips the number of available classes. Nationwide, English-as-a-Second-Language (ESL) classes serve 1.8 million people each year. Nonetheless, in city after city, these programs report *long waiting lists* of students. In Washington, DC, it is estimated that at least 5,000 immigrants were turned away from classes in the 1993-1994 school year. In some cities, programs no longer keep waiting lists because they became so long as to be meaningless. In New York, for example, enrollment in English classes is determined by lottery.



# Common Cause

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April 1990

## ENGLISH AS THE OFFICIAL LANGUAGE IN THE STATES

[An English language] amendment is not just a symbolic bolster of the English language. It will disenfranchise voters. It will endanger public safety. It will put up barriers, not tear barriers down, for those seeking to improve their proficiency in English. It will set up a class of "outsiders" -- unable to communicate with their government, and their government unable to communicate with them -- all based on language ... Make no mistake about it -- this legislation would be a giant step backward in our efforts to achieve equal opportunity for all Americans.

-- U.S. Representative Norman Mineta (D-California)

PHOTOCOPY  
PRESERVATION

I. INTRODUCTION

During the August 1989 National Governing Board meeting there was extensive discussion of efforts currently underway in a number of states to promote English as the official language.<sup>1</sup> Official English was one of three issues the board discussed as possible areas of involvement in the overall issue of civil rights. This was a preliminary discussion to see if there was sufficient interest on the Board to explore further these issues.

During that discussion, a motion was made and seconded to adopt opposition to official English measures as an approved state issue. The suggestion was made, however, that the issue first be raised at the State Leadership Conference in September and the motion was tabled until the November Board meeting when a more in-depth paper on this topic could be provided.

During that conference, a resolution (see Appendix B) was introduced (in absentia) by Jim Hall, Common Cause/Idaho state chair and member of the National Governing Board. The resolution passed by a vote of 51 to 10.

A background paper on official English was provided to the Board and discussed at its November 1989 meeting. At this

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<sup>1</sup> While legislation to make English the official language also has been introduced at the federal level, it is not expected to be acted upon. Thus, the main focus of the official English movement has been at the state level.

meeting, the Board passed the following motion:

Resolved, that the National Governing Board authorize state organizations, if they so desire, to oppose the adoption of any English as the official language statute or constitutional amendment.

As a result of the vote, opposition to English as the official language statutes or constitutional amendments has been added to the list of state issues approved for state action, without the need for authorization by the Special Committee on State Issues. State organizations now have the option, once they have examined a proposed official English measure, to oppose it, if warranted.

In several states and localities across the country, there have been efforts in recent years to make English the official language. While resolutions have been introduced in Congress calling for an English language amendment to the Constitution, these measures do not appear to be moving forward. Activity on this issue, thus, is concentrated at the state and local level.

Official English measures are pending in at least twelve states. In 1988, two Common Cause state organizations, Arizona and Colorado, received special permission to oppose efforts to make English the official language.

This issue has been raised periodically throughout the history of our nation. As early as 1780, "official English" measures were suggested and efforts surfaced again in the mid-1800s and early 1900s. In the 1980s there was a resurgence of the

"official English" movement. There are now 15 states with statutes or constitutional provisions in varying forms which make English the state's official language (see chart on page 9). Similar proposals are pending in Iowa, Kansas, Missouri, Minnesota, Montana, New York, Ohio, Rhode Island, Utah, Vermont, and Wisconsin. In addition, the Alabama legislature passed a bill in 1989 to put an English language amendment to the constitution before the voters on the June 1990 ballot.

In a decision which may significantly affect future efforts to establish English as the official language, an official English constitutional amendment, which was passed by initiative in Arizona in 1988, was struck down by a federal district court in February 1990 on the grounds that it violated First Amendment free speech rights.

The potential exists for official English measures to abridge the civil rights of non-English-speaking residents and bilingual people in other areas, such as voting and the criminal justice system. These measures can also interfere with access to education, emergency assistance and social services.

This issue brief is designed to provide state organizations who are interested in opposing official English measures with background information on this topic. With this goal in mind, section II provides a brief history of the issue in the United States, and section III outlines the major players on this issue

and presents the status of official English measures at the federal, state, and municipal level. Numerous problems with official English are outlined in section IV; section V describes the organized opposition to official English measures; and section VI discusses recent court rulings on official English provisions.

## II. BRIEF HISTORY

The current movement to make English the official language of the United States is not without precedent in U.S. history. While English has been the predominant language of the United States since colonial days, there have been periodic movements to make English the official language or to bar the use of other languages. These movements typically have coincided with waves of immigrants from non-English-speaking countries.

The first such effort was in 1780 when John Adams suggested creating an "official language academy" with the aim of "refining, improving and ascertaining the English language." Adams sought a way to "maintain linguistic and cultural unity among separate colonies." His idea was rejected as undemocratic. In the 1870s, the anti-Chinese Workingmen's Party fought for official English laws in California. In 1911, the Federal Immigration Commission issued a report contrasting "old" and "new" immigrants. The report argued -- in terms remarkably similar to those being used today -- that while "old" immigrants assimilated well, "new"

immigrants were less willing to learn English. As a result, English literacy requirements were enacted as conditions for public employment, naturalization, immigration and suffrage. Anti-German feelings during and after World War I resulted in some states banning German.

Bilingualism also has a long history in this country. In the earliest days of our nation, the Continental Congress printed some official documents in German. In the early 1800s, bilingual German-English public schools were common. California printed its original state constitutional proceedings in both Spanish and English and was officially bilingual for 30 years in the mid-1800s. New Mexico was officially bilingual for 20 years in the early 1900s. And Hawaii has been officially bilingual since 1978.

In 1923, by striking down a state criminal statute that barred individuals and schools from teaching in a language other than English to anyone who had not completed the eighth grade, the U.S. Supreme Court, in Meyer v. Nebraska, cited the due process clause of the 14th Amendment in support of the right to teach in a language other than English. In 1974, the Supreme Court ruled in the case of Lau v. Nichols that failure to provide education to Chinese students in their native tongue violated Title VI of the 1964 Civil Rights Act, which prohibits discrimination based on "national origin." The Court further ruled that a school district receiving federal aid was required to "take affirmative steps to

rectify the language deficiency in order to open its instructional program to these students."

### III. THE PROBLEM

To many, it seems counter-intuitive to vote against English-Only proposals. English is indisputably the primary language of the United States. Ninety-eight percent of the inhabitants of this country speak English well or very well. Thus, declaring English the official language seems benign; why not declare "official" what all of us know to be true -- that English is the national language? However benign it may seem, the declaration of an "official" language would also be used as a tool for prejudice ... The leaders of the English-Only movement focus their public arguments on the goal of national unity. Hidden inside this velvet glove is the iron fist of prejudice and discrimination.

-- Antonio Califa, Harvard Civil Rights Civil Liberties Law Review

In the 1988 elections, voters in three states -- Arizona, Colorado and Florida -- approved state constitutional amendments proclaiming English as the state's official language, bringing the total number of states with official English provisions to sixteen. In Arizona, the measure passed by a narrow margin of 51% to 49% of the vote. Colorado, by a clear majority of 61% to 39%, voted in favor of official English. And in Florida, official English captured an overwhelming majority with 84% of the vote. Recently, Arizona's law was ruled unconstitutional by a federal district court. As a result, the current total of states with official English provisions is fifteen.

The leading advocates for constitutional amendments at both the state and national levels are two organizations, U.S. English and English First. The largest of the two, U.S. English, is a national nonprofit organization, which in 1988 claimed 350,000 dues-paying members and a \$7 million annual budget. Founded in 1983 by former Senator Samuel I. Hayakawa (R-CA), the group's stated goals are to adopt a constitutional amendment to establish English as the official language of the United States, repeal laws mandating multi-lingual ballots and voting materials, and restrict government funding for bilingual education to short-term transitional programs only.

The other leading supporter of an English language amendment, English First, was formed in 1986 to push for official English legislation. English First claims 200,000 dues-paying members and a \$2 million budget.

At the state level, a few groups have fought for official English measures. For example, the California Committee for Ballots in English worked for an official English ballot initiative in 1984 and the American Ethnic Coalition was formed to press for an official English constitutional amendment in Texas. In a number of states, U.S. English has established statewide offices such as Florida English and Arizonans for Official English, to fight for official English measures.

State official English provisions

Currently, 15 states have declared English the state's official language -- eleven by statute and four by state constitutional amendments. Thirteen of the 15 states approved official English measures within the past ten years. Below is a chart of the status of official language measures:

OFFICIAL ENGLISH MEASURES IN THE STATES<sup>2</sup>

<u>State</u>	<u>Year Passed</u>	<u>Legislation</u>
Arkansas	1987	Statute
California	1986	Constitutional Amendment
Colorado	1988	Constitutional Amendment
Florida	1988	Constitutional Amendment
Georgia	1986	Statute
Illinois	1969	Statute
Indiana	1984	Statute
Kentucky	1984	Statute
Mississippi	1987	Statute
Nebraska	1923	Constitutional Amendment
N. Carolina	1987	Statute
N. Dakota	1987	Statute
S. Carolina	1987	Statute
Tennessee	1984	Statute
Virginia	1981	Statute

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<sup>2</sup> This chart is derived from the January/February 1989 issue of EPIC Events. Hawaii is officially bilingual, with Native Hawaiian and English as coequal languages.

The language of the various laws ranges from a simple statement declaring English as the official language, to specific proscriptions as to what is and what is not acceptable use of any language other than English. States with older legislation tend to have simple statements, while states with more recent legislation tend to have the most far-reaching measures.

The American Bar Association's Section on Individual Rights and Responsibilities described the situation in a June 1988 paper<sup>3</sup>:

While many states that have enacted English-only legislation in the past see the law as wholly symbolic, akin to a state tree or a state bird, the clear trend in light of the 1986 passage of Proposition 63, California's English Language Amendment, is to make English-only legislation increasingly restrictive. Far from symbolic, such measures provide a private right of action for individuals to challenge state and local government use of any language other than English.

Legislation in seven states consists of a concise statement, such as the law in Illinois, which states, "The official language of the State of Illinois is English." Measures in two states say, in addition, that the legislature has the power to enforce the measure through legislation. A number of state laws name specific activities which are exempt from the official English rule, such

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<sup>3</sup> This report was written by the Section on Individual Rights and Responsibilities of the American Bar Association and was presented to their House of Delegates with a recommendation to oppose any official English measures. As of March 1990, this recommendation is still pending.

as the law in Arkansas, which states, "This section shall not prohibit the public schools from performing their duty to provide equal educational opportunities to all children," or the North Carolina law, which says, "[This section] shall not permit the Division of Motor Vehicles to discontinue providing driver's license examinations in any language previously administered." A few states have laws both declaring English the official language and specifically prohibiting certain activities in any language other than English. For example, in Tennessee the law states, "English is hereby established as the official and legal language of Tennessee. All communications and publications, including ballots, produced by governmental entities in Tennessee shall be in English, and instruction in public schools and colleges of Tennessee shall be conducted in English unless the nature of the course would require otherwise."

California has the most far-reaching English language amendment, containing provisions declaring English as the official language and stating that no law can be enacted requiring a language other than English to be used. A critical way in which this amendment is distinct from other state official English measures is through the inclusion of an enforcement provision. A person residing in or doing business in California is allowed to bring suit against the state to enforce the law in court.

Municipal level official English provisions

In addition to fifteen states with official English provisions, many local governments have adopted such measures. An October 6, 1986 U.S. News and World Report article noted that such measures have been enacted in 39 municipalities, from Los Altos, California to Elmira, New York.

In 1980, voters in Dade County, Florida passed a county ordinance that prohibited using county funds "for the purpose of utilizing any language other than English or promoting culture other than that of the United States." According to an October 26, 1986 New York Times article, "the county stopped translating documents and signs into Spanish, and the Latin affairs office was cut back."

Originally, the ordinance exempted activities that were required by federal law, such as bilingual education programs and election ballots. In 1984, the county commission amended the ordinance to exempt as well, medical, social and emergency services from the English-only rule.

Implementing the ordinance -- and its exemptions -- has led to county agencies splitting hairs. For example, an August 1988 article in Governing magazine stated that, "warnings about the electrified third rail in transit stations are in both languages. Directions and information in those stations, however, are in English only, since they do not involve public safety."

In Lowell, Massachusetts, where there has been a marked increase in the number of Hispanic and Cambodian immigrants in recent years, a measure making English the city's official language and requiring most city business to be conducted only in English was approved in November 1989.

In early 1989, the county commission in Suffolk County, New York considered, but defeated, a proposal to make English the county's official language. This proposal, which the New York Times called "more restrictive than those proposed elsewhere," would have required anyone contracting with the county to conduct their county business solely in English. According to a February 26, 1989 New York Times article, under this law, bilingual doctors, consumers' advocates, social workers and child-abuse investigators -- presumably those under contract with the county -- would have been forbidden to speak Spanish to clients. Most county business, brochures and pamphlets would have been required to be conducted or printed in English only. In addition, a February 14, 1989 New York Times article stated that this provision would have "blocked the creation of bilingual county jobs and barred the County Human Rights Commission from investigating complaints stemming from the county's conducting its business in English." In fact, this law would have gone so far that U.S. English withheld its support and called the provision

"counterproductive." In particular, U.S. English objected to the provision which would have barred investigations of complaints.

Although the measure was not passed, the fact that it received serious consideration at all has caused concern about the potential for similar laws being proposed in other jurisdictions.

#### Congressional official English proposals

Several resolutions have been introduced in the U.S. House of Representatives calling for a constitutional amendment to establish English as the official language of the United States. The resolution with the most support -- 65 co-sponsors as of March, 1990 -- was introduced by Representative Norman Shumway (R-CA).

This resolution, H.J. Res. 81, proposes to amend the U.S. Constitution to make English the official language, and to give Congress the power to enforce this amendment through "appropriate legislation." The resolution further states that neither the United States nor any state can require the use of any language other than English. However, the proposed amendment would safeguard the ability to use a language other than English for the purpose of making non-English-speaking students proficient in English. In addition, H.J. Res. 81 states that it does not prohibit using a language other than English to teach a foreign

language, to protect public health and safety, or to allow translators for litigants, defendants or witnesses.

No similar legislation has been introduced in the Senate. While the House Judiciary Subcommittee on Civil and Constitutional Rights, which held hearings on this issue in May 1988, may hold additional hearings on the matter, it does not appear that there will be progress beyond the subcommittee level in the 101st Congress.

#### IV. PROBLEMS WITH OFFICIAL ENGLISH

It strikes me that this issue resembles a pool of quicksand. On the face of it, the establishment of English as our official language seems to be an innocuous endeavor -- free of controversy and devoid of any real danger. However, like the metaphorical patch of quicksand, once you step into the issues surrounding this proposal, the severe problems that accompany this initiative become readily apparent.

-- Representative Stephen Solarz (D-NY)

#### The impact of official English on civil rights

Official English proponents argue against providing bilingual ballots and publicly-funded interpreters in criminal proceedings. But the electoral and criminal justice systems are critical to the rights of all Americans and restricting access to them could threaten the civil rights of non-English-speaking people.

Proponents of English as the official language also argue for the elimination of government services in any language other than

English. But this could interfere with access to education, social services and emergency services for non-English-speaking people.

In a June 1988 paper, the American Bar Association's Section on Individual Rights and Responsibilities said:

This movement threatens to make the lack of English language proficiency a legal barrier to the enjoyment of the equal rights, opportunities and services that should be available to all Americans. English-only legislation threatens to interfere with many aspects of popular access to government and social services. Thus, bilingual emergency services, fire prevention literature, hospital care, court interpreters for victims, housing assistance for the elderly, and many equally important services are all jeopardized when English-only legislation is enacted ... Proposed constitutional amendments ... have the potential to sweep away fundamental rights of persons charged with crimes and to deny equal access to justice to individuals who are limited-English proficient.

Bilingual voting ballots -- Although official English supporters are pushing for the elimination of voting ballots printed in languages other than English, bilingual voting ballots are protected by federal law. In 1975, Congress amended the Voting Rights Act of 1965 to require bilingual election materials, including voting ballots, in counties meeting two criteria. First, more than five percent of the voting-age population must be non-English-speaking. Second, the illiteracy rate must be higher than the national rate. In 1982, Congress extended the bilingual provisions of the Voting Rights Act until 1992.

There is concern in the civil rights community that through state-level efforts, the official English movement is trying to gain support for eliminating bilingual voting rights when Congress considers extension of the Voting Rights Act beyond 1992.

Employment practices -- Official English provisions may also result in unfair employment practices. Hiring practices of employers who restrict the use of any languages other than English could result in discrimination against people who are not yet fluent in English.

In 1987, the Equal Employment Opportunity Commission (EEOC) established a guideline saying that a rule requiring employees to speak only English in their work place was a burdensome condition of employment. The guideline states:

The primary language of an individual is often an essential national origin characteristic. Prohibiting employees at all times, in the work place, from speaking their primary language or the language they speak most comfortably, disadvantages an individual's employment opportunities on the basis of national origin. It may also create an atmosphere of inferiority, isolation and intimidation based on national origin which could result in a discriminatory working environment.

Examples have been cited of negative effects of official English provisions on employment practices in California, which has an official English law. According to a November 7, 1989 Wall Street Journal article, a Filipino nurse has filed suit against the hospital where she works, charging the hospital with

discrimination for limiting her rights to speak her language. According to the article, the policy prohibiting the use of the nurse's native language covered not only her time while performing work duties but also her break time.

A December 5, 1988 Time magazine article reported the following event, which also occurred in California: "The manager of an insurance company in Los Angeles ordered Chinese-American staffers to speak only English unless they were dealing with a Chinese-speaking customer."

And an August 1988 Governing magazine article points out that the American Civil Liberties Union of Northern California has been "receiving complaints about work place rules barring employees from speaking their native languages to one another." Ed Chen, staff counsel with the group, was quoted in the article as saying "You can't help but think that these kinds of policies are finding some sort of support in a law like Proposition 63 (California's official English provision)."

Discriminatory side effects -- Campaigns to pass official English measures have been criticized for creating an environment which is conducive to acts of discrimination. The campaigns themselves have led to a heightened sense of division between English speakers and non-English-speakers. And acts of discrimination often have occurred following the passage of state

and local official English measures. Although some of these discriminatory acts have resulted from gross misinterpretations of the measures, often they are examples of how such laws can lead to blatant discrimination.

According to a November 7, 1989 Wall Street Journal article:

Last November, the day after Florida passed a referendum making English the state's official language, an Anglo manager in a Miami supermarket suspended a Hispanic cashier for speaking to a co-worker 'in a foreign language.'"

A February 20, 1989 Newsweek article reported that in California, several Los Angeles suburbs with large Asian populations have passed ordinances restricting foreign language signs; some teachers have forbidden the use of Spanish among students; and, perhaps most extreme, some Los Angeles shelters have refused to accept non-English-speaking homeless people. According to a June 1988 paper, written by the American Bar Association's Section on Individual Rights and Responsibilities, "In Dade County, Florida ... county funds could not be used to print bilingual fire prevention literature -- in fact, the fire department could not even distribute the bilingual literature already in its possession." A December 5, 1988 Time magazine article described the following events in California, which has one of the most restrictive official English constitutional amendments: "At a Los Angeles hospital, the head nurse forbade workers to speak anything but English and urged employees to

report anyone overheard using another language;" and "The city council in Monterey Park, a suburb of Los Angeles, ousted the trustees of the library for buying foreign-language books and magazines."

The Cuban American National Council has stated:

Laws that require language conformity ultimately will produce a selection process favoring those who "look American," "sound American," and so "deserve" the opportunities now granted to all. If we accept laws segregating citizens according to language, what group will be next, and under what pretext?

Rights of the Deaf -- The rights of the deaf could also be threatened by official English since American Sign Language (ASL) is not considered English. Thus, a deaf person's right to have criminal proceedings and education interpreted to them in ASL may be at stake. In a January/February 1989 EPIC Events commentary, Cecil Lucas, Professor of Linguistics and Interpreting at Gallaudet University, stated:

It seems that English Only could only reinforce the traditional view that deaf children and deaf adults must be taught to speak and use English, to the exclusion of ASL, a view that has led directly to the failure of deaf education. It seems clear, then, that the impact of English Only on the deaf community would be unnecessarily restrictive, myopic, and damaging.

Other problems with official English measures

English language proficiency -- Official English backers argue that the English language is in jeopardy. They contend that

the English language is the main unifying force in our country and that our heritage is now endangered because of language differences and ethnic separatism.

Proponents of official English contend that there is a bilingual movement that is fractioning the U.S. One of their stated aims is to avoid the divisive battles that have plagued countries such as Canada (French vs. English) over official bilingualism. Supporters argue that the United States must counter a trend toward bilingualism and that official English measures will do just that.

The English language, however, does not appear to be under any threat of disappearing or even becoming a secondary language. In fact, such a threat may be more real for Spanish, Chinese and other languages which could be overwhelmed by English.

Official English advocates also argue that the newest immigrants are not assimilating as well as previous groups. Supporters also claim that recent immigrants do not want to assimilate, citing "linguistic ghettos" as examples of immigrants' unwillingness to learn English. They also say that proliferation of state and federal governments' use of foreign languages in government services and publications is discouraging acquisition of English. Census Bureau statistics show, however, that 98 percent of U.S. residents over the age of four speak English "well" or "very well." Recent studies show Hispanics learning

English at the same rate as previous immigrants. A 1985 Rand study on language acquisition in California found that 95 percent of first generation Hispanic immigrants learn English; their children are all fluent in English and half of the children speak only English.

In areas of this country with many non-English-speaking people, English language classes have long waiting lists. According to a December 1, 1988 American Bar Association Journal article, "In Los Angeles alone, 40,000 people are on waiting lists to learn English. In New York City, the number exceeds 25,000." Official English opponents are concerned that laws making English the official language could hamper efforts to ensure that students acquire English proficiency. Norman Cousins, former editor of Saturday Review, summarized this point in his resignation from the Advisory Board of U.S. English: "Not until we provide educational facilities for all who are now standing in line to take lessons in English should we presume to pass judgement on the non-English-speaking people in our midst."

#### V. ORGANIZED OPPOSITION TO OFFICIAL ENGLISH MEASURES

Common Cause/Arizona and Colorado Common Cause have actively opposed official English legislation in their states, as noted earlier.

Common Cause/Arizona joined a coalition of groups -- including civil rights groups, state legislators, church groups, and Hispanic leaders -- to counter an official English measure on the November 1988 ballot. The initiative passed in Arizona by a narrow margin of 51% to 49% of the vote.

Colorado Common Cause became involved by joining a coalition of groups opposing English as the official language when the measure was placed on the ballot in November 1988. The official English initiative in Colorado won by a vote of 61% to 39%.

In addition, a loose coalition of groups has organized in support of English Plus, a concept which promotes working towards a citizenry which is proficient in English plus another language. The English Plus Information Clearinghouse (EPIC) was established in 1987 to collect and disseminate information on language rights and language policy. To date, 53 state and national organizations (see Appendix C) have endorsed EPIC's statement of purpose and goals, which includes the statement: "the national unity and our constitutional values require that language assistance be made available in order to ensure equal access to essential services, education, the electoral process and other rights and opportunities guaranteed to all members of society."

While all of the groups that support English Plus oppose English as the official language, a number have been particularly active. The Mexican American Legal Defense and Educational Fund

(MALDEF) passed a resolution in opposition to official English and is currently working on a comprehensive plan to oppose English as the official language, including legislative efforts, legal defense issues, and grassroots education. Californians United was organized in 1986 to oppose Proposition 63, a constitutional amendment to make English California's official language. (The amendment was subsequently approved.) In 1988, Californians United held a national conference which gave birth to the National Coalition for Language Freedom, an organization that does grassroots work to oppose official English laws. Other national groups opposing official English include the American Civil Liberties Union, the Leadership Conference on Civil Rights, the National Education Association and People for the American Way.

In addition to blocking the passage of new official English measures, it is also important to monitor the effects of existing laws. Since the passage of Proposition 63, Californians United has established several task forces to monitor the law's effects. The task forces' activities include tracking incidents of discrimination, proposing legislation to offset the impact of the initiative, looking for possible challenges to the legality of the law, and engaging in public education.

VI. RECENT COURT RULINGS ON OFFICIAL ENGLISH PROVISIONS

Opponents of official English have been buoyed by two recent court decisions finding official English measures unconstitutional.

The first case involved an official English amendment to the constitution in Arizona that was ruled unconstitutional on February 6, 1990. A federal district judge in Phoenix declared that Arizona's constitutional amendment making English the only language allowable for "government functions and actions" is a violation of free speech rights guaranteed by the First Amendment of the U.S. Constitution.

According to the suit, prior to the enactment of Arizona's official English law, Maria-Kelly Yniguez, a state insurance claims manager since 1984, often spoke Spanish with Spanish-speaking people who were filing medical malpractice claims against the state. But she stopped speaking Spanish in her job, even when asked to translate, for fear that she would be violating state law and be sanctioned. Two days after the enactment of the Arizona law, Yniguez filed suit.

A second plaintiff in the case, state Senator Jaime Gutierrez (D-Tucson), claimed the law would block him from communicating with his Spanish-speaking constituents. Rosenblatt eliminated Gutierrez as a plaintiff, saying Gutierrez has a "right to communicate in Spanish with his Spanish-speaking constituents."

A February 7, 1990 Tempe Daily News Tribune article reported that:

[Judge] Rosenblatt ruled that Arizona's official English law, which prohibits the use of foreign languages in official government action, would "force governmental officers and employees ... to either violate their sworn oaths to obey the state constitution, and thereby subject themselves to potential sanctions and private suits, or to curtail their free speech rights." The measure is "invalid on its face in violation of the First Amendment," Rosenblatt said in his 20-page decision. He also called the law "substantially overbroad."

Arizona Governor Rose Mofford, the only person with legal standing to appeal, has said she would not do so. Moreover, Mofford praised the ruling, saying "I'm happy the courts ruled it unconstitutional," adding that the law was "flawed from the beginning."

While this ruling is binding only in Arizona, it is likely to be a factor in lawsuits in other states.

In July 1989, a federal court struck down a Pomona, California city ordinance which had required all commercial signs containing foreign alphabetical characters to also contain at least fifty percent English alphabetical characters. The ordinance was passed in November 1988. In February 1989, the Asian American Business Group filed a lawsuit against the ordinance. Federal Judge Robert Takasugi ruled that the ordinance violated the First and 14th Amendments of the U.S. Constitution.

According to a July 28, 1989 article in Asian Week:

The ordinance reads in part: "On premises signs of commercial or manufacturing establishments which have advertising copy in foreign alphabetical characters shall devote at least one-half of the sign area to advertising copy in English alphabetical characters." But the terminology "advisory copy" was "unconstitutionally vague," wrote Takasugi .... Vague statutes inhibit a person's exercise of freedom of expression out of fear of breaking the law. They also violate citizens' right to due process. And because the ordinance is directed at sign owners who use foreign alphabetical characters, and the use of foreign languages is directly related to national origin, the ordinance "overtly discriminates on the basis of national origin" and violates the right to equal protection under the 14th Amendment, wrote Takasugi.

#### VII. CONCLUSION

Few people would dispute that English is the standard language of our country, that English language skills are necessary to function in our society, and that advancement in employment in the U.S. almost always requires English proficiency. But it is a long jump from these fundamental statements to the belief that English is endangered and should be made the official language.

Efforts currently underway at the state level to make English the official language would threaten the rights of non-English-speaking residents and would compromise their access to elections, emergency and social services, education and the criminal justice system. By distinguishing between English-speakers and non-English-speakers in these areas, official English measures, in effect, legalize discrimination against people who are not yet

fluent in English. Blocking the official English movement's quest to canonize English as the official language is a crucial step to safeguard the rights of non-English-speaking and bilingual people.

OTHER SOURCES OF INFORMATION ON OFFICIAL ENGLISH

The following are additional sources which may be helpful to those interested in opposing official English measures.

Califa, Antonio; "Declaring English the Official Language: Prejudice Spoken Here;" Harvard Civil Rights Civil Liberties Law Review; Vol. 24, No. 2, Spring 1989; contact the American Civil Liberties Union, 122 Maryland Avenue, N.E., Washington, D.C. 20002.

CRS Report for Congress: States Designating English as the Official State Language; Congressional Research Service, The Library of Congress; March 9, 1988 (Revised April 20, 1989); contact the State Issues Coordinator, Common Cause, 2030 M Street, N.W., Washington, D.C. 20036.

"English Language Constitutional Amendments;" Hearing Report before the Subcommittee on Civil and Constitutional Rights of the Committee on the Judiciary, House of Representatives; May 11, 1988; Serial No. 120; contact the Superintendent of Documents, Congressional Sales Office, U.S. Government Printing Office, Washington, D.C. 20402.

EPIC Events; a bimonthly newsletter on official English and related language issues; contact the English Plus Information Clearinghouse, 227 Massachusetts Avenue, N.E., Suite 120, Washington, D.C. 20002.

Mexican American Legal Defense and Educational Fund, 1430 K Street, N.W., Suite 700, Washington, D.C. 20005; contact Martha Jiminez.

Acknowledgement

This paper was prepared by Jennifer Heitman, State Issues Coordinator/Research Associate.

APPENDIX A

Resolution -- English as the Official Language

Common Cause National Governing Board Meeting

November 4, 1989

Resolved, that the National Governing Board authorize state organizations, if they so desire, to oppose the adoption of any English As the Official Language statute or constitutional amendment.

RESOLUTION APPROVED:

38 YES, 5 NO, 5 NOT VOTING

APPENDIX B

Resolution -- English as the Official Language

Common Cause 1989 State Leadership Conference

Advisory Session

September 17, 1989

WHEREAS, there are now seventeen (17) states with statutes, in varying forms, which make English the state's official language; and

WHEREAS, a constitutional amendment to establish English as the official language has been introduced in the 101st Congress; and

WHEREAS, the effort to amend the Constitution to protect the American flag from desecration may provide further opportunities for passage of an official English constitutional amendment; and

WHEREAS, there has been a continuing effort to change bilingual education programs in a way that jeopardizes the intent of the program;

BE IT RESOLVED THAT the issue of English as the official language be approved as an official issue for state organizations to work on.

Amendment: Modify paragraph 5 to read as follows:

BE IT RESOLVED that Common Cause adopt an issue position opposing any English as the official language statute or constitutional amendment and that it be approved as an official issue for state organizations to work on.

Amendment approved: unanimous

RESOLUTION, AS AMENDED, APPROVED:

51 YES, 10 NO

APPENDIX C

Organizations Endorsing the EPIC Statement of Principles

Advocates for Language Learning  
American Civil Liberties Union  
American Jewish Committee  
American Jewish Congress  
ASPIRA Association  
American Council on the Teaching of Foreign Languages  
Californians United  
Caribbean Education and Legal Defense Fund  
Center for Applied Linguistics  
Chinese for Affirmative Action  
Coloradans for Language Freedom  
Colorado Women's Agenda  
Committee for a Multilingual New York  
Conference on College Composition and Communication  
Christian Church (Disciples of Christ)  
El Concilio de El Paso  
Greater Miami United  
Haitian American Anti-Defamation League  
Haitian Refugee Center  
Image de Denver  
IRATE (Coalition of Massachusetts Trade Unions)  
Japanese American Citizens League  
Joint National Committee for Languages  
League of United Latin American Citizens  
LULAC Foundation  
Linguistic Society of America  
Mexican American Legal Defense and Educational Fund  
Multicultural Education Training and Advocacy Project  
National Association for Bilingual Education  
National Association for Asian and Pacific American Education  
National Association of Latino Elected and Appointed Officials  
National Coalition of Advocates for Students  
National Council of La Raza  
National Council of Teachers of English  
National Education Association  
National Immigration Project, National Lawyers Guild, Inc.  
National Immigration, Refugee and Citizenship Forum  
National Lawyers Guild

National Puerto Rican Coalition  
New York Association for New Americans  
New York State Association of Foreign Language Teachers  
New York State Council on Languages  
New York State Teachers of English to Speakers of Other Languages  
Organization of Chinese Americans  
Pacific Northwest Council on Foreign Languages  
People for the American Way  
Socialist Party USA  
Society for the Psychological Study of Social Issues  
Southwest Conference on Language Teaching  
Spanish Speaking/Surnamed Political Association  
"Stop English Only" Committee of Hostos Community College (NY)  
Teachers of English to Speakers of Other Languages  
United States Student Association

**ENGLISH-ONLY: IT'S WHAT THEY DON'T SAY**

By Arthur J. Kropp

There's an old adage: It's not what you say that counts; it's what you don't say. I think about that every time I read arguments made by the proponents of Amendment #1, a constitutional amendment that makes English Colorado's "official language."

The Coloradans for Official English Committee (OEC) and other groups campaigning for Amendment #1 say it will help unify Colorado around a common language. They prefer not to mention the statements of the national leaders of the English-only movement, or the record of English-only laws in effect around the country. The reason is simple: these show that the movement promotes divisiveness in society and hostility to immigrants, especially those of the Hispanic, non-Protestant variety.

A memo written by John Tanton, the co-founder of U.S. English, which has been a major supporter of Amendment #1 and similar measures around the country, recently came to light. Among other racist and patently offensive statements, Tanton wrote:

In the California of 2030, the non-Hispanic Whites and Asians will own property, have good jobs and education, speak one language and be mostly Protestant or "other." The Blacks and Hispanics will have the poor jobs, will lack education, own little property, speak another language and will be mainly Catholic. Will there be strength in this diversity? Or will this prove a social and political San Andreas Fault?

In the wake of this racist memo, Linda Chavez resigned as President of U.S. English, saying Tanton's words reflected an

"anti-Catholic and anti-Hispanic bias."

As for other English-only laws, let's look at the record.

Dade County, Florida passed an English-only ordinance in 1980. For four years, until the law was amended, county hospitals could not distribute information on pre-natal care in a language other than English. The county library was prohibited from sponsoring certain cultural activities, because these activities were thought to promote a culture other than that of the United States. And county funds could not be used to print bilingual fire prevention literature. In fact, the fire department was forbidden even even to hand out the bilingual literature already in its possession.

California recently passed an English-only law whose effects are only beginning to be felt. English-only supporters have claimed that the new law makes it illegal for workers in state agencies to speak with one another in Spanish. In Monterey Park, near Los Angeles, the city council illegally took over the public library because its shelves held too many foreign language books. The Chair of the City Council, a leader of local English-only movement, said, "I don't think we need to cater too much to foreign languages. I think if people want a foreign language then they can go purchase books on their own..."

The leaders of the Amendment #1 campaign like to talk about protecting our traditional, national language. They don't say that English-only laws have always been a symptom of an ugly strain of bigotry and anti-foreignism that seems to reappear

whenever new groups attempt to take part in the American political system. English-only laws first appeared in the 1870s, after the freeing of the slaves and the first wave of immigration from Europe. The laws were an integral part of campaigns of hatred and violation of constitutional rights that saw Jim Crow laws, "No Irish or Dogs Allowed" signs, and the denial in California of the right of Chinese to testify in Court. A new wave of immigration, between 1890 and 1914, brought another round of English-only laws. During that time, the New York Constitution was amended to disenfranchise Yiddish-speaking citizens. In California, the state constitution was amended to stop Chinese people from voting. Several states prohibited the teaching of any languages other than English until after the eighth grade.

There is a noble tradition in American history with regard to foreign languages, but again it's one that the proponents of Amendment #1 choose not to mention--a tradition of tolerance. The Continental Congress printed many documents in German for the benefit of Americans who did not speak English. Bilingual education was common in the 18th and 19th centuries. During World War II the federal government issued a plea to buy War Bonds in at least 17 different languages including Baltic, Chinese, Czechoslovakian, Filipino, Finnish, French, German, Greek, Hungarian, Italian, Japanese, and Spanish.

Finally, the leaders of the Colorado official-English campaign don't mention that recent immigrants want to learn

English as much as did the Italians, Irish, Poles and others who came to America as immigrants earlier in this century. There are long waiting lists for English-as-a-second-language classes across the country--in Los Angeles the list is 40,000 names long, in New York 25,000 names.

The Amendment #1 proponents don't talk about the important issues, because they don't want the voters to look too closely at the amendment. The problem the English-only movement claims it is trying to solve is not a real one. We don't need to change the constitution or pass laws to protect the English language, because mastery of English has always been and will always be necessary for educational and economic success in the United States, and it's a legal prerequisite for citizenship. The real problems we face include how to protect constitutional rights for all and uphold our traditions of tolerance at time when they are under attack. Amendment #1 will not help solve these problems; it makes them worse.

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Arthur J. Kropp is President of People For the American Way, a 270,000-member nonpartisan constitutional liberties organization.

November 3, 1988

Dear Editorial Page Editor:

On election day this year, citizens in Arizona, Florida, and Colorado will be voting on English-only amendments to their state constitutions. Thirteen other states, including Illinois and California, already have English-only laws on the books, as do several local jurisdictions. In addition, during the last Congress, hearings were held on English-only constitutional amendments, and these amendments are sure to be brought up again.

These laws and amendments have been the result of the efforts of the English-only movement, whose goal is to make English the official language of the United States and to eliminate support for bilingual education, bilingual ballots, etc. Whatever the result of the current ballot initiatives, the English-only movement will continue to be active in Congress, state legislatures, ballot initiatives and the courts. The issues it raises will continue to be controversial.

The enclosed editorial memorandum takes a close look at the English-only movement and the issues surrounding it. It describes who the leaders of the movement are, their goals, their past actions, and future plans. It also analyzes the arguments they use, and looks at the effects of English-only legislation in practice. Finally, it reviews the history of English-only laws in America.

The memorandum argues that, although English-only laws appear to be at worst, harmless and at best, a contribution to national unity, in fact the English-only movement is another example of extremists attempting to hide an intolerant agenda behind a moderate face. It is also the latest manifestation of an ugly strain of bigotry that re-emerges whenever new groups attempt to take part in the American political system.

I hope you'll be able to find room on your editorial pages for this important issue.

Sincerely,



Beth Tuttle  
Communications Director

ISSUE PAPER

**The English-Only Movement and the Politics of Intolerance**

Freedom to vote . . . freedom for all. . . Your country is fighting for your society, for your life.

--Office of War Information pamphlet, distributed during World War II, published in some 20 languages, including Spanish, Italian, Chinese, Filipino, French, Greek, Czech, and Japanese.

Americans are rightly concerned about the breakdown of community and the increasing divisiveness in society. Stories about racism in Howard Beach, anti-Semitism in Chicago or Brooklyn, and the nation-wide rise in crimes of violence against ethnic minorities and gays are shocking and dismaying. Many people and organizations are searching for ways bring Americans back together. The English-only movement claims that the key to restoring unity is the English language. At first glance, it would seem that the goal of the movement--making English the 'official' language of the United States--is at worst harmless and at best could promote national unity around our common language. A close look at English-only, however, shows that it is another example of extremists attempting to hide an agenda of intolerance behind a 'moderate' facade. It is also the latest manifestation of an ugly strain of bigotry that re-emerges whenever new groups attempt to take part in the American political system.

**THE ENGLISH-ONLY MOVEMENT**

The English-only movement consists of two major organizations, U.S. English and English First, plus some smaller supporting groups, that pursue four principal goals:

- (1) To ratify a constitutional amendment that would declare English the official language of the United States and outlaw bilingual programs and services provided by federal, state and local governments;
- (2) To convince Congress to repeal bilingual ballot requirements under the Voting Rights Act;

(3) To sharply reduce, if not eliminate, federally mandated bilingual education.

(4) To pass English-only laws in as many states as possible.

U.S. English, the best known of the English-only groups was formed in 1983 "to defend the public interest in the growing debate on bilingualism and biculturalism." The organization claims over 300,000 members. In the past, it and other groups have attacked virtually all types of multilingual assistance provided by the government and business to non-English speakers. In its hand-out, "Talking Points," U.S. English also lambasts the foreign language ballot which, "greatly offends the sensibilities of U.S. citizens."

At the national level, the group lobbies for a Constitutional amendment establishing English as the official language of the United States. (see below). U.S. English has opposed bilingual education and voting rights legislation and has fought FCC licensing of Spanish-language broadcasters. Since its founding, it has helped state efforts to pass official-English laws and is backing official-English measures on the November ballot in Arizona, Colorado, and Florida.

U.S. English has recently been rocked by controversy, thanks to the publication of the offensive views one of its founders. (See below). Until October, U.S. English's president was Linda Chavez, former Reagan White House aide and staff director of the U.S. Civil Rights Commission, who was defeated in a bid for the U.S. Senate by Barbara Mikulski (D-Md) in 1986. She has been replaced at U.S. English by Stanley Diamond, a founding director.

Leading spokespersons include founder and former U.S. Senator S.I Hayakawa, who has also been active in opposing reparations to Americans of Japanese ancestry who were interned during World War II, and--until recently--board chairman John Tanton, founder of the Federation of Americans for Immigration Reform, which advocates a "pause" in new immigration. (Tanton also resigned in October.) Tanton is a key supporter of the population control group called Environmental Fund (now Population-Environmental Balance) which ran ads in San Francisco newspapers blaming illegal immigration for overpopulation, traffic jams, increased crime and higher taxes. The U.S. English Board of Advisors is also in flux. Moderates such as Saul Bellow and Walter Annenberg are listed as board members, but Walter Cronkite has recently resigned in the wake of the controversy over Tanton's remarks.

The other major group, English First, is based in Virginia and was founded three years after U.S. English. English First is

more openly anti-immigrant and anti-foreigner than U.S. English. As English First tells its prospective members:

-- "English First will expose the harmful effects of bilingualism on our society, expose the high cost of these programs to you, the taxpayer and develop a national outpouring of support for the English Language Amendment."

-- "Tragically, many immigrants these days refuse to learn English. They never become productive members of American society. They remain stuck in a linguistic and economic ghetto, many living off welfare and costing working Americans millions of tax dollars every year."

-- "If you and I fail to pass this Amendment now, the fragmentation of American society along language lines will be complete. We'll create a permanent underclass of unemployable citizens. And you and your children will have to pick up the tab."

The goal of English First is to make the English Language Amendment the 27th Amendment to the U.S. Constitution. Unlike U.S. English, it does not openly advocate restriction of government funding for bilingual education. Instead, English First follows a "top-down" approach that assumes a 27th Amendment will curb the "dangerous spread of bilingualism" on a national level. English First's board consists mainly of state legislators.

#### ENGLISH-ONLY LEGISLATION

##### Amendments to the Constitution

Two types of English-Only constitutional amendments are before Congress: the open-ended version, which simply establishes English as the official language and leaves interpretation of the law to the courts; and the proscriptive version which outlaws the use of languages other than English by federal, state, and local governments. As constitutional amendments, these measures would require passage by two-thirds of the Congress and affirmation by three-quarters of the states within seven years. Both versions appear to forbid any governmental assistance to non-English speakers, no matter how essential. Further, neither version allows bilingual education, although the aim of bilingual education is to teach English while educating students in the other necessary subjects. Although the amendments failed in Congress this year, English-Only constitutional amendments are certain to be offered again in the next Congress.

Recently, the House of Representatives's Judiciary Subcommittee on Civil and Constitutional Rights held a hearing on proposed English-Only Constitutional amendments. Sen. McCain (R-AZ), Reps. Solarz (D-NY), Klezcka (D-WI), Bustamente (D-TX) and Ben Nighthorse Campbell (D-CO) were among many members of Congress who testified in opposition. Rep. Solarz eloquently testified, "There is nobody more cognizant of the disability of non-English proficiency than the individual who is struggling to make it in this country without being able to speak English. I see no reason, therefore, to enact legislation that would only punish a huge segment of a society for a disability that they, themselves, are earnestly trying to correct." Testifying in favor of the amendments were the sponsors: Sen. Symms (R-ID), Reps. Clarence Miller (R-OH), Shumway (R-CA), Broomfield (R-MI) and Virginia Smith (R-NE).

### State Initiatives

Arizona, Colorado and Florida residents will vote on English-Only constitutional amendments in November, and thirteen states (Arkansas, California, Georgia, Illinois, Indiana, Kentucky, Mississippi, Nebraska, North Carolina, North Dakota, South Carolina, Tennessee and Virginia) have already passed English-Only laws. The English-Only movement would like to pass as many state English Language Amendments as possible in the near future to pressure Congress into passing a Constitutional amendment.

In response to the English-Only movement, however, the following jurisdictions recently have declared themselves to be multicultural, bilingual, or multiracial: Atlanta; Cleveland; Dallas; District of Columbia; Lorain, Ohio; Osceola County, Florida; Pima County, Arizona; San Antonio; Tucson; and South Tucson. Three states have acted to officially promote language diversity: New Mexico's constitution of 1912 authorizes the training of Spanish-speaking teachers and requires all official documents to be published in both English and Spanish for twenty years; Hawaii passed a constitutional amendment in 1978 establishing English and Native Hawaiian as co-equal official languages; and Louisiana has a 1974 statute upholding the right to preserve and promote minority languages and cultures. Furthermore, a committee of the National Conference of State Legislators recently unanimously rejected a resolution endorsing English-Only legislation as "divisive."

### A CLOSER LOOK AT ENGLISH-ONLY

#### Leaders

Although it has attracted some moderate support, key leaders of the English-only movement believe that cultural and ethnic diversity damage America. Some are part of the Far Right. English

First, for example, is headed by Larry Pratt, a direct-mail specialist who also directs Gun Owners of America, U. S. Border Control, and a growing family of New Right political action committees.

Pratt is also a director of the Council for Inter-American Security, which published a report in 1985 arguing that "bilingual education has national security implications," linking it to an alleged threat of Hispanic separatism and terrorism, although there has been no evidence that either threat exists.

U.S. English has until recently been considered more 'mainstream,' but its co-founder John Tanton, has made clear that his commitment to an English-only America derives from his hostility to immigrants, especially those of the Hispanic, non-Protestant variety. In a memo dated October 10, 1986, which recently surfaced, Tanton outlined his fears about immigration and the effect on America of people speaking languages other than English. Some examples:

"Gobernar es poblar" translates "to govern is to populate." In this society where the majority rules, does this hold? Will the present majority peaceably hand over its political power to a group that is simply more fertile?

In the California of 2030, the non-Hispanic Whites and Asians will own property, have the good jobs and education, speak one language and be mostly Protestant and 'other.'" The Blacks and Hispanics will have the poor jobs, will lack education, own little property, speak another language and will be mainly Catholic. Will there be strength in this diversity? Or will this prove a social and political San Andreas Fault?

Keep in mind that many of the Vietnamese coming in are also Catholic. . . . Is there anything to be said about Eastern religions that will come along with the Asiatics?

In the wake of this racist and patently offensive memo U.S. English has been in turmoil. Linda Chavez resigned in early October, calling the memo "anti-Catholic" and "anti-Hispanic." Tanton has submitted his resignation as chairman. Walter Cronkite also resigned as a board member.

#### English-only Myths:

English-only promotes national unity.

While it claims to promote national unity, the English-only

movement in fact promotes divisiveness, by attempting to deny rights to some citizens because of language, and, as Senator Tim Wirth (D-CO) has said, by "sending a clear signal that cultural diversity and bilingualism will not be tolerated."

Moreover, the English-Only movement makes no effort to make non-English citizens proficient in English, nor does it enable language minority citizens to be integrated into the American mainstream. It is an attempt to disenfranchise or withhold political, educational, economic opportunities from those who have not already become "Americanized."

English is in danger of being displaced by other languages.

English is already recognized as the language of law and commerce in the United States. An effort to make it the "official" language for these purposes is not necessary. According to the 1980 census, 98% of American residents above four years old speak English "well" or "very well." A 1985 Rand Corporation study found that among first-generation Americans whose mother tongue is Spanish, 90% are proficient in English, and 50% of their children know no Spanish. An independent marketing firm's survey in the mid-1980's found that 98% of Latino parents, as compared to 94% of Anglo and Black parents, believed it is essential for their children to read and write English perfectly. Moreover, English proficiency in speaking, writing and reading is already a prerequisite for naturalization, (with a minor exception for people over 50 who have lived here at least 20 years) along with knowledge of American government and citizenship.

English is endangered because immigrants resist learning it.

In Los Angeles, the waiting list for adult English as a Second Language (ESL) classes is over 40,000 names long. In New York City, 25,000 people are on the list for ESL classes. The English Plus Information Clearinghouse has written that, "English Only proponents have never been able to identify alleged Hispanic separatists, or to cite a single language-minority leader, who has advocated official bilingualism in the past decade."

Bilingual education is segregated education that keeps children from learning English as quickly as earlier generations of immigrants who were forced to "sink or swim" with English.

In the words of the Mexican American Legal Defense and Educational Fund (MALDEF), "What Congress has done by enacting laws such as the Voting Rights Act and the Bilingual Education Act is not to accord special treatment, but to ensure equal treatment." MALDEF points out that the argument, "My grandparents got by and learned English on their own, why can't you?," is a pleasant historical myth that hides two important facts. First,

the labor-intensive industries of the past that employed large numbers of poor-English-speaking immigrants earlier in this century have given way to new industries that require higher levels of literacy, education, and English proficiency.

Second, a large percentage of immigrant children who arrived at school with limited English-speaking abilities, did poorly in school, suffering loss of self-esteem and not realizing their potential to learn. Bilingual education is an effective means to overcome this problem. Indeed, studies show that, where bilingual education is properly implemented, children not only learn English, but master other subjects at higher rates than children in non-bilingual programs.

The foreign ballot greatly offends the sensibilities of U.S. citizens. The right to vote should be earned by learning at least the rudiments of our language.

This argument turns the facts inside out, making the elimination of discrimination appear to be the imposition of special privilege. The most eloquent answer to the argument can be found in the language Congress used when it passed the 1975 Voting Rights Act, which provided for bilingual ballots. Congress found that voting discrimination against language minority citizens "is pervasive and national in scope....The Congress further finds that where State and local officials conducted elections in English, language minority citizens are excluded from participating in the electoral process. In many areas of the country, this exclusion is aggravated by acts of physical, economic, and political intimidation. The Congress declares that, in order to enforce the guarantees of the Fourteenth and Fifteenth Amendments to the United States Constitution, it is necessary to eliminate such discrimination by prohibiting English-only elections, and by prescribing other remedial devices."

#### ENGLISH-ONLY AS STATE AND LOCAL LAW-- INTOLERANCE PLUS DISCRIMINATION

In California, it appears little effort has been made to enforce Proposition 63 (a referendum making English the official language) since it was adopted, because it appears English-only movement leaders' fear that resulting tensions and controversy would undermine adoption efforts in other states.

In Dade County, Florida local officials reacted to the "Mariel Boatlift" of 1980 was by becoming one of the first local jurisdictions in recent times to pass an English-only ordinance. The clear intent was to keep non-English speakers from becoming integrated into the community and withhold the benefits of Dade County society from the newcomers. As a result of the law, county funds could not be used to print bilingual fire prevention literature -- in fact, the fire department could not even

distribute the bilingual literature already in its possession. County hospitals could not distribute information on pre-natal care in a language other than English. All county public hearings, meetings and publications were only in English. The county library was even prohibited from sponsoring certain cultural activities, because these activities were thought to promote a culture other than that of the United States. This state of affairs continued for four years.

In 1984 the English Only statute was amended to allow for the use of other languages under certain limited circumstances including health and safety concerns and the need to attract and accommodate tourists. However, many restrictions still remain.

### Monterey Park, California: A Case Study

Monterey Park is a small city in the San Gabriel Valley, east of Los Angeles. Historically a middle class, mixed community of Anglo and Mexican-American families, within the past decade the city has become 51% Asian, with the majority of the newcomers recent immigrants from Taiwan and Viet Nam. The commercial section of town is now known for the best, most authentic Chinese food in the L.A. area and the streets are lined with signs for shops, grocery stores and other small businesses that are written with characters incomprehensible to most of the long-time residents. The fact that many of the newcomers have been able to buy their houses from long-time residents whose own children could not afford to buy at the inflated prices that now prevail has also damaged the sense of community well-being.

Riding on a crest of support from those long-time residents frightened by what some believed was an "out-of-control" flood of new immigrants, a slate of candidates was elected in the last city council race pledging to make English Monterey Park's official language. In their most dramatic action to date, the council recently disbanded the board of library trustees, a body of citizen volunteers appointed for three-year terms whose charge was to administer the Monterey Park Library. The library is a highly valued community institution, located directly across the street from city hall, and is very well used. In addition to the usual library functions, the library offers English-as-a-second-language classes and citizenship preparation classes.

The newly elected council disbanded the library board despite the fact that the California Education Code specifically requires that public libraries be run by a board of trustees appointed for specific terms. The council itself took over the job of administering the library, with the stated purpose of ensuring more "accountability" over expenditures. However, council records and statements by key members of the council show that the real concern was the library's acquisition of foreign language books

and periodicals.

For example, Barry L. Hatch, Chair of the City Council and a leader of the English-only council members, has told the city librarian at council meetings:

I don't think we need to cater too much to foreign languages. I think if people want a foreign language they can go purchase books on their own. . . . [R]egardless of where the funding comes from, don't let this funding encroach on the Library to where we have too large a percentage in foreign languages . . . .I'm just very set on maintaining our public buildings and services as Americans serving Americans.

In fact, since 1985 less than 10% of the budget for new acquisitions have been for foreign language materials. And 8% of the library's collections are in languages other than English (including French, German, etc.) Many of the new library purchases have been Chinese books of the how-to variety, designed to help newcomers deal with auto repairs or home improvements in a very different culture. But under pressure from the English-only council members, the library's budget for foreign language materials has been slashed, to 2% of the 1988-89 budget, about \$3,000.

Hatch has made clear his feelings about immigrants and other foreigners in a letter on official City stationery to state and national politicians:

...You as leaders must now address and solve this issue by closing our borders, removing illegal aliens and controlling the abuse of the more than ten million tourists who visit our shores each year, a great many of whom never leave.

If you, by your silence, allow these hordes of invaders to continue, this nation will cease to exist . . . .We are not interested in becoming a third world nation.

The former library trustees and a community support group, Friends of the Library, have sued the city of Monterey Park to reinstate the fired trustees and will soon file a follow-up motion. People For the American Way has secured the services of the firm of O'Melveny and Myers as pro bono counsel for the plaintiffs.

#### ENGLISH-ONLY, AN HISTORICAL PERSPECTIVE

Leaders of the English-only movement often cloak their arguments with patriotic themes and appeals to American history and tradition. But the English-only movement is, in fact, the latest version of an ugly strain of bigotry and anti-foreignism that seems to reappear whenever new groups attempt to take part in

the American political system.

The first wave of linguistic exclusion laws appeared in the 1870s, after the freeing of the slaves and the first wave of immigration from Europe. The laws were an integral part of campaigns of hatred and violation of constitutional rights that saw Jim Crow laws, "No Irish or Dogs Allowed" signs, and the denial in California of the right of Chinese to testify in Court. The Anti-Chinese Workingman's Party led California's second constitutional convention to ratify the state's first English-only provisions.

The next wave of English-only laws came in the wake of renewed immigration, between 1890 and 1914, and the anti-German sentiment of World War I. In 1911, the Federal Immigration Commission issued a report that foreshadows many of the arguments of today's English-only supporters. The commission contrasted the "old" immigrants with the "new" ones, arguing that the former had assimilated quickly, while the "new" ones from Italy, Russia, Hungary, and other countries were less intelligent and less willing to learn English. In 1917 Congress tried to reduce immigration from eastern and southern Europe by adding a literacy requirement to the immigration law. At about the same time, several states, including Nebraska and Ohio, enacted laws prohibiting the teaching of any languages other than English until after the eighth grade. This prohibition was struck down in 1923, by the U.S. Supreme Court in Meyer v. Nebraska.

But these episodes of xenophobia and intolerance are not the full story. For most of our history, Americans have been tolerant of other cultures and languages. As MALDEF has reported.

The Continental Congress printed many documents, including the Articles of Confederation, in German for the benefit of non-English speaking patriots. Bilingual education was common in the 18th and 19th centuries and instruction was provided in such languages as German and Yiddish. During World War II the federal government issued a plea to all Americans to purchase War Bonds to help "your country ... fight for your society, for your life." This patriotic plea for the support of all Americans in a time of crisis was distributed by the Office of War Information in at least 17 different languages including Baltic, Chinese, Czechoslovakian, Filipino, Finnish, French, German, Greek, Hungarian, Italian, Japanese, Spanish and many others.

Today, the United States once again is embracing large numbers of immigrants, this time from Asia and Latin America. And once again, some Americans want to place the blame for our complex national problems on a scapegoat--the newcomers who don't look like us or speak our language. They argue that we must restrict the rights of immigrants and pass laws making English our official

language.

#### ALTERNATIVES TO ENGLISH ONLY

A broad range of civil rights, civil liberties, religious, and educational organizations are now working to oppose the official English initiatives. Both George Bush and Michael Dukakis oppose the constitutional amendment, as do New York and California governors Mario Cuomo and George Deukmejian. Vice President Bush said in 1987, "We all share the same goal of ensuring that every child learns to speak English fluently. ... However, I do not believe that laws to make English the official language are needed to reach this goal."

A report by the American Bar Association's Section of Individual Rights and Responsibilities recommends that the ABA formally declare that:

the American Bar Association opposes the creation of obstacles to individuals' enjoyment of the rights of Americans based on those individuals' limited proficiency in English, and accordingly opposes any legal measure that could prohibit government entities from using languages other than English. . . . [The Section] urges the ABA to reject English-only legislation as an unnecessary threat to the rights of ethnic and language minority Americans and to the tolerance and pluralism that have made America strong.

Some of the English-only opponents have now grouped together under the slogan "English plus" to demonstrate their commitment to finding the means to teach English while preserving minority languages. Many teachers of foreign language and others concerned about the widespread incompetence of native-born Americans in languages other than English, find this an attractive rallying point. While English had made great strides as an international language for technical and business communication, the inability to speak with Asian and Hispanic decisionmakers, not to mention those in European, Africa, or the Middle East, in any language but English is also a serious problem for the United States as it strives to stay competitive with the rest of the world. It is especially ironic that the English-only movement should arise at a time when we have a pressing need for people who can speak foreign languages.

#### CONCLUSION



The problem the English-only movement claims it is trying to solve is not a real one. We don't need to change the constitution or pass laws to protect the English language, because mastery of English has always been and will always be necessary for educational and economic success in the United States, and it's a legal prerequisite for citizenship. The real problems we face as a nation include how to protect constitutional rights for all and uphold our traditions of tolerance at time when they are under attack. The English-only movement does not help solve this problem; it makes it worse.

The laws English-only wants to see enacted would restrict, not extend or strengthen, the rights of Americans. The English-only leaders' naked or veiled appeals to racism and anti-immigrant feeling feed hatred in the United States instead of combatting it.

The English-only movement pretends to be a moderate campaign for traditional American values. In fact, it feeds on the same intolerance for diversity and pluralism that has given rise to extremist movements in the past and continues to do so today.

# NEWS

 **People For The American Way**  
The non-partisan constitutional liberties organization.

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OCT 21 1988

## People For President Calls for Resignations from U.S. English Board

WASHINGTON, D.C.

Notable Board members: Walter Annenberg,  
Saul Bellow, Alistair Cooke, Arnold Schwarzenegger

Washington, DC -----

People For the American Way President Arthur J. Kropp today called for the resignations of U.S. English board members, in the wake of allegations of racism against U.S. English.

Kropp's call followed the resignations of U.S. English President Linda Chavez, and Chairman John Tanton. Tanton resigned Monday after wire service accounts of a controversial memo he had distributed in 1986. According to reports, the memo predicted that America would face a conflict between "a minority of educated, well-off English speakers and a majority of uneducated poor people of other ethnic and racial groups with faster population growth."

Chavez, a former Reagan White House aide and unsuccessful Maryland Senate candidate, resigned Monday after word leaked that major contributors to the organization had advocated racist views of immigration control and forced sterilization.

Following is the text of Kropp's remarks:

"The scandal has laid bare the ugly core of the English-only movement. The real motivation for too many of the movement's leaders is racism, plain and simple.

"The leaders of U.S. English have grossly misrepresented their real purpose. Those members of the board not party to this disgraceful behavior should resign their positions immediately."

Members of the U.S. English board, according to an August, 1988 official listing are: Walter Annenberg; Clarence Barnhart; Jacques Barzun; Saul Bellow; Bruno Bettelheim; Alistair Cooke; Denton Cooley, M.D.; Sen. Joseph V. Corcoran; Angier Biddle Duke;

Andre Emmerich; George Gilde; Frank Hill; Sidney Hook; Francis H. Horn; Barbara Mujica; Mrs. Eugene Ormandy; Norman Podhoretz; Karl Shapiro; Arnold Schwarzenegger; W. Clement Stone; and Rosalyn Yalow.

Kropp sent letters to each of the board members urging them to resign their positions with U.S. English. A copy of the letter is attached.

People For the American Way is a 270,000-member constitutional liberties organization. People For spokespersons are available for comment at the contact number.

 **People For The  
American Way**  
*The non-partisan constitutional liberties organization.*

October 19, 1988

Dear U.S. English Board Member:

I am writing to you on behalf of the 270,000 members of People For the American Way, a non-partisan constitutional liberties organization, to urge you to resign from the Board of U.S. English. It has just been reported that U.S. English Chairman and co-founder John Tanton is the author of a controversial 1986 memorandum which, we believe, is patently offensive and racist. According to press reports, the memo predicts that America will face a conflict between "a minority of educated, well-off English speakers and a majority of uneducated poor people of other ethnic and racial groups with faster population growth." We understand that the memo delineates Tanton's view of the threats of immigration to the U.S., including the fertility rate of some ethnic groups, their religion, and their cultural tendency to resort to bribery, among other objectionable possibilities.

Although Tanton has resigned because of the public disclosure of his memo, we believe that these revelations lay bare the real objectives of many of the leaders of the English-Only movement. We further understand that U.S. English President Linda Chavez has also resigned because "major contributors to U.S. English advocated unusual views on population and immigration control, including advocacy of forced sterilization."

People For the American Way is deeply concerned about the fundamental intolerance of cultural and ethnic diversity promoted by the English-Only movement. We believe it has given rise to a growing number of incidents across the country motivated by bigotry based on national origin. Already the English-Only movement has severely divided communities, such as Monterey Park, California and Dade County, Florida, and bred inter-group tension and acrimony. No one disputes the basic value of proficiency in English. But the real effect of the English-Only movement has been to put restrictions on efforts to enable non-English speakers to become proficient in English and fully participating citizens.

We believe the leaders of U.S. English have grossly misrepresented their real purpose. We urge those members of the board of directors not party to this disgraceful behavior to resign their positions immediately.

Sincerely,

  
Arthur J. Kropp  
President



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### A Synopsis of

## **BILINGUAL EDUCATION: HISTORY, POLITICS, THEORY, AND PRACTICE** by James Crawford, former Washington editor of Education Week

A comprehensive report on the state of bilingual education in the 1980s - its promise and predicament. Twenty-five years after its revival in the United States, bilingual education has never looked better as a pedagogical approach. But politically, it has never been more vulnerable.

Crawford's book provides the context to understanding today's policy controversies. As a journalist who has closely covered developments in legislation, research, and successful programs, James Crawford examines bilingual education from all sides.

### HISTORY

#### 1. Bilingualism in America: A Forgotten Legacy

- Linguistic diversity and tolerance in the nation's infancy
- Rejection of official language proposals as a threat to individual liberty
- Spread of bilingual schooling, public and parochial, throughout the 19th century
- Imposition of English as a tool for repressing conquered peoples and racial minorities
- Americanization of immigrants, World War I xenophobia, and language restrictionism
- Rebirth of bilingual education in the 1960s

#### 2. The Evolution of Federal Policy

- Title VII and civil rights law: a two-track response to the neglect of language-minority students
- Tension between transitional and maintenance goals of bilingual education
- Lau v. Nichols decision and the Lau Remedies
- Opposition to "affirmative ethnicity"
- Defeat of the proposed Lau Regulations mandating bilingual education
- 1984 amendments to Title VII: an opening for English-only alternatives
- Retreat of the Office for Civil Rights

### POLITICS

#### 1. English Only or English Plus?

- Fallout from Proposition 63 and other official-English campaigns
- Roots of the English Only movement: exploiting nativist fears
- Debate over the English Language Amendment and its discriminatory potential
- Sociolinguistic research on language loyalty and language shift
- Links between U.S. ENGLISH and the U.S. Education Department
- "Cultural conservative" threat to bilingual education
- English Plus alternative

## 2. The Bennett Years

- 1985: Secretary Bennett's broadside against bilingual education and call for "local flexibility"
- 1986: Skirmishes over regulations and legislation; rift between OBEMLA and NABE; shrinking LEP estimates
- 1987: Politics over pedagogy; collapse of Title VII's allies on Capitol Hill
- 1988: Final decisions on reauthorizing the Bilingual Education Act; boost for alternative programs

## THEORY

### 1. The Effectiveness Controversy

- Weaknesses in bilingual education research: the AIR study
- Evaluation research vs. basic research and their policy implications
- Official agnosticism and Chester Finn's "burden of proof"
- Baker-de Kanter report and its shortcomings
- Willig's meta-analysis: critiquing the critics

### 2. Basic Research on Language Acquisition

- Role of theory in guiding educational practice
- Second-language acquisition and Krashen's Input Hypothesis: revolutionary implications for ESL
- Development of Cummins's interdependence theory
- Playground English vs. cognitive-academic language proficiency
- Bicultural ambivalence: a psycho-social argument against quick-exit bilingual education
- The threshold hypothesis and potential cognitive benefits of bilingualism
- Glossary of program models

### 3. Alternatives to Bilingual Education

- Origins of French immersion in Canada
- Additive and subtractive bilingualism: differing needs of language-minority and language-majority students
- Confusion over program labels
- Limited evidence on "structured immersion" in the United States
- SRA longitudinal study of immersion for language-minority children
- Poor showing for an ESL-only approach in Fairfax County, VA

## PRACTICE

### 1. Theory into Practice: The Case Studies Project

- Applying basic research: California project to design "theoretically sound" programs
- Selecting and evaluating Case Studies schools
- Adapting the model from Cummins and Krashen: intensive native-language development, communication-based ESL, and sheltered English
- Outcomes: dramatic improvements in student achievement
- Problems with OBEMLA, support from school districts

## 2. Indian Bilingual Education

- History of linguistic repression in Indian schools
- Language loss and the special case of limited English proficiency among Indian students
- Growth of bilingual programs on three Montana reservations
- Efforts to develop a Crow writing system
- Preserving ancestral tongues and building self-esteem
- Indian teacher shortages
- Political factors: local, tribal, and federal

## 3. California: Coping with Diversity

- "Sunset" of California's exemplary bilingual education law: what impact?
- Alhambra's response to changing demographics
- Asian bilingual programs and the myth of the model minority
- Problem No. 1: training and recruiting bilingual teachers
- Reliance on paraprofessionals and outdated methodologies
- Training the trainers
- Los Angeles "master plan" for bilingual education

## 4. Two-Way Bilingual Education

- Americans' shortsighted language policy: wasting linguistic resources
- Limitations of transitional programs for minority children and one-way immersion for English speakers
- Serving both groups with two-way programs
- Bilingual enrichment and cross-cultural understanding
- Early experiments in Washington, D.C., and San Diego, California
- Total, partial, and limited bilingual immersion
- Long-term potential for additive bilingualism

## Sources and Suggested Reading

## Index

# National Coalition for Language Freedom

530 12th Street, Sacramento, CA 95814

Telephone: (916) 447-4884

## Questions and Answers About The English-Only Movement

*This document was prepared by Edward M. Chen, Staff Attorney with the American Civil Liberties Union of Northern California.*

- In 1980, Dade County, Florida passed an ordinance barring use of county funds for activities which involve a foreign language or which promoted non-"American" culture. As a result, funding for ethnic festivals, bilingual hospital services, signs, and tourist promotions was terminated.
- In 1984, three municipal court judges in Southern California imposed a workplace rule prohibiting court clerks from speaking to co-workers in Spanish.
- Monterey Park and other cities in Southern California enacted ordinances prohibiting or restricting the use of foreign languages on private business signs.
- English-only advocates have mounted protests against telephone companies for their use of Hispanic Yellow Pages, and multilingual operators and against fast food chains for their use of Spanish language menus.
- In 1986, 1988 and 1990 the voters of California, Florida, Arizona, Colorado and Alabama passed statewide initiatives designating English the "official" state language.

These acts threaten our country's proud heritage of freedom, tolerance and diversity, as well as the civil liberties of millions of Americans. They are manifestations of a growing English-only movement.

The primary focus of this movement is the enactment of laws designating English as the "official" language and limiting the use of foreign languages in the provision of government services and by businesses.

The National Coalition for Language Freedom vigorously opposes the English-only movement and "Official English" laws because they threaten the civil rights and liberties of individuals who are not proficient in English. The intolerance and bigotry they canonize are contrary to the spirit of tolerance and diversity embodied in our Constitution.

With the enactment of city and state laws, and the proposal for an English Language Amendment to the United States Constitution, the debate over English-only has become increasingly intense. Many people are confused about "Official English" laws.

Inside is summary of frequently-asked questions and answers which explain why we oppose English-only legislation.

---

**-1-  
What is the  
English-only  
movement?**

The English-only movement seeks to restrict or terminate the use of languages other than English by the government and in some cases, private businesses. English-only advocates have urged that bilingual voting assistance and ballots be terminated, bilingual education be severely restricted, and that other bilingual services or governmental communications be ended. The ultimate goal of the English-only movement is to amend the U.S. Constitution to make English the nation's "official" language.

English-only advocates argue that our nation is threatened by a "mindless drift

toward a bilingual society" and that permitting the use of foreign languages by government and business discourages immigrants from learning English. They argue that there is an increasing number of immigrants who refuse to learn English, thereby threatening the primacy of English the "common bond" which holds our society together. English-Only advocates argue the government's endorsement of bilingualism threaten to divide our society along language and ethnic lines.

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**-2-  
Isn't English  
already the official  
language of the  
United States?**

No. Although English is universally acknowledged as our nation's common language, the Constitution does not explicitly make English the nation's "official" language. The Founding Fathers debated whether an official language should be designated. Historians believe an official language was not adopted because many of the Founding Fathers were concerned with its potential impact on religious freedom and immigration, and felt that identification of

a national common language should be made by free choice rather than imposed from the top down by law.

Currently, seventeen states have "Official English" laws. Although some were passed at the turn of the century during periods of nativism, most were passed within the last several years. There are few court decisions interpreting these laws and thus their legal effect is not yet clear.

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**-3-  
Is the English  
Language in  
America being  
threatened?**

No. Although there has been a large influx of immigrants from Asia and Latin America since the 1960's, the primacy of English as the nation's common language is not threatened. Over 98% of U.S. residents over the age of four speak English "well" or "very well" according to the 1980 Census. In fact, a greater proportion of the American population spoke German in the early 1800's than those who speak Spanish today. Contrary

to what some English-only advocates suggest, there is no broad based movement to make Spanish or any other foreign language the "official" language of the United States. Hence there is no need to declare English as our "official" language.

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**-4-  
Is it true that  
today's  
immigrants, unlike  
earlier immigrants,  
are not learning  
English?**

No. Today's immigrants are assimilating into U.S. society and acquiring English proficiency at the same rate as prior generations of immigrants. Sociologist Calvin Veltman has found that today's Hispanic immigrants are learning English as fast as earlier generations of European immigrants. A 1985 Rand Corporation study found that while roughly half of Mexican

immigrants to California speak English, over 95% of first generation Mexican-Americans are English proficient, and that more than 50% second generation Mexican Americans have lost their mother tongue entirely. According to 1980 Census data, nearly 90% of Hispanics ages 5 or older speak English in their households.

Today's immigrants recognize their

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**-4-  
(Continued)**

responsibility to learn English. According to a 1985 survey, 98% of Latino parents surveyed, as compared to 94% of Anglo and Black parents, felt it was essential for their children to read and write English perfectly. Latinos, Asians, and other new immigrants fill the long waiting lists for over-enrolled adult English classes. In Los Angeles, the waiting list is over 40,000; in New York the list is over 26,000. In 1987, a group

of immigrants filed a lawsuit in Los Angeles Superior Court to force the County to expand English classes for non-English speaking immigrants. The problem is not a lack of desire to learn English, but the lack of educational resources to teach English.

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**-5-  
Isn't it necessary to protect the English language since it serves as the common bond of American society?**

The United States is and has always been a nation of immigrants, most of whose native languages are those other than English. Since the founding of our nation, there have been large pockets of German, French, and Spanish-speaking populations in our country. Indeed, the Continental Congress printed many documents, including the Articles of Confederation, in German for the benefit of non-English speaking patriots. In the 18th and 19th centuries, bilingual education in German and Yiddish were common in the Mid-west and Eastern cities. Even the official minutes of some town meetings in the Mid-west were kept in German.

Our nation's history of linguistic and

cultural diversity never undermined our national unity. Nor is it a threat today. Today's Hispanic and Asian immigrants, much like yesterday's Italian, Irish, and German immigrants, have come to the United States to escape adverse political or economic conditions. The common heritage shared by new and old immigrants alike is their mutual quest for freedom and opportunity. The bond that holds this nation together is our shared belief and commitment to democracy, freedom and justice. That bond runs far deeper than the English language.

---

**-6-  
Won't "Official English" laws unite our country and prevent divisions along language lines as in Canada?**

Language diversity need not result in social divisiveness. For instance, Switzerland has four official national languages, and there is no divisiveness between the various linguistic groups. On the other hand, Ireland has long experienced internal violent conflict despite linguistic homogeneity.

More to the point, our nation's long history of linguistic diversity has not prevented national progress and unity. A good example of the positive effects of bilingualism is New Mexico, which has been officially bilingual since 1912. Government documents and ballots are printed in English and Spanish. Rather than linguistic and cultural conflicts, New Mexico enjoys the highest rate of political participation (and hence integration into

the political mainstream) by Hispanics in the nation.

The conflict between French-speaking and English-speaking Canadians is often cited by English-only supporters as reason for "Official English" laws. But the Canadian conflict is not the result of official bilingualism. The tension derives from the historical economic, social, and political conflicts particular to Canada. The call to make French the official language was the symptom rather than the result of this historic conflict.

History teaches that the attempt to impose an official language over members of a minority group invariably results in increased divisiveness, whereas tolerance and recognition of minority languages lessens tensions. The Canadian

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**-6-  
(Continued)**

experience is relevant in this regard. In 1974, the French-speaking majority in Quebec declared French the exclusive language in order to stifle what it viewed as a threat from the English-speaking minority. Draconian language laws, such as those prohibiting businesses from posting signs in English, caused a great deal of divisiveness.

It is already evident that "Official English" laws in this country have caused division rather than unity. Ethnic tension was exacerbated in Dade County, Florida, Monterey Park, California, and other cities where such measures were introduced.

Unity comes from tolerance and mutual respect, not forced conformity.

Many of the world's most virulent wars have been based on religion; yet, despite the diversity of religious faiths within our country we have avoided the intense religious wars and conflicts experienced elsewhere. Why? Because the First Amendment guarantees tolerance and teaches mutual respect of different faiths, rather than allowing the imposition of an official orthodoxy. In contrast, "Official English" laws impose an official orthodoxy that breeds intolerance. It is intolerance not diversity which threatens our nation's unity.

---

**-7-  
Who is behind the  
English-only  
movement?**

The main organization leading the English-only movement is U.S. English. U.S. English was organized in 1983 as an offshoot of the Federation for American Immigration Reform (FAIR), a group which advocates tighter restrictions on immigration. Its founders were former Senator S.I. Hayakawa and Dr. John Tanton, a Michigan ophthalmologist and population-control activist. U.S. English claims membership of over 300,000. Its stated purpose is "to defend the public interest in the growing debate on bilingualism and biculturalism."

While not all its members are xenophobic and anti-immigrant, the sentiments of its founder, Tanton, are evident in a memorandum he wrote in 1986 intended as a private paper but which came to light two years later. Tanton's memo attacks Hispanics for their "tradition of the bribe" low "educability," Roman Catholicism, and high fertility all of which he claimed threaten the American way of life. He wrote, "Perhaps this is the first instance in which those with their pants up are going

to get caught by those with their pants down."

Another major English-only organization is English First, founded in 1986 as a project of the Committee to Protect the Family. It claims 200,000 members. Its solicitation letter states that "immigrants these days refuse to learn English", "never become productive members of American society," and "remain stuck in a linguistic and economic ghetto." It brands the "'bilingual' movement" as "radical." The founder of English First, former Virginia state legislator Lawrence Pratt, was the secretary of the Council for Inter-American Security which published a report in 1985 warning that Hispanics who support bilingual education pose a national security threat to the United States.

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**-8-  
What effect will  
"Official English"  
laws have on  
bilingual services  
and programs?**

The impact could be almost non-existent or it could be disastrous: the effects will probably depend on the language of the particular laws. In some states, laws which declare English as the state's "official" language may be treated purely as symbolic, much like laws which name the official state bird or flower. Where the laws have more specific prohibitions, they may result in wiping out bilingual services and programs.

For instance, Florida's Dade County passed an ordinance in 1980 which prohibited the County from funding activities which involve a language other than English. As a result, bilingual signs and services ranging from medical services at the county hospital, direction signs in the public transit system, and multi-ethnic cultural festivals were terminated.

Some versions of the English Language Amendment, a proposed amendment to the U.S. Constitution to make English the nation's "official" language, would bar all state and federal laws requiring the provision of services in languages other than English. This could jeopardize bilingual assistance in voting, the right of defendants, victims and witnesses to translators in court and administrative proceedings, bilingual education, and multilingual social services such as employment training and referral, drivers license exams, welfare termination notices, and medical services such as pregnancy counselling and AIDS prevention education.

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**-9-  
Can "Official  
English" laws  
affect private  
businesses?**

Most "Official English" laws are directed specifically at government. However, these laws can affect businesses indirectly. For instance, several southern California cities have passed ordinances which prohibit or restrict the use of foreign languages on business signs, and their sponsors have cited the state's "Official English" law to support such restrictions. If sued, the cities may argue that a state's "Official English" law establishes public policy and provides a

substantial governmental interest which overrides the right of free speech.

In addition, English-only advocates have directly opposed private firms' use of foreign languages. They have opposed a telephone company's establishment of multilingual operators, F.C.C. licensing of Spanish language radio stations, as well as use of ethnic yellow pages and bilingual menus at fast food outlets.

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**-10-  
Why should there  
be bilingual  
ballots since one  
must be a citizen  
in order to vote  
and to be a citizen  
one must be  
literate in English?**

Naturalization for U.S. citizenship requires only fifth grade English literacy. Today's ballots and voter materials are far more complicated than the rudimentary literacy requirements for citizenship.

Moreover, U.S. law drops English literacy as a condition for naturalization for those who are over 50 years of age and who have been in the United States for 20 years or more. Most of those who need bilingual ballots are elderly immigrants who are U.S. citizens and

who have paid U.S. taxes; they should not be denied the right to vote because of their limited proficiency in English any more than an illiterate U.S. born citizen should be denied that right.

---

**-11-**

**Don't bilingual ballots allow the uninformed to vote and discourage the learning of English?**

Information about elections and candidates are commonly available in many languages through ethnic media outlets. Many voters who use bilingual ballots speak and understand English better than they can read and thus obtain information about candidates and issues through radio and television. The assumption that those unable to read ballots are not sufficiently intelligent or informed to vote is similar to earlier arguments used to defend discriminatory literacy requirements imposed against blacks in the South.

Moreover, the purpose of publishing bilingual voting materials and election

pamphlets is to increase the information available to limited English-speaking voters. Thus bilingual materials enhance rather than detract from an informed vote.

There is no evidence that bilingual ballots discourage the learning of English. Hispanics are rapidly learning English even though bilingual ballots have been required by federal law in many states since 1975. Bilingual ballots will not discourage the learning of English any more than a ban on literacy requirements discourages literacy.

---

**-12-**

**Doesn't bilingual education retard the learning of English? Isn't the best method of teaching English the "sink or swim" method by which earlier immigrants made it?**

Bilingual education involves the use of two languages (one English, the other the child's native tongue) as mediums of instruction to assist children of limited-English speaking ability. Its primary purpose is to make immigrant students proficient in English.

Although the debate over its effectiveness continues, recent studies show that bilingual education is a successful method of helping students make the transition to instruction in English. Indeed, some show that the more extensive the instruction in the native language, the better the students perform in a variety of subjects, such as math and science, as well as English. These studies indicate that students in bilingual education programs outperform students in classes where no native language instruction is used.

Native language instruction allows students to keep up in math, science, and other courses while they learn English. Also, studies show that increasing proficiency in a child's native language increases his or her cognitive abilities and understanding of grammar and structure, thereby enhancing their ability to acquire a second language (English). Bilingual education also avoids the implied degradation of the child's native language

and culture which often accompanied traditional "sink or swim" methods; bilingual education thus fosters immigrant students' self-image and respect.

The argument that experience proves the traditional "sink or swim" method works best since prior immigrants "made it" without bilingual education is illusory. Although some immigrants succeeded, many more sank than swam. In 1911, the U.S. Immigration Service found that 77% of Italian, 60% of Russian Jew, and 51% of German children of immigrant parents were one or more grade levels behind in school, far in excess of the 28% ratio for native white children. Moreover, because educational requirements for jobs are much more demanding now than at the turn of the century when agricultural and manufacturing jobs were prevalent, many of those who "made it" (i.e. survived economically) under the old "sink or swim" method would not have survived in today's economy.

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-13-

**Were there laws restricting the use of earlier immigrants' native tongues?**

Until the late 1800's, our nation had a tolerant policy towards linguistic diversity. Bilingualism in government and education was prevalent in many areas. German language was prevalent in schools throughout the mid-West. But the influx of Eastern and Southern Europeans and Asians gave rise to nativist movements and restrictionist language laws in the late 1800's and early 1900's. The Federal Immigration Commission issued a report in 1911 contrasting the "old" and "new" immigrant. The report argued that the "old" immigrants had mingled quickly with native-born Americans and became assimilated, while "new" immigrants from Italy, Russia, Hungary, and other countries were less intelligent, less willing to learn English, had intentions of not settling permanently in the United States, and were more susceptible to political subversion, arguments not unlike those advanced by today's English-only movement.

In response, English literacy requirements were erected as conditions for public employment, naturalization, immigration, and suffrage in order to "Americanize" these "new" immigrants and exclude those perceived to be lower class and "ignorant of our laws and language." The New York Constitution was amended to disenfranchise over one

million Yiddish-speaking citizens by a Republican administration fearful of Jewish voters. The California Constitution was similarly amended to disenfranchise Chinese voters who were seen as a threat to the "purity of the ballot box."

World War I gave rise to intense anti-German sentiment. A number of states, previously tolerant of bilingual schools, enacted extreme English-only laws. For instance, Nebraska and Ohio passed laws in 1919 and 1923 prohibiting the teaching of any language other than English until the student passed the eighth grade. The Supreme Court ultimately held the Nebraska statute unconstitutional as violative of due process in *Meyer v. Nebraska*.

Native Americans were also subject to federal English-only policies in the late 1800's and early 1900's. Native American children were separated from their families and forced to attend English language boarding schools where they were punished for speaking their native language.

Now, as then, the arguments of those advocating English-only laws are based on false stereotypes about the immigrant groups being targeted.

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-14-

**How do other countries handle the question of official languages?**

Approximately one third of 161 national constitutions surveyed contain a declaration of one or more official languages. Slightly less than a third of the national constitutions, including most of those declaring an official language, contain provisions upholding the rights of linguistic minorities and banning discrimination on the basis of language. Virtually none of the national constitutions bars the government from using non-official languages in providing services to or communicating with its citizenry.

The United Nation's Universal Declaration of Human Rights adopted by the U.N. General Assembly in 1948 bans

discrimination on the basis of language as well as race, sex, religion and other status. The International Covenant on Economic, Social, and Cultural Rights and the International Convention on the Elimination of All Forms of Racial Discrimination likewise ban discrimination on the basis of language and culture. These protections were adopted in recognition that language discrimination and policies imposing linguistic homogeneity have commonly been used in the subjugation of minority groups.

**-15-  
Why are  
English-only laws  
a civil liberties  
issue?**

First, these laws may result in the termination of the rights of non-English speakers to important and essential services, such as an effective and meaningful education, the right to vote, access to the courts, and medical and social services essential to survival. "Official English" laws may abridge certain constitutional rights, such as the right of businesses to free speech, the right of a defendant to a translator, and the right of minority groups to vote and to have equal access to the political process. Ironically, these laws do nothing positive to increase English proficiency. They do not provide for needed educational resources in teaching English.

Second, even if "Official English" laws were only symbolic, they presume the need to "protect" the English language from immigrants who refuse to learn English or who advocate "ethnic separatism". Such a presumption perpetuates false stereotypes and

contributes to bigotry and intolerance even by those who may be well intended. As for less benevolent English-only advocates, language politics are easily manipulated as a convenient surrogate for racial politics; for some, the real problem is not the language but the people who speak the language.

Finally, "Official English" laws, particularly those embodied in a constitution, subvert the central mission of the Constitution and the Bill of Rights — a charter of liberties and individual freedom. "Official English" laws transform the Constitution into a bill of restrictions, limiting rather than protecting individual rights. These laws are particularly inconsistent with the spirit of the First Amendment and Equal Protection Clause which protect societal diversity and prohibit discrimination against unpopular and vulnerable minorities.

YES, I want to join the National Coalition for Language Freedom. I enclose as my annual membership dues:

- \$ 10.00 [student/low income]
- \$ 25.00 [individual membership]
- \$ 100.00 [organizational membership]
- \$ 250.00 [sustainer]
- \$ 500.00 [patron]

Name .....

Organization .....

Address .....

City ..... State ..... Zip .....

Telephone .....

PLEASE MAIL TO:

National Coalition for Language Freedom  
530 12th Street  
Sacramento, CA 95814

Telephone: (916) 447-4884

# **ENGLISH AS THE OFFICIAL LANGUAGE**

## **A Policy Statement**



# ENGLISH AS THE OFFICIAL LANGUAGE

## A Policy Statement

### I - Background

AJC has been studying the issue of language policy for many years. Our guidelines on Bilingual Education, adopted in May 1980, were developed within the framework of our belief that "America has and should continue to have one common language, English, in which all people should be proficient" and that bilingual education can be a desirable tool. They emphasize that cultural pluralism is a unique and positive aspect of American life and state that "Our nation gains vitality from each of its constituent groups and sees their language as well as their cultures as valuable resources for the country as a whole." They also support foreign language competency for English speaking children.

Our pro-immigration, pro-cultural pluralism policy is developed further in the report of AJC's Task Force on the Acculturation of Immigrants to American Life. The chapter "Acculturation and the Language Issue" makes the following policy recommendations on "fostering linguistic competence and constructive methods to assure universal English literacy and the value and meaning of pluralism."

- English competency programs should receive strong support both for students in schools and for adults through community-based instructional programs.
- Bilingual programs that are competently run and adequately supported should be available for students who need them to maintain their educational level while they learn English.
- No school program or government agency should do anything to denigrate home languages which are often the key factors in community and family cohesion among immigrants.
- Educational programs, as a matter of national interest, should seek to foster linguistic capacities among all Americans by stressing foreign language education.
- Public agencies, especially on issues of safety such as street signs or civic participation such as ballots, should provide services in languages that large communities of residents can understand.
- Civic and communal leadership should work publicly to foster rational discourse on language policy and discourage exploitation of this issue which produces ethnic discord and communal tensions.

### II - Recommendations

It is in this light that this paper analyses the burgeoning "English-Only" movement and recommends the following additions to existing AJC policy:

principal founder of FAIR is chair of the Board of Directors of both organizations. They share several other Board members, lawyers and office accommodations and staff.

Currently the majority of legal and illegal immigrants are Asian and Hispanic, unlike the early 1900's when most were white and European. The leadership of both organizations appeals to legitimate fears of social change and social isolation which may result from new patterns of migration to the United States.

Another related group, "English First," uses as its symbol the Statue of Liberty Torch, stating that it is "Capturing the Spirit of Immigrants Who Learned English and Became Full Members of American Society." Its slogan and texts divide people along racial and ethnic lines by giving fuel to the misconception that Hispanic Americans, in particular, do not want to learn English.

According to a number of studies, including one just completed by the Rand Corporation, this is not true. Hispanics, like other immigrant groups, recognize that they must be proficient in English in order to act as informed participants in our society and to be competitive in schools and in the labor market. Nowhere is this more evident than in the conclusions of a 1985 study carried out in Miami. It revealed that 98% of Latino parents (as compared with 94% of Anglo parents) felt it was essential for their children to become competent in English. In addition, a 1984 survey conducted by the National Opinion Research Center showed that 81% of Hispanics believe that speaking and understanding English is a "very important" obligation of citizenship. Only 2% thought it was not an obligation.

B- English as the official language requirements can have dangerous, far-reaching and unanticipated effects.

Leaders of the movement state that the proposed Amendment and state initiatives are designed to draw attention to the issue and are largely symbolic. But, in fact, the current English language propositions contain specific provisions for enforcement and also permit individuals to sue for enforcement, raising the spectre of costly and time consuming litigation.

Opponents say that an "English-only" law could endanger or have a chilling effect on 911 lines, multi-lingual police, fire and emergency services, interpreters in state courts for witnesses, crime victims and defendants, and bilingual education, health and mental health services etc. They say it could eliminate public service announcements in any language other than English, including pamphlets explaining how to enroll a child in public school. Some lawmakers think it could even prohibit the teaching of foreign language in public schools and advertising by private business in any language other than English. There have already been boycotts against Spanish advertisements in Florida and California, as well as campaigns against Spanish Yellow Pages and attempts to have Chinese business signs removed. One U. S. English coordinator has written to all 50 governors attacking the use of Spanish for private business.

Although proponents say they do not intend many of the above consequences, the exceptions have not been written into legislation.



COMMITTEE ON EDUCATION AND LABOR  
U.S. HOUSE OF REPRESENTATIVES  
2181 RAYBURN HOUSE OFFICE BUILDING  
WASHINGTON, DC 20515

TELEPHONES:  
MAJORITY—(202) 225-4527  
(TTY)—(202) 225-4944  
MINORITY—(202) 225-3725  
(TTY)—(202) 225-3727

March 10, 1989

The Hon. Lauro Cavazos, Secretary  
U.S. Department of Education  
400 Maryland Avenue SW  
Washington, DC 20202

Dear Mr. Secretary:

On March 1st your Acting Assistant Secretary for Legislation informed my office of your intent to publish regulations in the Federal Register announcing a proposed funding priority for bilingual education programs. Since then, your proposed funding priority was announced March 7, 1989 in the Federal Register. Specifically, the proposed priority will give preference to applications from local education agencies that meet the following requirements:

1. provide bilingual instructional services to limited English proficient students who have not previously received services under a bilingual program funded by the Department; and
2. have not previously provided service with bilingual education funds received from the Department in the native language of those students to be served in the proposed project.

The Department intends to provide \$2 million in Fiscal Year 1989 funds for this priority.

This letter is to inform you of my strenuous objection to such a priority established by your Department. There are several reasons for my objections, which will shortly be presented, but first I believe it is important to set the context for these remarks.

Your predecessor's links to the highly politically divisive English Only movement have definitely had an impact on the bilingual education policies, programs, and regulations proposed by your Department. Over the past few months your Department has: 1. called for program proposals in TBE and SAIP at the most inconvenient time for local education agencies -- in spite of the fact that the reauthorized statute allows for one full year of planning; and 2. issued regulations for the new statute, glossing over those provisions by merely restating regulations which were in effect prior to the new law.

The Hon. Lauro Cavazos, Secretary  
U.S. Department of Education  
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March 10, 1989

Now you are attempting to set an absolute preference which conflicts with current regulation (34 CFR 501.32) and law (7021 (h)). Furthermore, my office has received reports that the early call for proposals was based on the notion of fully funding the English Only (SAIP) proposals at 25% of the funds under Part A. While the statute gives the Secretary discretion to do this, I would prefer that Part A funding for SAIP proposals also be funded based on the highest merit. I remind you that neither of your two major on-going studies on the empirical effectiveness of English Only programs have been completed. I fail to see the justification for such levels of funding for those programs, and I must also refer you to the General Accounting Offices's report completed last Congress, directed at your predecessor on the subject of native language instruction.

Your new priority for funding these types of programs is simply misguided because:

- historically, Title VII of ESEA as amended was designed for U.S. citizens who had been denied equal educational opportunity by state and federal policies and legislation;
- lack of funding over the course of the program has already taxed the resources available under the Act; not only has the Administration cut programs and services for these children, youth and adults, but the level of real appropriations has been cut by 50% over the last 8 years;
- funding has been so low for these programs that even at its highest appropriations the funds never reached more than 5 - 8% of the eligible population; this has been the case for over twenty years;
- your predecessor managed to stop the funding for 500 Fellowships per year, as authorized in the new statute, whereby many of those potential new teachers would be helping these new immigrants you mention; and with the bilingual teacher shortage we have at present, it is irresponsible to establish "priorities" for new languages, since English Only teachers are the likely candidates available;

The Hon. Lauro Cavazos, Secretary  
U.S. Department of Education  
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- your Agency responsible for development of materials for this population cut the funding and closed down the contract last Congress, which does not show any coherence in your policies for treatment of new and small language groups; and
- the recently reauthorized Title VII anticipated your proposed priorities by amending the Family English Literacy programs under the Act;

Now let me point out several current opportunities which are available for you to address this priority you are seeking to establish under the Bilingual Act.

- The Refugee Assistance Act, currently authorized at \$17 million is directed at the population you have selected for priority;
- The Emergency Immigrant Education Act, currently authorized at \$30 million is directed at the population you have selected for priority; and
- the Immigration Reform and Control Act of 1986, specifically, the State Legalization Impact Assistance Grants, currently authorized at \$4 billion over 5 years (of which a minimum of 10% goes to education) is directed at the population you have selected for priority.

As you see from the above-mentioned facts and figures, your new priority is sufficiently covered by other programs. It also appears as if your Department is creating a new competition without completing your on-going one, which includes your new priority as one of several authorized in law and regulation. Moreover, the balanced priority of the four factors set out in law and regulation would be disturbed by granting an absolute preference for just one factor. The practical result is to deny grants to LEA's with the greatest concentration of limited English proficient children, including new immigrants.

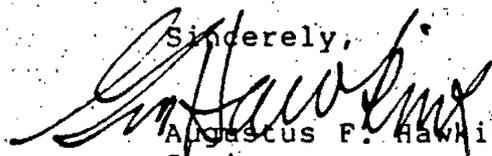
The Hon. Lauro Cavazos, Secretary  
U.S. Department of Education  
Page 4  
March 10, 1989

Finally, you recently communicated to me that you would not support Developmental Bilingual Education programs on the basis that this is tantamount to forcing local education agencies to employ a single method of instruction. In my opinion, this shows a misunderstanding of the facts. Your predecessor used the same assertion to misinform the American public; in this regard, Congress prohibits itself from forcing any or all LEA's to use a single method of instruction for all pupils.

You and the new President have already differentiated yourselves from your predecessors. President Bush wants to become the "Education" President and you have already indicated your support for bilingual education. However, you must agree that at this moment Mr. Bush's FY 90 budget and program priorities, as well as your own, do not do either of you justice.

My colleagues and I will always be available to work with you to improve programs for limited-English proficient children, youth, and adults. The recipients of programs and services from your Department expect our mutual understanding and support. I hope these few comments lead us towards new alliances which break from the damaging English Only policies of your predecessor.

Sincerely,



Augustus F. Hawkins  
Chairman

AFH:rmm

cc: Senator Kennedy, Senator Kassenbaum, Senator Hatch,  
Senator Byrd, Congressman Goodling, Congressman Natcher,  
Congressman Conte

increased use of commercial items on force posture.

In accordance with section 10(d) of the Federal Advisory Committee Act, Pub. L. No. 92-463, as amended (5 U.S.C. App. II, (1982)), it has been determined that this DSB Task Force meeting concerns matters listed in 5 U.S.C. 552b(c)(1) (1982), and that accordingly this meeting will be closed to the public.

March 1, 1989.

Linda M. Bynum,

Alternate OSD Federal Register Liaison Officer, Department of Defense.

[FR Doc. 89-5194 Filed 3-6-89; 8:45 am]

BILLING CODE 5010-01-01

### Defense Science Board Task Force on Technological and Operational Surprise; Change in Meeting Date

**ACTION:** Change in date of advisory committee meeting notice.

**SUMMARY:** The meeting of the Defense Science Board Task Force on Technological and Operational Surprise scheduled for March 2-3, 1989 as published in the Federal Register (Vol. 54, No. 28, Page 6566, Monday, February 13, 1989, FR Doc. 89-3297) will be held on March 7-8, 1989.

March 1, 1989.

Linda M. Bynum,

Alternate OSD Federal Register Liaison Officer, Department of Defense.

[FR Doc. 89-5195 Filed 3-6-89; 8:45 am]

BILLING CODE 5010-01-01

## DEPARTMENT OF DEFENSE

### GENERAL SERVICES ADMINISTRATION

### NATIONAL AERONAUTICS AND SPACE ADMINISTRATION

### Federal Acquisition Regulation (FAR); Information Collection Under OMB Review

**AGENCIES:** Department of Defense (DOD), General Services Administration (GSA), and National Aeronautics and Space Administration (NASA).

**ACTION:** Notice.

**SUMMARY:** Under the provisions of the Paperwork Reduction Act of 1980 (44 U.S.C. Chapter 35), the Federal Acquisition Regulation (FAR) Secretariat has submitted to the Office of Management and Budget (OMB) a request to review and approve an extension of a currently approved information collection concerning contract cost or pricing data.

**ADDRESS:** Send comments to Ms. Eyvette Flynn, FAR Desk Officer, Room 3235, NEOB, Washington, DC 20603.

**FOR FURTHER INFORMATION CONTACT:** Mr. Jeremy Olson, Office of Federal Acquisition and Regulatory Policy, (202) 523-3781.

**SUPPLEMENTARY INFORMATION:**  
**Purpose.** The Competition in Contracting Act of 1984, Title VII of Pub. L. 98-369 substantially changed the basic statutes underlying the Federal procurement system—with a corresponding major impact on the FAR. Under the Act, agencies are required to provide for full and open competition by soliciting sealed bids or requesting competitive proposals, or use other competitive procedures, unless a statutory exception permits other than full and open competition. In addition, the Act lowered the threshold for submission of certified cost or pricing data by offerors from \$500,000 to \$100,000 when adequate price competition does not exist.

The information is used by the Government to perform cost analysis and to ultimately enable the Government to negotiate fair and reasonable prices on contracts.

**b. Annual reporting burden.** The annual reporting burden is estimated as follows: Respondents, 14,781; responses per respondent, 10; total annual responses, 147,814; hours per response, 4; and total response burden hours, 591,256.

**Obtaining Copies of Proposals:** Requester may obtain copies from General Services Administration, FAR Secretariat (VRS), Room 4041, Washington, DC 20405, telephone (202) 523-4755. Please cite OMB Control No. 9000-0013, Cost or Pricing Data.

Dated: February 27, 1989.

Margaret A. Willis,

FAR Secretariat.

[FR Doc. 89-5166 Filed 3-6-89; 8:45 am]

BILLING CODE 5020-01-01

## DEPARTMENT OF EDUCATION

### Office of Bilingual Education and Minority Languages Affairs

### Proposed Funding Priority for Fiscal Year 1989

**AGENCY:** Department of Education.

**ACTION:** Notice of Proposed Funding Priority for Fiscal Year 1989.

**SUMMARY:** The Secretary of Education proposes a funding priority for activities to be supported under the Transitional Bilingual Education and Special Alternative Instructional programs of

the Office of Bilingual Education and Minority Languages Affairs (OBEMLA) in fiscal year (FY) 1989.

**DATE:** Comments must be received on or before April 6, 1989.

**ADDRESS:** All written comments and suggestions should be sent to OBEMLA, U.S. Department of Education, Room 5086, Switzer Bldg., 400 Maryland Ave., SW., Washington, DC 20202.

**FOR FURTHER INFORMATION CONTACT:** William Wooten, OBEMLA (Telephone: (202) 732-6083).

**SUPPLEMENTARY INFORMATION:**  
Authority for the Transitional Bilingual Education (TBE) and the Special Alternative Instructional (SAI) programs is contained in section 7021 of the Bilingual Education Act of 1984, as amended. Under both the TBE and SAI programs awards are made to local educational agencies (LEAs) to provide programs of instruction for limited English proficient (LEP) children. The following priority is designed to give a preference to programs that provide services to children who have not been previously served through federally funded TBE or SAI programs. Additionally, the LEA may not previously have provided services in the native language of those students to be served in the proposed project with TBE or SAI funds received from the Department.

The Secretary invites public comment on the merits of the proposed priority, including suggested modifications to the proposed priority. The final priority will be established on the basis of public comment, and other relevant Departmental considerations, and will be announced in a notice in the Federal Register. A notice inviting applications for this competition will be published at that time, after which application packages will be available. This competition is in addition to the previously announced TBE and SAI competitions for FY 1989. This Notice of Proposed Priority does not solicit applications, and Department of Education staff will not review concept papers or pre-applications. The publication of this proposed priority does not bind the Federal government to fund projects in this area, except as otherwise directed by statute. Funding of particular projects depends on the final priority, the availability of funds, and on the quality of applications that are received.

### Proposed Priority

Bilingual instruction programs have been funded by the Federal government for over 20 years in an effort to insure

Equal Educational Opportunity for all students. During that time new immigrant populations have continued to arrive, introducing new languages and cultures into many school systems whose existing bilingual programs were designed for other languages. The Secretary is concerned that children whose language is new to a school district receive bilingual instruction comparable with that of those children already in bilingual education programs.

In accordance with the Education Department General Administrative Regulations at 34 CFR 75.105(c)(3), the Secretary proposes to give an absolute preference to applications that meet the following priority:

The LEA must propose to provide bilingual instructional services for a group of limited English proficient (LEP) students who have not previously received services under TBE or SAI programs funded by the Department. Additionally, the LEA may not previously have provided service with TBE or SAI funds received from the Department in the native language of those students to be served in the proposed project.

#### Invitation to Comment

Interested persons are invited to submit comments and recommendations regarding this proposed priority. All comments submitted in response to this proposed priority will be available for public inspection during and after the comment period in Room 5088, Switzer Bldg., 330 C. Street SW., Washington DC, between the hours of 8:30 a.m. and 4:00 p.m., Monday through Friday of each week except Federal holidays.

Authority: 20 U.S.C. 3231.

Dated: February 14, 1989.

Lauro F. Cavazos,

Secretary of Education.

[FR Doc. 89-5221 Filed 3-6-89; 8:45 am]

BILLING CODE 4000-01-8

[CFDA No.: 84.128G]

#### Vocational Rehabilitation Service Projects Program for Migratory Agricultural and Seasonal Farmworkers With Handicaps; Invitation for Applications for New Awards for Fiscal Year 1989

**Purpose of Program:** This program supports projects conducted by State or local vocational rehabilitation agencies that provide vocational rehabilitation services to migratory agricultural workers with handicaps or seasonal farmworkers with handicaps.

**Deadline for Transmittal of Applications:** May 16, 1989.

**Deadline for Intergovernmental Review Comments:** July 16, 1989.

**Applications Available:** March 15, 1989.

**Available Funds:** \$254,000.  
**Estimated Range of Awards:** \$100,000 to \$150,000.

**Estimated Average Size of Awards:** \$127,000.

**Estimated Number of Awards:** 2.

**Note:**—The Department is not bound by any estimates in this notice.

**Project Period:** Up to 36 months.

**Applicable Regulations:** (a) The Education Department General Administrative Regulations (EDGAR) in 34 CFR Parts 75, 77, 79, 80, and 85; and (b) the regulations for this program in 34 CFR Parts 369 and 375.

The information collection requirements, including selection criteria, for Parts 369 and 375 are pending approval by the Office of Management and Budget. If any substantive changes are made in the information collection requirements for this program, applicants will be given an opportunity to revise or resubmit their applications.

**For Applications or Information Contact:** Joseph DePhillips, U.S. Department of Education, 400 Maryland Avenue SW., Room 3328, Switzer Building, Washington, DC 20202-2575. Telephone: (202) 732-1329.

**Program Authority:** 29 U.S.C. 777b.

Dated: March 2, 1989.

Madeleine Will,

Assistant Secretary, Office of Special Education and Rehabilitative Services.

[FR Doc. 89-5218 Filed 3-6-89; 8:45 am]

BILLING CODE 4000-01-8

## DEPARTMENT OF ENERGY

### Bonneville Power Administration

#### U.S.-Canada Free-Trade Agreement; Modification of Bonneville Power Administration's Long-Term Intertie Access Policy

**AGENCY:** Bonneville Power Administration (BPA), DOE.

**ACTION:** Notice of modification of BPA's long-term intertie access policy (Policy) to comply with U.S.-Canada Free-Trade Agreement.

**SUMMARY:** On May 17, 1988, BPA finalized its Long-Term Intertie Access Policy. The Policy defines how the portion of the Pacific Northwest-Pacific Southwest Intertie (Intertie) controlled by BPA will be used. One provision of the Policy addresses the then proposed

#### U.S.-Canada Free-Trade Agreement. Section 8(b) states as follows:

Upon approval of the proposed U.S.-Canada Free Trade Agreement by the Canadian Parliament and the United States Congress, any and all distinctions made in this policy between Canadian and United States Extraregional Utilities shall terminate on the effective date of the Agreement.

The Free-Trade Agreement has been approved by both Canada and the United States and became effective on January 1, 1989. Chapter 9 of the Statement of Administrative Action that accompanied the U.S.-Canada Free-Trade Agreement Implementation Act of 1988 states that the United States will "eliminate any discriminatory treatment of electricity produced by British Columbia Hydro as compared to electricity produced by U.S. utilities located outside the Pacific Northwest region with respect to access to the . . . Intertie into the California electricity market." Accordingly, under the Policy, British Columbia now will obtain access to BPA's share of the Intertie on the same basis as U.S. utilities located outside the Pacific Northwest region.

**FOR FURTHER INFORMATION CONTACT:** Ms. Marg Nelson, Intertie Section Chief, at 503-230-5847, or the Public Involvement office at 503-230-3478. Oregon callers may use 800-452-8429 to reach the Public Involvement office; callers in California, Idaho, Montana, Nevada, Utah, Washington, and Wyoming may use 800-547-6048. Information may also be obtained from:

Mr. George E. Cwinnutt, Lower Columbia Area Manager, Suite 243, 1500 NE Irving Street, Portland, Oregon 97232, 503-230-4551.

Mr. Robert W. Rasmussen, Acting Eugene District Manager, Room 200, 211 East Seventh Street, Eugene, Oregon 97401, 503-887-6952.

Mr. Wayne R. Lee, Upper Columbia Area Manager, Room 581, West 920 Riverside Avenue, Spokane, Washington 99201, 509-458-2518.

Mr. George E. Eskridge, Montana District Manager, 800 Kensington, Missoula, Montana 59801; 406-329-3000.

Mr. Ronald K. Rodewald, Wenatchee District Manager, Room 307, 301 Yakima Street, Wenatchee, Washington 98801, 509-682-4377, extension 379.

Mr. Terence C. Eavelt, Puget Sound Area Manager, Suite 400, 201 Queen Anne Avenue, Seattle, Washington 98109-1030, 206-442-4130.

Mr. Thomas V. Wagenhoffer, Snake River Area Manager, 101 West Poplar, Walla Walla, Washington 99362, 509-522-8225.

Mr. Robert N. Laffel, Idaho Falls District Manager, 1627 Hollipark Drive, Idaho Falls, Idaho 83401, 208-523-2708.

Mr. Thomas H. Blankenship, Boise District Manager, Room 494, 550 West Fort Street, Boise, Idaho 83724, 208-334-8137.

PROGRAM FACT SHEET

Program Title: Bilingual Education -- Bilingual Programs (Part A)  
(Bilingual Education Act, ESEA, Title VII)

<u>Funding Data</u> (BA in millions)	<u>FY 1988</u>	<u>FY 1989</u>	<u>FY 1990</u> <u>Request</u>	<u>Change</u>
Transitional programs.....	\$82.7	\$79.9	\$73.2	- \$6.7
Developmental programs....	.3	.3	---	-.3
Alternative programs.....	6.4	17.0	29.0	+12.0
Academic excellence.....	1.5	3.0	3.0	---
Family English literacy...	4.5	4.7	4.7	---
Special populations.....	5.9	5.9	5.9	---
<b>Total, Part A.....</b>	<b>101.2</b>	<b>110.8</b>	<b>115.8</b>	<b>+5.0</b>

NOTE: Totals may not add due to rounding.

Impact Data

Number of projects:				
Transitional programs...	527	509	467	-42
Developmental programs..	2	2	---	-2
Alternative programs....	62	166	282	+116
Academic excellence.....	11	22	22	---
Family English literacy...	39	41	41	---
Special populations.....	36	37	37	---
<b>Total.....</b>	<b>677</b>	<b>777</b>	<b>849</b>	<b>+72</b>
Number of children:				
Transitional programs...	202,546	195,625	179,300	-16,325
Developmental programs..	450	450	---	-450
Alternative programs....	14,230	38,100	64,880	+26,780
Family English literacy...	8,740	9,104	9,104	---
Special populations.....	7,628	7,670	7,670	---
<b>Total.....</b>	<b>233,594</b>	<b>250,949</b>	<b>260,954</b>	<b>+10,005</b>

Program Description

- o Under Part A, discretionary grants are made, primarily to LEAs, to develop local capacity to provide educational services to language minority, limited English proficient children. Projects funded under Part A are



818 Connecticut Avenue, N.W. • Suite 200 • Washington, D.C. 20006-2790  
TEL: 202-833-0100 • FAX: 202-833-0108

15 September 1992

Dear U.S. ENGLISH Member:

The state legislature in your neighboring state, Pennsylvania, has been sitting on common language legislation for two years.

Now we've got a big date coming up and the results on that date will have significant impact on what happens in neighboring state capitals like Trenton and Annapolis.

The Pennsylvania House of Representatives Committee on State Government is happy to suffocate this legislation -- especially since they realize that the bill has a good chance of passing if it gets to the floor of the House.

That story is similar in New Jersey and Maryland: let's not give elected representatives a chance to make a recorded vote on this issue -- let's kill it quietly in committee instead.

The big date coming up is a legislative hearing. The Committee on State Government had been promising a hearing in Western Pennsylvania for almost two years. They're just now getting around to it -- now, at the very end of their session.

And they've called the hearing in the state capital in Harrisburg rather than around the Pittsburgh area as promised. Why? One obvious suggestion is that it's easier to organize the opposition in Harrisburg than it would have been in Pittsburgh.

In holding a hearing, the implication is that they're providing another opportunity for the public to offer opinions on Pennsylvania's Language of Government Act, House Bill 1135.

In actuality, this hearing is ideal for opponents of the legislation. They will make every effort to pack the hearing with opponents and orchestrate their diatribes against recognizing our common language: they'll say it's racist and xenophobic; they'll say that it violates America's pluralistic values -- implying that we're religious bigots; they'll claim that it leads to all kinds of discrimination (which, of course, never happened in any of the nineteen states with official English laws); and they'll say it isn't needed (without defining what kind of Yugoslavian-style social chaos would make them concede that it might be needed).

We can't take the chance that their resources might drown out the common sense voices supporting our common language. That's why we're writing to you.

**The hearing is Thursday, September 24 in Room 140 of the State Capitol, Harrisburg.**

We're trying to find people who might write letters, make phone calls, attend the hearing, and help raise awareness of this issue.

Do you have friends, relatives, or acquaintances in Pennsylvania? Would you check your address lists, phone lists, Christmas card lists, rolodex files, whatever -- see if you have any contacts who might join us in supporting this legislation?

Tell them to phone their state representatives immediately.

If they could be at the State Capitol in Harrisburg for this hearing -- or if *you* could, that would be wonderful. We need all the supporters we can get at this hearing.

(over)

If you could write a letter to the editor for any Pennsylvania newspapers, that would help bolster our message. The papers in Harrisburg and Philadelphia are especially important. Your local librarian can help you get addresses for newspapers in those areas.

A common language in a nation of diverse immigrants is common sense. Now that some factions are chipping away at that concept, we *must* recognize our common language in law.

*The squeaky wheel gets the grease.* Make sure your friends and contacts in Pennsylvania call or write their representatives and join you in writing to local newspapers.

Just like in Trenton and Annapolis, the Committee on State Government will try to sit on this legislation and let it fade away without taking any action on it.

But this is an election year. Make it clear that this issue is one that all voters need to think about before going to the polls. If politicians think they can get away with *not* taking a stand on this issue, they'll avoid it. *Only voters can make politicians take a stand.*

To help press the issue, we'll hold a press conference in the State Capitol on September 23, the day before the hearing. If you can come to our press conference, you'd be most welcome. It will be at 10:00 a.m. in the Rotunda of the State Capitol. Do join us if you can.

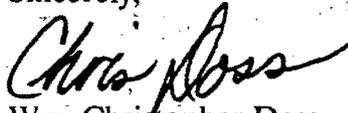
We'll also have a meeting for interested U.S. ENGLISH members the evening before the hearing. That meeting will be at 7:45 p.m. on the evening of September 23rd, at the Harrisburg Sheraton East. (Call 717-561-2800 for directions or ask your representative's office for directions.) We'll have coffee and dessert for you.

Join us to find out more about the legislative battle in Pennsylvania and in neighboring states. We'll have some materials for you which will help in mobilizing the aid of your friends, colleagues, and acquaintances who are sympathetic to this issue.

We hope to see you on September 23rd and 24th. But in any event, we'll hope to learn that some of your contacts will have joined us in our efforts in Pennsylvania.

As always, we greatly appreciate the encouragement, time, and support our U.S. ENGLISH members provide.

Sincerely,



Wm. Christopher Doss  
Field Director

P.S. -- Don't forget these dates:

Press Conference  
September 23, 10:00 a.m.  
State Capitol Rotunda

U.S. ENGLISH Member and Supporter Meeting  
September 23, 7:45 p.m.  
Harrisburg Sheraton East, I-83 at Union Deposit exit  
(if you need directions, call 717-561-2800)

Hearing, Committee on State Government  
September 24, 10:00 a.m. Hearing, Committee on State Government  
State Capitol, Room 140 (Democratic Caucus Room)

## THE LANGUAGE OF GOVERNMENT ACT DOES NOT SERVE THE NATIONAL INTEREST

**There is no demonstrated need to "protect" English by designating it as the official language of government.**

English is overwhelmingly dominant in the United States and in no way needs "legal protection." According to the 1990 Census, even though 13.8 percent of U.S. residents speak languages other than English at home, 97 percent of those above the age of four speak English "well" or "very well." These figures indicate no "resistance to English" among language minorities. Given this fact, making a symbolic gesture by declaring English the official language would hardly make it more secure.

**The Language of Government Act would discourage the integration of limited-English-proficient citizens and legal residents.**

Transitional bilingual services act as a bridge between limited-English-proficient persons and the government, allowing for two-way communication during the process of English language acquisition. The Language of Government Act would cut off that dialogue, further segregating limited-English-proficient communities from the political and social mainstream. Integration of non-English speakers is best achieved through full governmental support of English language instruction—something that the Language of Government Act makes no provision for.

**Congress can play a constructive role in helping people learn English by supporting existing programs.**

Many states are experiencing a critical shortage of available English as a Second Language classes. For example, on the day that the State of California adopted an English Only constitutional amendment, there were 40,000 adults on waiting lists for English as a Second Language (E.S.L.) classes in Los Angeles County alone.

Some excellent federal programs exist which, if properly supported, could go a long way towards meeting the demand for these classes. Here are some examples:

- The English Literacy Grants program, a federal English literacy program targeting limited-English-proficient adults and out-of-school youth, has been funded at only a fraction of its authorized limit since it was passed in 1988. Last year, it was not funded at all, though it was authorized to receive \$32 million in FY 93. While it is part of the Adult Education Act, it requires a separate appropriation.
- The Elementary and Secondary Education Act will be reauthorized this year. This bill, which provides the bulk of federal aid for elementary and secondary education, contains provisions to assist limited-English-proficient children. In the reauthorization process, Congress could reform and strengthen these provisions so that immigrant children trying to learn English can be more effectively served.

**The Language of Government Act will not advance the causes of civil rights and ethnic harmony, as proponents claim.**

The bill would limit the government from assisting limited-English-proficient Americans in exercising their civil rights or in availing themselves of essential services to which they would otherwise be entitled.

**The Language of Government Act fosters an ugly mood of ethnic intolerance.**

The Language of Government Act is less about language than it is about fear of difference and change in the status quo. In seeking to restrict the use of other languages—in both public and private sectors—it serves the cause of anti-immigrant bigotry. Rather than breaking down language barriers, by isolating immigrant communities it would fortify those barriers.

**The Language of Government Act would hamper the effectiveness of the federal government by severely restricting the government's ability to use languages other than English as the need arose.**

While the extent of the English-only mandate remains a matter of dispute, there is no question that it would be far-reaching; the legislation states clearly that language restrictions would apply to "all branches of the Government of the United States and all employees and officials of the Government of the United States while performing official acts."

The Language of Government Act is unclear about the "official acts" to be covered. It exempts "actions, documents, or policies that are purely informational or educational; ... that are not enforceable in the United States; ... that protect the public health or safety; ... that protect the rights of victims of crime or criminal defendants; and ... that utilize terms of art or phrases from languages other than English." Yet these loopholes are open to a wide range of interpretations. Judging by statements of the legislation's proponents, they intend that such exceptions be kept as narrow as possible.

Potentially, the Act could hamper the work of agricultural inspectors, INS agents, tax collectors, prison guards, park rangers, refugee resettlement workers, and a wide range of other federal positions.

**Provisions of the Language of Government Act will likely become the subject of endless litigation.**

The law would give *anyone* "alleging injuring from a violation" of the Act legal standing to sue the government. The law is vague on allowable uses of other languages by the federal government. *Any* federal use of a language other than English that is not specifically excepted by the Act may well become the subject of litigation by English Only proponents.

# Bilingual education is cheating Hispanic students

BY MARY HILLS MUNROE

It's time for us to change the bilingual education program.

The current system can't be working when I have young lady in her

senior year in high school who can't interview for a job in English. After four years in a Tucson Unified School District high school, she is unable to speak or write English — and she wants to become an architect — in the United States.

The language of the playground and classroom in many of our north side schools is Spanish. That is understandable, as the population is largely Hispanic. The problem seems to arise when the philosophy of the school is of "maintenance" in Spanish rather than of "mainstreaming" the Spanish-speaking children into English.

We have failed our children by using a bilingual program that has assumed they are unable to learn English. Our Hispanic youngsters are bright and



Mary Hills Munroe

## Guest opinion

perfectly able to learn. These same kids can learn a computer language or Nintendo faster than the teachers can. However, the first language being used is Spanish with English as a weak second.

Today's closeted condescension has kept them way behind in the language they must survive on in the United States.

At our preschool, most of our children come to us unable to speak English. We teach in English, and translate in Spanish for those who don't understand. In three months we can count on them being totally bilingual.

It pains me to see them lose ground when they hit the public school system. They're put in the bilingual class, and by midsemester they start forgetting English words. It angers me to walk over to that school and see "baño" on the bathroom door. How is the poor kid supposed to find the bathroom in this country?

I sympathize with the reasoning behind bilingual education. Fifty years ago, children were demeaned if they spoke Spanish. In fact, my neighbor remembers getting hit on the head with a ruler when he spoke Spanish and the teacher heard him. He comments that his young adult children who were taught in the bilingual program have to ask him the

definition of words they don't know in either English or Spanish.

Spanish-speaking parents are painfully aware of the difficulties of finding good jobs in the United States without a proficiency in English. In fact they know their kids are doomed to menial jobs if they don't have a command of our language.

The manager at my bank said he didn't speak a word of English until he was 6. I asked him what happened when he was 6. "I went to a school where no one spoke Spanish."

In conversations with the Tucson Adult Literacy Volunteers and numerous educators who do not agree with the system, my question has been, "What will work?"

The Literacy Volunteers are helping our children to continue to speak and read in English. We have found their one-on-one approach brings the children up to grade level and beyond.

The educators will offer suggestions as long as I don't quote them. They don't want to lose their jobs. The politics on this issue are so flammable that I'm not sure whether to expect a car bomb after this article is printed.

One idea from a Ph.D. in special education is to start children at infancy so that by first grade they would all be speaking English.

For children starting at grade one with no English, both Literacy Volunteers and educators suggest intense screening of the children to find their strengths and weaknesses in English.

These children should then be put into classes

designed to move them along to the next level of proficiency until they are up to grade level in English. Their heritage should be taught in all grades, in English.

On the junior high and high school levels, those children entering school should be given intense English classes, with social studies and science in their native language until they have learned the technical words in English.

A junior high principal summed it up this way: "The original intent of bilingual education was to have all children using English by their third or fourth year in school. Our standards have been lowered. We must expect the best of our children, and then give them the best people to teach them, and the best tools to work with."

We must remember that a medical school is not going to teach in Spanish, the university is not bilingual, any institute of higher learning in this country is going to expect its students to use English.

Our Hispanic children are going to lose these opportunities, given the current climate in the secondary school system. One might wonder if bilingual education was devised by people to keep these children from ever reaching their potential.

We may never know how many doctors, lawyers, managers, engineers or professional people we have lost because the predominant language was denied them.

Mary Hills Munroe is director of Mis Hijitos Preschool.

APR 10 1992

P5188  
LUCE PRESS CLIPPINGS

## On Mastering The English Language



James H. Reza

“A person who speaks Spanish and English is twice the person who speaks only English.”

I couldn't help feeling sorry for the white parishioners of my church, which is predominantly Hispanic, who had to sit and listen respectfully to these remarks uttered by a priest in his Sunday sermon.

I wanted to stand and challenge his remarks, but I've been taught to respect our priests, so I kept quiet. However, this priest and those Hispanics who share his opinions can't see that being bilingual does not mean being better than a person who speaks only English. If that was actually the case, why aren't Hispanics the front-runners in our state, scholastically and economically?

I don't have anything against anyone learning two or three languages. But don't consider yourself a better person financially or otherwise than someone who speaks only English. However, you might consider yourself better off than someone who only speaks Spanish.

For example, an insurance agent recently came to collect. I told him I was going to pay him for two months and that I needed some information about my policy.

I spoke in English and expected a reply in English. He was Hispanic

and had a young boy with him. Immediately he asked the boy to tell him what I had said. I interrupted and repeated everything in Spanish. I asked him how he kept his job if he could speak only Spanish. He told me that he was always assigned to Hispanic communities, and that he took his son along to interpret for him in case he confronted someone like me.

I asked, "How long have you been in the United States?"

"Since 1962," he replied.

"Why haven't you learned English?"

"Well, I go to the Spanish Masses, I buy periodicals that are in Spanish, I listen to the Spanish radio stations, and now we have TV programs in Spanish, so there's never been a need to learn English."

"Can you advance in your job without English?" I asked.

"Not really," he said. "I'd love to be district manager, but you need to know English."

Churches, organizations and the media that catered to this individual in Spanish caged this man from ever succeeding in this country. He is but one of many who are in the same predicament.

There have been several movements to make English the official language of the United States. Though I don't support most of them, I do support that English be the official language in which our government conducts its business. Usually, Hispanic organizations criticize the movements and use scare tactics to incite the Hispanic people.

These organizations don't realize that Americans are not

against speaking or studying different languages, when done voluntarily. It's when it's forced upon you by your government that it becomes irritating, especially when it is shown to be non-productive and costly.

For example, in 1978-80 Colorado conducted a study of 34 counties that met the 5-percent Spanish surname census requirement to provide ballots in Spanish and English. In those election years the ballot was so long that it had to be printed in Spanish and English separately, instead of both versions being printed on the same ballot.

The cost for printing the newspaper sample ballots and the official ballots in Spanish totalled \$235,000 (sometimes this occurs twice a year). Of those 34 counties, only 65 votes were cast in Spanish, costing Colorado taxpayers \$3,615 per vote.

Texas has 254 counties, all required by the Voting Rights Act to print ballots in Spanish and English. Because I have a Spanish surname last year I received in the mail, in Spanish, the notice of a constitutional amendment that was

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*Churches, organizations and the media that catered to this individual in Spanish caged this man from ever succeeding in this country.*

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to be on an impending election ballot. The cost of printing the flier was \$80,000. Later it was to be printed in Texas newspapers at a cost of about \$200,000.

In Tarrant County, you can't tell me that we need bilingual ballots in Lake Como, a predominantly black community, or Wedgewood, an affluent White neighborhood. We might need

# American Liberalism and Language Policy: Should Liberals Support Official English?

*Excerpts from a paper by Hugh Davis Graham, Ph.D.*

## English Language Competence and Economic Competiveness

Centuries of blocked access to education, the professions, and the corridors of power in business and political life have, in different ways but with crippling effects, radically curtailed the earning potential of women and blacks.

Hispanics appear to suffer from earnings disadvantages in much the same way, although not as severely. In 1975, the average wage of a Hispanic-American male aged 25-64 was only 76 percent of the average for non-Hispanic white males. Why? The Census Bureau in 1976 conducted a national study called the Survey of Income and Education (SIE).

Most analysts agreed that the SIE survey demonstrated a strong relationship between low proficiency in English and low earnings. One set of researchers, based at the University of California-Los Angeles, concluded from the SIE data that "differences associated with English language skills explain virtually all of the Hispanic wage differences usually attributed to ethnicity, national origin, and time in the United States."

The SIE applied only to speaking and understanding oral English. To determine proficiency in reading and writing — skills that correlate more strongly with economic achievement — new evidence became available through the Young Adult Literacy Assessment survey, conducted in 1985 by the National Assessment of Educational Progress (NAEP).

The 1985 NAEP survey included a test of reading proficiency in English that was administered to each individual in the national sample. The results were analyzed for the U.S. Department of Labor by Rutgers economist Francisco Rivera-Bariz. His chief finding was unequivocal: "English language proficiency can completely explain away wage differentials between immigrants and the native-born."

But because education and language, unlike race and gender, are learned rather than immutable characteristics, Hispanic immigrants, like their predecessors from Europe and Asia, could eliminate their economic disadvantage by increasing their schooling and by learning English as a second language. The key to the economic future for Hispanics is education, and the key to education is proficiency in English.

The American workforce is shifting toward a minority base in which the two largest blocs, Hispanics and blacks, demonstrate crippling disabilities in basic literacy. Consequently, there is a growing fear that in the global contest for economic advantage, the United States is losing out to Japan, the nations of the Pacific Rim, and the European Economic Community.

By the year 2000, most growth in the U.S. labor force will come from immigration, and a majority of new U.S. workers will be minorities.<sup>3</sup> Hispanics will account for 29 percent of new workers between 1990 and 2000, blacks will account for 14 percent, and Asians 11 percent.<sup>4</sup> But the NAEP surveys showed that only 25 percent of young black adults and 41 percent of Hispanics could understand information of high-school level complexity.

The NAEP study's chief conclusion was that the critical issue in determining academic achievement, which was the best predictor of economic success for graduating students, is "whether or not one is competent in English."<sup>5</sup>

## Bilingual Pressures On Black America

American blacks, who are facing increasing competition with Hispanic immigrants for entry-level jobs and affirmative-action appointments and promotions, are discovering a painful new irony: the advantage of being native speakers of English is beginning to constitute a liability. In the new knowledge-based economy, the educational disadvantages of the black underclass are severe enough in English alone. Adding a new disadvantage of bilingual requirements in affirmative-action seemed to constitute a cruel double burden. Like most Americans, blacks tend to be monolingual in English, and during the 1980s black resentment grew at the Latino use of Spanish as both a *de jure* claim to special protections and also a *de facto* barrier to black competition for job and school advancement. For example, Miami blacks complained that they were excluded from an increasing number of public and private jobs that required bilingual employees.

When a black female employee lodged a formal complaint that bilingual employees were using Spanish on the job in order to insult her and to conceal the substance of their conversations from their monolingual fellow-workers and supervisors, municipal judges issued a rule that job-related conversation and written work must be in English. The judges said the rule was needed so supervisors could "understand the work conversations of their subordinates."<sup>6</sup>

Shortly thereafter, Alva Gutierrez, a Los Angeles Municipal Court employee, applied for and was granted total disability for psychological damages she suffered after being asked not to speak her preferred language, Spanish, on the job. She then sued in federal court to overturn the English in the workplace rule. Gutierrez won in district court, and the Los Angeles judges, who instituted the rule, appealed to the 9th U.S. Circuit Court. There, a majority on a split panel concluded that the English language amendment to California's constitution was merely "symbolic" (the panel's decision was later vacated by the Supreme Court).

In response to the municipal judges' argument that non-Spanish-speaking supervisors would be unable to supervise employees who spoke Spanish during working hours, the majority opinion proposed as a solution that the state courts "employ Spanish-speaking supervisors."<sup>7</sup> In dissent, Circuit Judge Alex Kozinski replied:

By deciding to speak another language during working hours, employees can limit who may qualify for supervisory positions. If fluency in a second language is the *sine qua non* of supervisory status, employees who are not bilingual, including other people of color, will be effectively eliminated from consideration for those covered positions.<sup>8</sup>

## What Kind Of Society Do We Want?

American liberals know that most immigrants want to learn English, and that immigrant pluralism continues to bring vitality and renewal to American life. Furthermore, the old norm of elite Anglo-conformity is unacceptable by modern standards of liberal pluralism.

Liberals have always rightly opposed nativist panics, like the German-language bans of the World War I era, or the prohibition in the 1980s in Monterey Park, California, against Chinese-only storefront signs. Unlike official English necessary for public transactions, such as "English Only" rules in private discourse choke pluralist freedom, unredeemed by broader social purposes. (U.S. ENGLISH, the major official English organization, opposed the English-only sign legislation in Monterey Park). What has not been acknowledged, however — because it has not been perceived — is that the American liberal tradition has also historically rested on a foundation of official English. Because English has historically been used throughout the public realm for legal documents, commercial contracts, civil procedures, legislative deliberations, public school and college instruction, its common medium had become the great equalizer in immigrant America.

When the Bilingual Education Act of 1968 first brought the issue of language to national prominence, the liberal community embraced it instinctively as a natural extension of the black and feminist liberation movements of the 1960s. Language was regarded as a surrogate for national origin discrimination. "What color is to blacks," said former Mayor Maurice Ferre of Miami, "language is to Hispanics."

American liberals have taken for granted an official English foundation, built less on statute than on quiet consensus, that for three centuries has provided the cohesion essential for the liberal state itself. This myopia has obscured the reality that sensible exceptions to the norm of official English — like requiring translators in criminal trials, and providing bilingual assistance in emergency, safety and public health services — confirm and improve the rule rather than contradict it. As a nation of immigrants, we have derived incalculable benefits from our *de facto* common language.

Until the 1960s, U.S. history had been largely free of the kind of linguistically-based turmoil that has torn at the foundations of the world's corporate polities — the Soviet republics, Balkan nationalities, Basque and Tamil enclaves, Quebec. In the United States the storm over language policy has immobilized public policy at a perilous moment, as demographic and social trends accelerate their chilling trajectory toward mismatched jobs and workforce.

Liberals should influence this debate not by adding to its polarization, but by doing what liberals have always done best: strengthening the nation's great unifying and equalizing forces — our common schools, our common franchise, our common language.

## References

<sup>1</sup> Joan Baratz-Snowden et al., *The Educational Progress of Language-Minority Children: Findings from the NAEP 1985-86 Special Study* (Princeton: National Assessment for Educational Progress/Educational Testing Service, 1988).

<sup>2</sup> Francisco L. Rivera-Batiz, "English Language Proficiency and the Economic Progress of Immigrants in the U.S.," paper presented at the Immigration Policy Group Conference, U.S. Department of Labor, Washington, D.C., September 15-16, 1988, ii, 20.

<sup>3</sup> David E. Simcox, ed., *U.S. Immigration in the 1980: Reappraisal and Reform* (Boulder, Colorado: Westview Press, 1988), 13.

<sup>4</sup> Howard N. Fullerton, Jr., "Labor Force Projections: 1986 to 2000," *Monthly Labor Review* (September 1987): 19-29.

<sup>5</sup> Baratz-Snowden et al., 1988.

<sup>6</sup> Los Angeles Times, 29 November 1988.

<sup>7</sup> *Alva Gutierrez v. Municipal Court*, 838 F2d 1051 (9th Cir. 1988), at 1043.

<sup>8</sup> Kozinski dissent (joined by Judges David R. Thompson and Diarmuid F. O'Scannlain), *Gutierrez v. Municipal Court*, 838 F2d 1021 (9th Cir. 1988), *Daily Appellate Report*, 28 November 1988, 14694.

<sup>9</sup> Quoted in Joel Garreau, *The Nine Nations of North America* (New York: Avon Books, 1981).

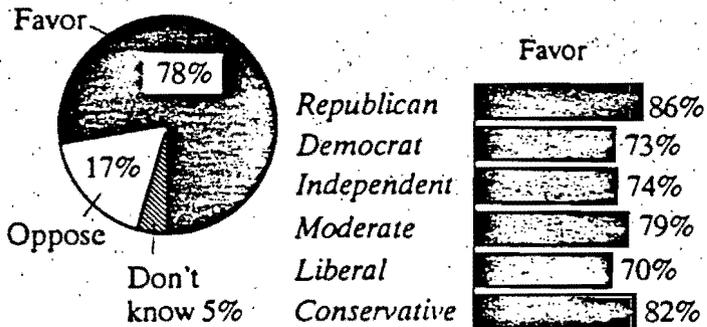
# The U.S. ENGLISH/Gallup Survey Results

Interviewers at the Gallup Organization asked 995 registered voters the following questions:

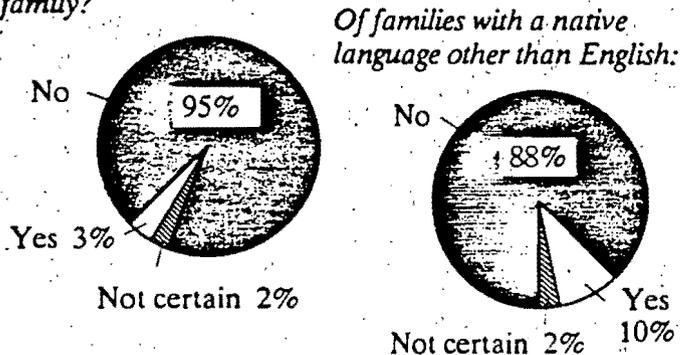
"I would like to ask you some questions related to the use of the English language in various activities. As you may know, while the majority of Americans speak English, there is no law making English the official language of the United States. There has been discussion of making English the official language, and we would like your opinion on a number of related issues.

"Designating English as the official language would mean official government business would only be conducted in English. For example, government forms would be in English and no other language, and proceedings of the legislature would be in English. However, making English the official language of government would not affect the use of other languages in everyday life."

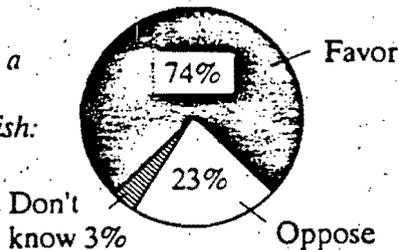
"Would you favor or oppose making English the official language of government in the United States?"



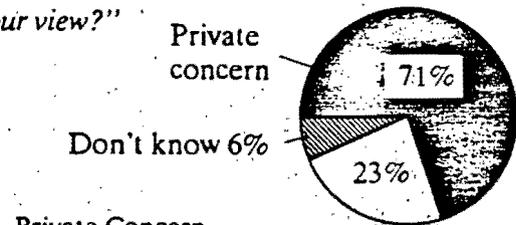
"Do you think making English the official language of government unjustly discriminates against you or your family?"



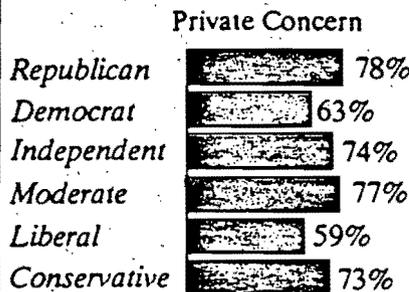
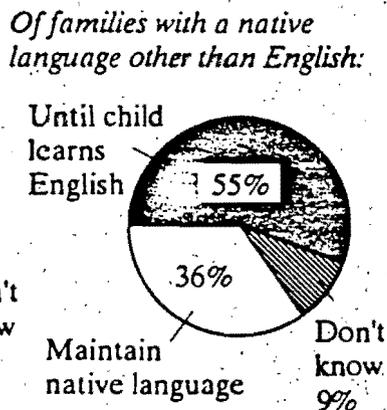
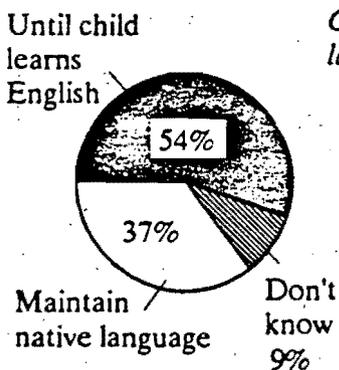
Of families with a native language other than English:



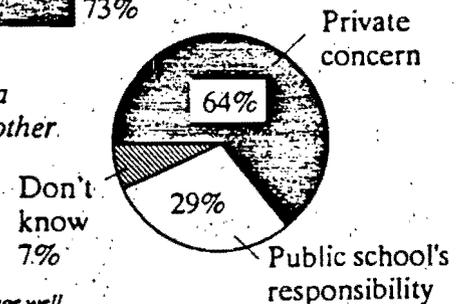
"Some people say that our public schools should be responsible for maintaining the languages and cultures that people bring with them to the United States. Others say that this is a private concern and not the responsibility of the public schools. Which comes closer to your view?"



"Bilingual education programs teach children who do not speak English basic subjects such as math or science in their native language, while also teaching them to speak English. Some people feel these bilingual programs should only be used until the child learns English. Others feel bilingual education should continue to be used in order to maintain the native language of these children. Which opinion comes closer to your view?"



Of families with a native language other than English:



Sixteen percent of respondents have a native language other than English and 30 percent speak another language well enough to converse in it. The Gallup Organization, January 10, 1991; margin of error plus or minus three percentage points.

FEB 28, 1992

P1452

LUCY PRESS CLIPPINGS

# School bilingual report minimizes problems of blacks

'Poorly written' S.F. report didn't intend to mislead about the program, claim officials

By Diana Walsh  
OF THE EXAMINER STAFF

In an attempt to downplay the negative effects that bilingual classes have on black students, San Francisco school officials have issued a flawed report showing the test scores of black students in bilingual classes are no worse than their counterparts in regular classes.

School officials acknowledged that the report, presented at a statewide bilingual conference on Thursday, is poorly written, but it was not intended to mislead people.

"What we've got here is a paper that may have been sloppily written, but it wasn't an attempt to cover anything up," said the district's Roger Brindle, who presented the study at the conference.

The survey was prepared by an outside consultant to the district last year.

The controversy over putting African American children in bilingual classrooms in San Francisco has raged since last May when The Examiner published stories revealing that school officials had assigned some 750 black children — more than 80 percent of whom were testing below average — to bilingual classes. These classes are designed to keep children who speak little or no English from falling behind in their basic skills while learning English.

Though African American students made up only 19 percent of the overall student population, they accounted for nearly half of the English speakers assigned to bilingual classes.

However, school officials issued the inaccurate report, contending that blacks were actually "under represented" in bilingual classes, making up just 18 percent of the

English speakers assigned to the classes.

To reach that conclusion, the survey counted only black students who had been in bilingual classes for a year or more and overlooked the more than 300 who had been assigned for less than a year.

When made aware of the discrepancy, school officials acknowledged the error. The method they used is common for evaluating test score data, but was improperly used in the report to determine enrollment figures.

The five-page report also erroneously stated that the school system was "legally" required — by court order and by law — to assign black students to bilingual classes. But the state law that required schools to assign some English speakers to bilingual classes to meet diversity requirements expired in 1987. In addition, the court's mandated integration order says that bilingual classes are exempt from racial balance guidelines. Children in bilingual classes have to be integrated for only part of the day in such activities as music or physical education.

The report also included a chart that showed black students did not lose any ground when compared with black students in regular classes. Overall, however, black students, on average, score below grade level.

"In general, black students do not perform well in the San Francisco Unified School District, whether they are in regular or bilingual classes," said Bob Harrington, who heads the district's office of research and planning.

Many educators at the conference maintained that bilingual classes can, in fact, be more effective for African American children because teachers are more sensitive to cultural diversity and language needs. Several suggested developing African American bilingual classes that would allow kids to maintain their "black English" and culture while teaching them standard English.

# We need a lingua franca



**BARBARA  
MUJICA**

Spanish is the language in which I conduct most of my personal, social and professional business. Furthermore, my entire career has been devoted to the promotion of Hispanic culture through teaching, writing and directing a Spanish-language theater group. There is nothing in the Constitution to prevent me from operating in a language other than English, and, if English becomes the official language of the United States, this situation will not change.

Opponents have misrepresented the goals of the movement to establish English as the official language of the United States by dubbing it the "English-only initiative." In reality, the officialization of English would not prohibit the use of other languages. All unofficial communication — such as family, religious, private or professional business — could be conducted in any language the participants preferred. Bilingual education would not be abolished, although the stress would be on mainstreaming students rather than maintaining their active languages. Emergency, health and safety services could continue to operate in languages other than English. Foreign-language publications and television and radio programs would not become illegal.

Foreign language teaching would not be diminished. In fact, U.S. English and other organizations that promote the confirmation of English as this country's official language encourage foreign language study. They recognize that knowledge of languages widens the cultural horizons of the individual and that the U.S. needs people who are fluent in other tongues to conduct diplomacy and business in the international arena.

Certainly, there are valid reasons for supporting the drive to make English the official language of the United States. In a country comprised of myriad ethnic and linguistic groups, it is desirable to establish an official *lingua franca*, a vehicle that enables all of us to communicate with each other. Although it is possible to survive in almost any large American city without knowing English, in order to participate fully in the social, economic and political life of this country, English is essential.

Many argue that a person's patriotism is not dependent upon a knowledge of English. Yet, in order to carry out responsibly the duties of citizenship, a person must have access to major sources of information. Congress debates in English. The president addresses the nation in English. The large newspapers and news magazines use English. Without English, a person is dependent upon secondary sources — politicians and media that may or may not interpret the facts accurately. It is fair and logical that people who wish to exercise the rights of citizenship be required to do so in English.

Until recently, most immigrants have viewed mastery of English as a priority, but today, unprecedented numbers operate exclusively in another language. In areas of the Southwest, Florida, New York and Chicago, the English base is eroding, creating a subclass of people who do not possess a basic skill that they need in order to move up the economic ladder. In states such as California and Florida it is possible to go through school and graduate without learning English. Yet, without English, youngsters will find it nearly impossible to go on to college or to obtain any but menial jobs. They will find themselves confined to a linguistic ghetto that offers limited opportunities.

The movement to officialize the English language in no way implies the dominance of a majority culture over minority cultures. Indeed, there is no ethnic majority in the United States. According to the 1980 census, less than 14 percent

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To participate fully in the social, economic and political life of this country, English is essential.

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of all Americans are of British origin, which means that Anglo-Saxons are as much in the minority as everyone else. The English initiative is simply a means of establishing one language, the de facto language of the United States, as the vehicle for official communication.

Making English the official language of the United States would send a clear message that in order to reap the benefits of U.S. residency, it is essential to know English. It would dispel the illusion that it is possible to enjoy fully the advantages this country has to offer without learning the language.

But the point of officializing English is to strengthen our common bond, not to obliterate our individual identities. For millions of Americans, ethnicity and language are linked. Communicating in an ancestral tongue is a means of maintaining ties with the past. It is an affirmation of personal and collective identity. The Constitution guarantees freedom of expression, and one of the ways many of us express who we are is by speaking a foreign language.

Ethnic diversity is one of the greatest strengths of the United States. English should be our official language, but it should not be our only language.

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*Barbara Mujica is an associate professor of Spanish at Georgetown University in Washington, D.C. She is author or co-author of more than 20 books on Hispanic culture, literature and language.*

# Poll Contradicts Stereotypes

## Surprising results in survey of Bay Area Asians, Hispanics

By Frank Vitano  
Chronicle Staff Writer

Ethnic stereotypes that have gained strength in the Bay Area with the growth of Hispanic and Asian populations are sharply contradicted by a new Chronicle poll.

Among the poll's surprising findings are that Asians and Hispanics overwhelmingly favor making English the official language of California, and that only one in 10 reports unfair treatment by immigration officials.

"Stereotypes have evolved and been magnified by irrational fears, set in motion when (Asians and Hispanics) began moving out of ethnic ghettos and into other neighborhoods," said Henry Der, executive director of the San Fran-

### CHRONICLE POLL LAST OF TWO PARTS

San Francisco-based Chinese for Affirmative Action.

Chinese Americans, according to one such stereotype that Der's group has fought hard to dispel, are preoccupied with acquiring real estate, determined to own their own businesses and indifferent to social problems.

The reality, the Chronicle Poll found, is that Chinese residents of the Bay Area attach far more importance to political freedom than to buying a home, are as happy to work for a U.S. corporation as to be self-employed and are concerned about the plight of the homeless.

"The survey demonstrates

that they have essentially the same values as everyone else in the Bay Area," said Der. "They want the same things and are as moved as anyone else by problems like homelessness."

These were among many poll results that challenge widely held assumptions about the values and attitudes of the region's large Filipino, Hispanic and Chinese communities, which together number more than 1.6 million people.

The poll was conducted February 19 to 24 by Mark Baldassare and Associates of Irvine, with field work by Discovery Research Group. The telephone survey of 600 households — 200 each of Filipinos, Chinese and Hispanics — has a margin of error of plus or minus 7 percent for each of the ethnic groups surveyed.

Nowhere were the discrepancies between stereotypes and actual values greater than in the respondents' visions of the "American dream."

Just 4 percent of Chinese respondents rated buying a house the most important element in the American dream — less than one-third the proportion for both Filipinos and Hispanics.

That figure stands in sharp contrast to the stereotype of Taiwanese and Hong Kong immigrants, carrying satchels full of cash, who are said to be drawn to California as real estate speculators.

So, too, does the finding that only 39 percent of Chinese respondents would prefer self-employment to a post with a non-Chinese-owned company.

"I think that (finding) reflects a very evident trend in the younger generation," said Albert Chu, a 24-year-old graduate student at the University of California at Berkeley who was born in California of immigrants from China.

"Even when they completed university degrees, the first generation of Chinese Americans would go off and open a shop of their own, in a business that was often completely unrelated to what they had studied," Chu said. "But today, those who are born here tend to aspire to work for a big corporation."

Only Hispanics, by 46 percent to 37 percent, said their dream job was in a family-run establishment of their own.

Filipinos ranked economic opportunity well above other considerations, with 37 percent saying it was their No. 1 goal. Just 12 percent cited political freedom, even though most Filipino immigrants left their country for the United States during the harsh repression of the Marcos years.

Among Hispanics, the single most compelling aspect of the American dream is safety and peace. Nearly one-third of those polled have roots in troubled Caribbean, Central and South American countries.

"My parents and brothers are still in El Salvador," said Cesar Osorio, 33, who came to the United States 15 years ago. "I know very well that it is better for my sons to be raised in California than to live in Central America."

Less expected was the relatively low priority Hispanics attach to economic opportunity. Only 19 percent said this was their top goal, considerably fewer than the Filipino and Chinese respondents.

In the general population, both of these groups enjoy higher household incomes than do Hispanics.

### Official Language

State Proposition 63 in 1988 which made English the state's official language, had been bitterly opposed by Hispanic and Asian organizations.

But 3 1/2 years after the election, the Chronicle poll found extremely high levels of support among Chinese, Filipinos and Hispanics for having English as state's official tongue — although barely half those polled said they speak English at home. (The poll was conducted in English, Spanish, Cantonese and Mandarin.)

Nine of 10 Filipinos, 78 percent of the Chinese, and almost 70 percent of Hispanics said English should be the official language.

"It is better for Latino people to have this law because we live in a country where most people do speak English," said Osorio.

Osorio, a house painter, lives with his wife and three children in San Francisco's Mission District. "If we do not learn English," he said, "we will never get ahead."

## RESEARCH SUPPORT

*U.S. ENGLISH provides research, review and consultation on articles for publication, curriculum materials, instructional video tape materials, and for professional educators.*

- U.S. ENGLISH reviews and enters into agreement to distribute the "Communicating Survival" video cassette series to community-based English instruction programs;
- U.S. ENGLISH reviews and enters into agreement to distribute the "In English" video cassette series to non-profit English instruction programs;
- U.S. ENGLISH reviews and makes recommendations on "Stage One" language instruction cassette series;
- U.S. ENGLISH reviews and makes recommendations on "No Problem!" language instruction cassette series;
- U.S. ENGLISH holds consultation with Director of ESL of the University of Maryland, Baltimore, to discuss funding resources for overseas English literacy project;
- U.S. ENGLISH provides research support for the staff of the United States Department of Education;
- U.S. ENGLISH provides background materials and questions to legislators in the process of reauthorizing or making appropriations to education bills concerning the limited English proficient population;
- U.S. ENGLISH provides language to legislators for use in their communication with constituents, the press, and colleagues.

- U.S. ENGLISH gives a \$5,000 grant, a video cassette player and video cassette series to La Casa del Pueblo in Washington, D.C;
- U.S. ENGLISH gives a \$1,000 grant to establish a new even start program at The Bancroft Elementary School in Washington, D.C.;
- U.S. ENGLISH establishes an Outreach Program to expand support to more community-based English instruction programs nationwide;
- U.S. ENGLISH establishes the U.S. ENGLISH Volunteer Literacy Corps, a network of English language volunteers coordinated with local organizations providing English instruction;
- U.S. ENGLISH establishes coordination with local correctional facilities offering adult English language instruction;
- U.S. ENGLISH initiates plans for a National Educational Fund to provide maintenance support and outreach support to organizations promoting English language instruction;
- U.S. ENGLISH obtains the legal rights to distribution of the Cambria English Institute curriculum;
- U.S. ENGLISH initiates plan for Early Childhood Education program to train teachers in the effective development of English language skills in pre-school.

#### LEGISLATIVE SUPPORT

*U.S. ENGLISH provides research and testimony to legislators, on bills affecting the instruction of limited-English proficient individuals.*

- U.S. ENGLISH develops language for the "Dropout Prevention" bill in California;
- U.S. ENGLISH provides testimony to the National Educational Goals Panel on all of its six goals, with special emphasis on the English literacy goal;
- U.S. ENGLISH provides language for the "Intensive English Development Program" in California;
- U.S. ENGLISH provides language for the Omnibus Language Education bill;

- U.S.ENGLISH establishes coalition support with community-based English instruction programs in California. Through them, we continue to support legislation guaranteeing English instruction for Amnesty candidates;
- U.S.ENGLISH lends support and provides the impetus for establishing the Learning English Advocates Drive (LEAD), an organization dedicated to the reform of bilingual education in California and nationwide. U.S.ENGLISH continues to help LEAD to expand and prosper;
- U.S.ENGLISH lends support and provides the impetus for establishing Research in English Acquisition and Development (READ), an organization dedicated to fostering effective programs for children learning English. U.S.ENGLISH continues funding support to READ and towards their research in the field of Education;
- U.S.ENGLISH lends support and provides the impetus for establishing the Hispanics for English Language Proficiency (HELP), a grassroots organization dedicated to promoting opportunities for English language proficiency to adults and children;
- U.S.ENGLISH participates in "Learning In Two Languages," a 1989 conference which inspired the important book (of the same title) on public debate over bilingual education. The book continues to serve as a major resource for both educational practitioners and theorists;
- U.S.ENGLISH sponsors 1990 "National Advocates Forum on Bilingual Education";

#### PROGRAM SUPPORT

*U.S.ENGLISH Educational Programs staff designs and supports innovative methods to assist in the promotion of opportunities to learn English for children and adults in the Metropolitan Washington, D.C., area, with a grant from the Marpat Foundation, and nationwide.*

- U.S.ENGLISH gives a \$5,000 grant and video cassette series to The Adult and Family Education program, Bell Multicultural High School in Washington, D.C.;
- U.S.ENGLISH gives a \$5,000 grant to The Spanish Speaking Community of Maryland, Inc.;
- U.S.ENGLISH gives a \$5,000 grant to The Sacred Heart Adult Education Center in Washington, D.C.;

## U.S. ENGLISH EDUCATION PROGRAM FACT SHEET

Since 1987 U.S. ENGLISH has made important, nationwide contributions to the English language literacy effort. Inspired by a challenge from the Weingart Foundation to design an adult English literacy pilot project in California, U.S. ENGLISH immediately took up the challenge by establishing our Los Angeles office. After extended research, project "Golden Door" was set in motion. The pilot program, funded by the Weingart Foundation, was comprised of five major components:

- English Lessons on Radio;
- Survival Videotapes;
- Lesson Guides, Workbooks & Tapes for "In English" Instruction;
- Worksite Instruction;
- Revolving Loan Fund.

Since project "Golden Door" U.S. ENGLISH has expanded its educational efforts to include five distinct areas of support:

- Coalition Support
- Program Support
- Legislative Support
- Research Support
- Media Support

### COALITION SUPPORT

*U.S. ENGLISH establishes valuable coalitions with public and private efforts dedicated to promoting English literacy.*

- "We The People" literacy videotape is launched with a \$10,000 grant from U.S. ENGLISH augmenting leftover bi-centennial funds in Los Angeles, CA;
- U.S. ENGLISH establishes a coalition with the Literacy Taskforce of California;

# U.S. ENGLISH Facts

818 Connecticut Avenue, N.W./Suite 200/Washington, D.C. 20006

## WHAT IS OFFICIAL ENGLISH?

Official English is the use of English as the language of government.

It is using English as the language of public record, public business, the Constitution, the governing body and the courts. It means that the official, public business of governing is conducted in English.

Official English legislation makes allowances for the use of other languages in government, as necessary. For example, conversations with government employees may take place in other languages; health and safety services would be available in other languages. A non-English speaking defendant may have a translator in court, but the trial would be conducted in English.

Under official English legislation, rules, decisions and laws for the record are conveyed in English. Official English laws do not legislate the use of English outside of government. They do not interfere with the teaching of other languages or affect bilingual education. They do not pertain to religious services or to religious texts. Names of cities, streets, monuments and buildings that are in other languages do not change under these laws; restaurant menus are not affected, nor are music and plays and art exhibitions from other cultures with other languages.

Official English has nothing to do with the language of the home, church, community center, private enterprise, or with the conversation between two neighbors over the back fence. *Official English is the language of public business, not private business.*

The idea of a nation having an official language is accepted worldwide. Roughly half of the constitutions of the world's countries have made a provision for official language. For example, Spanish is the official language of Venezuela, which means laws are written in Spanish, courts function in Spanish and government is conducted in Spanish. By adopting an official language, Venezuela declares that it is important to know Spanish in Venezuela.

Because state governments now operate in English, official English laws change very little about the way the states conduct public business. These laws, however, ensure a precise language of communication for governing. By making English our language of government, we reaffirm our belief that a common language promotes unity and serves as a bridge for understanding in our diverse society.

Official English does not mean that English is "better" than any other language, only that the government of a country functions in a designated common language. And it is in the smooth operation of government that communication is critical, especially in times of national emergency.

Stable government unifies a nation. Efficient communication among the branches of government and among the people enables stability amid diversity. Official language provides a precise, unequivocal form of communication in a society where many languages are spoken.



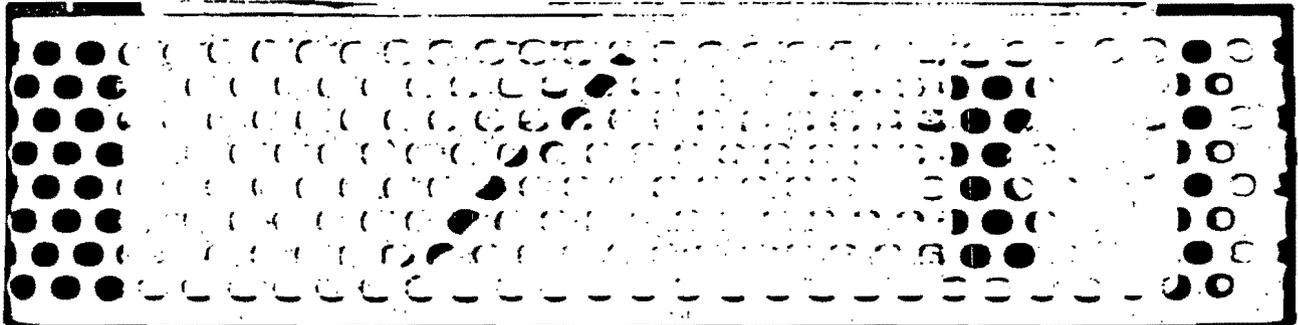
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*Director, Educational Programs*





HOUSTON, TX  
CHRONICLE

D. 425,560 — S. 528,000

HOUSTON METROPOLITAN AREA

JUL 12 1990

# 87% in poll see duty to learn English

By JO ANN ZUNIGA

© 1990, Houston Chronicle

Hispanics in Harris County overwhelmingly support preservation of the Spanish language and their cultural heritage, but a similar majority believes immigrants have a duty to learn English, the Houston Chronicle Hispanic Poll shows.

And perhaps most surprisingly, 51 percent of the respondents agreed that Texas should adopt English as its official language.

Eighty-seven percent said all people who come to the United States have an obligation to learn English. But a similar majority, 82 percent, agreed that people coming from other countries to the United States should make every effort to preserve their heritage.

At a time when research shows that increasing numbers of third- and fourth-generation Hispanics cannot speak Spanish, 88 percent of the poll respondents agreed that it's important for younger generations of Hispanics to speak the language.

University of Houston political scientist Richard Murray, who served as a consultant for the poll, said these results reflect Hispanics' desires to assimilate without losing touch with their roots.

"Hispanics want the best of both worlds," Murray said.

Former San Antonio Mayor Henry Cisneros, who moves easily from the

barrio to the board room, embodies this ideal, Murray said. Cisneros has kept his family home on San Antonio's predominantly Hispanic west side, but his academic credentials and national stature have made him appealing to Anglos as well.

In the Chronicle poll, Hispanics were asked to rate nine political figures ranging from President Bush to local leaders. Cisneros was rated more favorably than any of the other officials, with 78 percent placing him in the top category.

The telephone survey of 451 Harris County Hispanic residents was conducted for the Chronicle June 13 through June 19 by Telesurveys of Texas Inc. The margin of error is plus or minus 5 percentage points.

Forty-three percent of the respondents disagreed that an English-as-official-language designation is appropriate, including 15 percent who strongly disagreed.

But the level of support for such a designation was disturbing to area Hispanic leaders, who have strongly opposed it.

"I'm surprised and I'm appalled at the results," said Johnny Mata, spokesman for the League of United Latin American Citizens.

"A majority of the work force in the year 2000 will be made up of minorities and females," Mata said. "In order to compete globally, Americans should speak more than one language."

The survey also examined the sources of Hispanics' information about local and international news, another indicator of their lifestyle and cultural outlook. The results, excluding people who failed to respond:

- English language newspapers — 69 percent very important, 23 percent somewhat important, 5 percent not very important, 2 percent not important at all.

- English language television — 65 percent very important, 29 percent somewhat important, 5 percent not very important, 1 percent not important at all.

- English language radio — 54 percent very important, 35 percent somewhat important, 8 percent not very important, 3 percent not important at all.

- Spanish language television — 46 percent very important, 35 percent somewhat important, 10 percent not very important, 8 percent not important at all.

- Spanish language radio — 41 percent very important, 33 percent somewhat important, 13 percent not very important, 11 percent not important at all.

- Spanish newspapers — 39 percent considering it very important, 30 percent somewhat important, 11 percent not very important, 16 percent not important at all.

(Continued)

Page 1

Chronicle  
Houston, TX  
July 12, 1990

"87% in poll see duty to learn English"

## Education and income compared

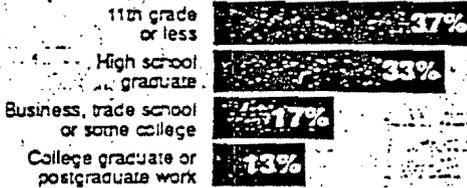
Results of the Houston Chronicle Hispanic Poll and the Houston Metropolitan Area Survey indicate that Hispanic educational and income levels in the Houston area lag far behind those of Anglos. Blacks

report significantly higher educational levels than Hispanics, but differences in reported income were slight. Percentages may total other than 100 because of rounding.

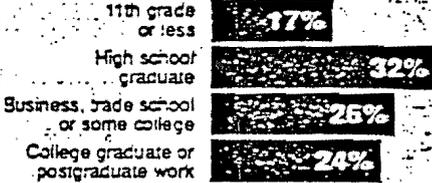
### EDUCATION

Highest level attained

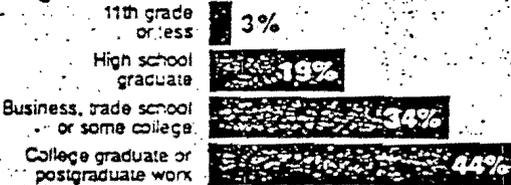
#### Hispanics



#### Blacks



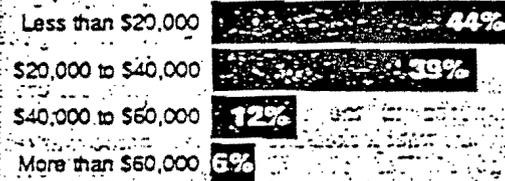
#### Anglos



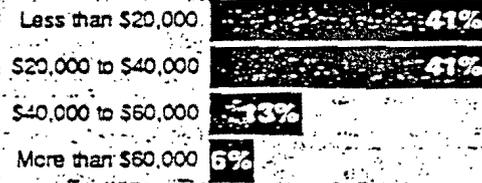
### INCOME

Annual family income range

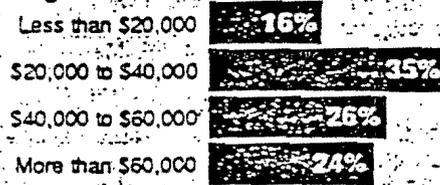
#### Hispanics



#### Blacks



#### Anglos

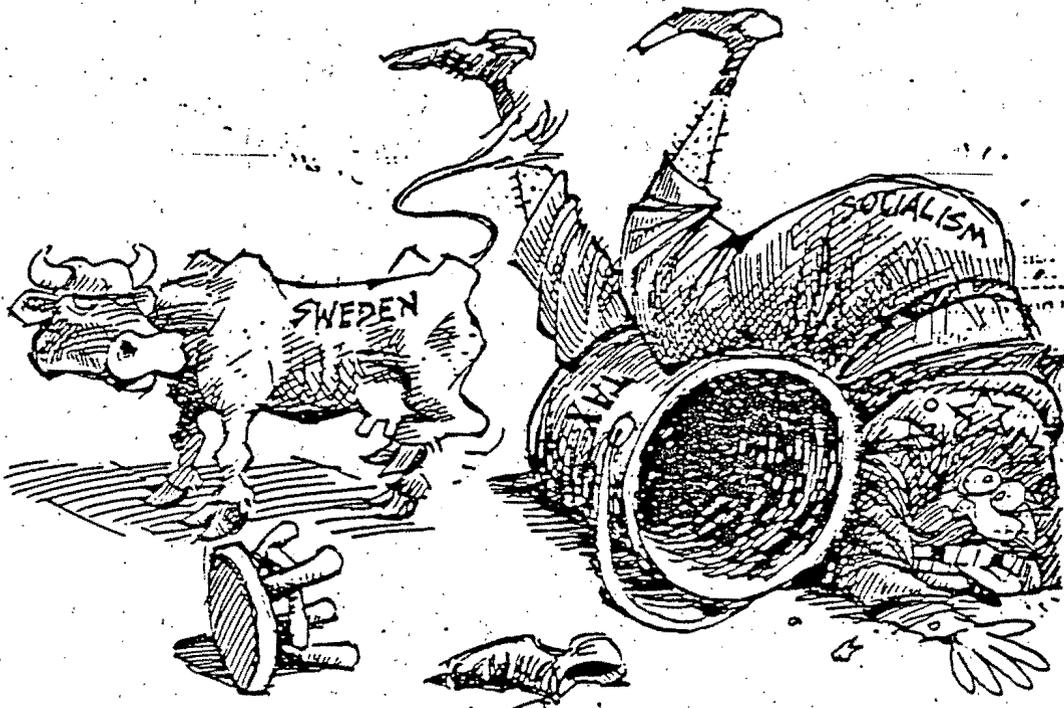


Sources: For Hispanic responses, the Houston Chronicle Hispanic Poll, a random telephone sample of 451 Hispanics conducted by Telesurveys of Texas Inc. with an error margin of plus or minus 5 percentage points. For black and Anglo responses, the Houston

Metropolitan Area Survey of 307 blacks and 407 Anglos, conducted by the University of Houston Center for Public Policy. The margin of error is 5 percentage points for the Anglo sample and 6 percentage points for the black sample.

B.C. Cren / Chronicle

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 J. P. J. '91



# Letters

## English will bring empowerment

Regarding your Sept. 18 news article "Rally at Capitol backs official-English bill," I would like to state the position of U.S. ENGLISH on voting by non-English speakers. We do not wish to disenfranchise anyone.

U.S. ENGLISH believes citizens who cannot speak or read English are nonetheless entitled to vote, should be encouraged to vote and provided with special assistance. The U.S. Commission on Civil Rights proposed such assistance before a subcommittee of the Senate Judiciary Committee in 1975.

The commission suggested sample ballots in the required language be provided to non-English speakers as they enter the voting



booth. There may be other practical solutions.

Of course, there is more to participating in an election than simply casting a ballot. Real empowerment comes from full participation in the political process that culminates in casting a ballot. A person must listen to the debates, read about the issues and

become informed. This is the heart of U.S. ENGLISH's concern.

Translating a ballot may allow a person to read the ballot, but it does not mean political empowerment.

That is why we are working to provide opportunities for non-English speakers to learn the common language of our country. We all know that democracy, more than any other form of government, depends upon communication between the voters and the people they elect. A common language is essential to extending real political power to all citizens.

**RONDALD SAUNDERS**  
 Executive Director  
 U.S. ENGLISH  
 Washington

### IN AMERICA, WE SHARE SOMETHING VALUABLE THAT MAKES FRIENDSHIP POSSIBLE.

We share English, our country's common language.

For more than 200 years, English has united our nation of immigrants. And it has enabled us to forge friendships, discuss differences, achieve understanding and participate in our democracy.

Regardless of where we came from or the many languages we know and enjoy, the

key to opportunity and success for everyone in our country is English. It provides a level playing field and an equal footing for higher education and better jobs.

We, the undersigned, recognize the value of our common language and support efforts to enable all Americans to learn English—the language of equal opportunity.

Morimer Adler  
William Bartholomew Allen  
Walter Annenberg  
Caesar Aronson  
Stephen Baker  
E. Digby Baltzell  
Samuel Baruch  
Arnold Beckman  
Richard Benet  
Lita Hagan Bergnot  
J. Carter Brown  
Julie Child  
Peter Collier

Mary Powlesland  
Commander  
Margaret Truman  
Daniel  
Sheikh C. Davis  
Dinesh Desai  
Camille de Leon  
Stanley Diamond  
Angie Biddle Duke  
Andre Emmench  
Howard Fast  
Whoopee Goldberg  
Barry Goldwater

Eugene Gonzales  
Garrett Morgan  
Ken Mann, Jr.  
Edward Marle  
S. Mavakama  
W.R. Hearst, Jr.  
Chanton Neston  
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Reynolds  
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Elie Krakowski  
George Landau  
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Glen Loury  
Charles Luckman  
Arthur Mann  
Eugene McCarthy  
Dorotey Moore  
Robert Murdoch  
Richard M. Nixon  
Mrs. Eugene Ormandy  
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Peterson  
Norman Podhoretz  
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Eric Sevareid  
Norman Shumway  
Thomas Sowell  
Abigail Van Buren  
Mrs. George Vitare  
Thomas Wu  
Fred Zinnemann

To learn more about the importance of a common language, write: U.S. ENGLISH, 318 Connecticut Avenue, N.W., Suite 200/Washington, D.C. 20006



THE LANGUAGE OF EQUAL OPPORTUNITY™

them in the North Side of Fort Worth, one of the largest concentrations of Hispanics in the Metroplex. But being an ex-Water Board Election judge in the North Side for many years, I can only recall 2 ballots being cast in Spanish. Why could we not hire Spanish translators in those heavy populated Hispanic precincts at a lower cost?

I'd much rather see that money spent on scholarships for bright Hispanic students, Girls Clubs in the barrios much like the Boys Clubs, programs to fight the inhalant and drug problems that are so prevalent among the Hispanic youth, and other problems than on Spanish voting ballots.

We've spent millions on bilingual education, yet I believe that a lot of this money should be spent on stopping the high dropout rate among English-speaking Hispanic students. Insofar as bilingual education is concerned, I believe that a total English immersion program would be more effective, or a Spanish-to-English transition class of no more than one year would do. Are Hispanic children that difficult to teach? I don't believe so.

Heaven forbid that Orientals will eventually start demanding their children to be taught in their native tongues up to the 12th grade as some Hispanic organizations have demanded. They've done well because they've come to learn English as quickly as possible.

Orientals have won the spelling bee championship of the United States for several years. With the strong emphasis on Spanish among Hispanics, I doubt if we'll ever achieve that goal.

In closing, I want to congratulate all the proponents of Spanish bilingual usage. Keep up the good work - statistically, we're still No. 1 in school dropouts and almost No. 1 in the poverty line.



# Congressional Record

United States  
of America

PROCEEDINGS AND DEBATES OF THE 102<sup>d</sup> CONGRESS, FIRST SESSION

Vol 137

WASHINGTON, THURSDAY, JANUARY 3, 1991

No. 1

## WHAT THE LANGUAGE OF GOVERNMENT ACT MEANS

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Missouri [Mr. EMERSON] is recognized for 5 minutes.

Mr. EMERSON. Mr. Speaker, as we open this 102d Congress, we are concerned with commitments—both around the world and at home. Commitments to world peace, to the end of hunger, to education, healthy care, fiscal responsibility—concerns that are vital to the future of our Nation and the world.

I come before the House of Representatives today seeking a commitment to our common language. Through passage of the Language of Government Act, we will establish English as our language of public business. The time has come for us to formulate a clear language policy for our country. To say to those who come here and to those who live here: it is important to know the common language of the United States. It is important to know the language spoken by 98 percent of our people.

Why do we need such a policy? There is no more important reason for this legislation than unity. More than 150 languages are represented within our Nation's borders. In military affairs alone, the use of a common language is essential. Can you imagine the chaos in the Persian Gulf if the Armed Forces of the United States had to operate in 150 different languages? For the sake of a unified command, our military functions in our common language—English.

This legislation is not an attempt to stifle the use of other languages in the United States. Nations around the world—more than half of them, in fact—designate official languages in which their government operates. Countries like Venezuela, which specifies that Spanish is its official language. Does that mean that Venezuela prohibits the use of any other language but Spanish? Of course not. It means only that the Government of Venezuela functions in Spanish and it is important to know Spanish in Venezuela. Those who oppose official language in the United States do not understand the concept.

The essential issue of language of government is communication through our shared language. We debate our differences and reach compromises. We are united by respect for individual rights, belief in human dignity and freedom and love of country. These feelings cannot be seen or felt, but they can be articulated through a common language, as they have been for more than two centuries of our Nation's history.

Yet our commitment to our common language is so undefined that the percentage of public school students who can read and write English is higher in the Scandinavian countries than it is in the United States. School children in Sweden, Norway, Finland, Denmark, and Iceland exhibit a greater English proficiency than school-age youngsters in this country.

In fact, it is possible to obtain a high school diploma in some parts of the United States without knowing the English language. This, at a time when illiteracy is crippling our work force. Last year, 44 percent of the applicants for jobs at the Prudential Insurance headquarters were unable to read at the ninth-grade level. Motorola has found that 80 percent of its applicants cannot pass a simple seventh-grade English comprehension test. With our illiteracy rate one of the highest in the world, we can no longer ignore the importance of English to our economic well-being.

The Language of Government Act establishes a commitment to our national language—not because English is better than any other, but because it is our common language. Because communication among our diverse people is essential to the well-being of our Nation.

This act does not legislate the use of English outside of Government. It does not interfere with the teaching of other languages or affect bilingual education. It has nothing to do with the language of the home, the church, the community center, or the conversation between two neighbors over the back fence. The Language of Government Act involves the language of public business, not private enterprise.

Because our Government operates in English now, this law will change very little about the way our Government conducts its business. This law, however, ensures a precise language of communication for governing. By making English our language of Government, we reaffirm our belief that a common language promotes unity and serves as a bridge for understanding in our diverse society.

Efficient communication among the branches of Government and among our people enables stability and diversity. This act provides a precise, unequivocal form of communication of our Nation's business, and I urge my colleagues to join me in its passage.

Temple, TX  
TELEGRAM

Killeen-Temple Met Area

Thursday

D 24,901

APR 30 1992

## Use Of English Should Bind, Not Divide Americans

A Census Bureau report contained the startling finding that a significant number of Americans say they have trouble speaking and understanding English. While it is desirable to have a country of diverse cultures and languages, America needs the common bond of English to continue to thrive.

The United States is rapidly becoming a multilingual society. The Census Bureau reports bilingualism is increasing, a positive development. More Americans speak English and at least one other language.

But a shocking number of people in America's larger cities cannot speak English. In Miami, nearly three-quarters of the residents speak a language other than English at home, with 67 percent of those saying they don't speak English very well.

In New York City, 41 percent of the residents speak a foreign language. Nearly half of that 41 percent said they did not speak English very well. More than a fourth of the people in Santa Fe, N.M., Hartford, Conn., and Providence, R.I., aren't conversant in English.

People who know little English are at a disadvantage in mainstream America. They can find it harder to get a job, obtain health care and communicate with government officials.

Learning English should be — and often is — one of the first priorities for those who intend to make the United States their permanent home. English is the language of American popular culture, literature, commerce and politics.

It would be devastating if the trend toward a multilingual society divided a rich heritage and created a segmented culture of Americans who found it difficult to communicate with one another.

SUNDAY  
APRIL 19, 1992

# St. Petersburg Times

Florida's Best Newspaper

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75 cents

Weather High, low 80s; 50% chance of rain. 2B

Sunday

What happened to the vote on English in Florida? Explain to me and Florida Congressman.

## This is not America. This is Miami'

Miami of the '90s is dominated culturally and economically by Hispanics. The rest of Florida tends to see it as an anomaly. But it could provide a glimpse of the future for other cities.

RICK BRAGG  
is Staff Writer

MIAMI — The new American peddles wares from a plastic bucket and wonders where the Anglos have gone. Tonio Perez liked the Anglos pretty much, but he knew their days were numbered. They did not speak the language or understand the culture. Now almost all the cars on Coral Way in south Miami are driven by people who belong here.

He shouts to the drivers in Spanish, until a Ford with a bumper sticker that says *Jesus Christ is my patron* stops to dicker with him. Traffic backs up behind them and people curse in Spanish as the price drops from \$6 to \$5; and Perez walks away with his fist filled with *dinero*.

"This is not America," he says in Spanish. "This is Miami."

A powerful, sustained wave of Latin immigration, together with an exodus of Anglos, has created a Miami in which the only American culture he has to know is which dead presidents are on which bills. He is Nicaraguan in his soul, an *americano* yes, but a *latinoamericano*.

Miami, dominated culturally and economically by Hispanics, allows him to remain that way.

Newly released 1990 census figures show that seven of 10 people in Miami speak

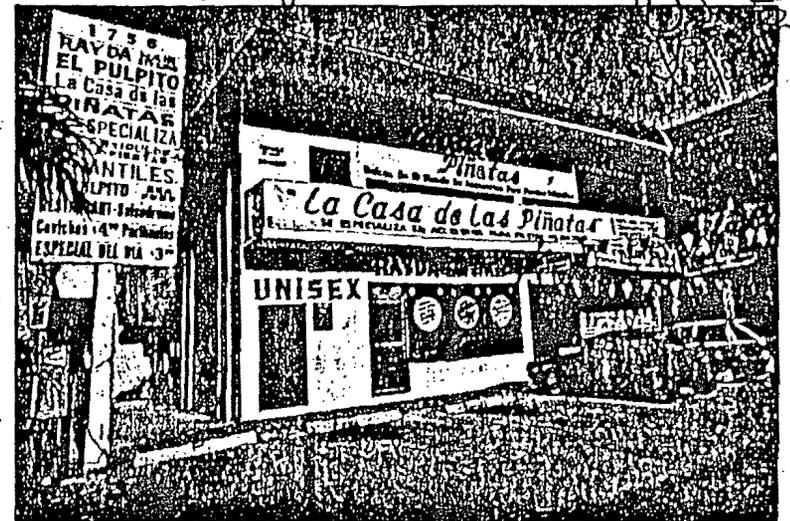
a language other than English at home. In neighboring Hialeah, once a Cracker community with pickups and air boats parked in the driveways, nine out of 10 speak Spanish at home.

The numbers tell more about Miami than just a language preference.

They reflect a cultural atmosphere in which Hispanics, by sheer numbers, continue to mold Miami into a city of Latin manners, attitude, fashion and taste. Non-Hispanics, many of them Miamians for a lifetime, wonder if they have a place in a city where more than half the population has trouble speaking English.

Some of them love the diversity, but others wonder if non-Hispanics can survive socially and economically here. They think they are Miami's latest endangered species.

Please see MIAMI 12A



Special to the Times — BILL COOKE

Hispanics continue to mold Miami into a city of Latin manners, attitude, fashion and taste. More than half the city has trouble speaking English.

# English foreign for one-third of state

By Tony Bizjak  
Bee Staff Writer

The voice of California is changing.

Nearly one-third of Californians speak a language other than English at home, new U.S. census data shows — up from slightly more than one-fifth a decade ago.

More than half of those Californians say they cannot speak English "very well." Twenty percent speak Spanish at home. Seven percent speak an Asian language.

The increase in foreign tongues is the result, during the 1980s, of the largest surge of foreign immigration in California history, experts say. Some 3.2 million people arrived. As many more are expected by the end of the 1990s.

By comparison, California, at 31.5 percent, has a far higher percentage of foreign language speakers than two other high-immigration states: New York, 23.3 percent, and Florida, 17.3 percent.

The new information has created lively disagreement among population experts over whether English is in its death throes as our state's "lingua franca."

"The magnitude is astonishing,"

## Next: Housing

Coming up Wednesday in The Bee's continuing coverage of the new census information will be a look at the state of housing, from solar power to telephones, and its cost.

## Census and you

Readers seeking more details on what the 1990 census found in their communities can order a special nine-page report from The Bee. It makes comparisons to 1980 and includes more information on income, housing, education, poverty, disabilities and the work force.

Reports on Sacramento area and other California communities can be ordered by calling BeeSearch at 326-5566 Monday through Thursday 10 a.m. to 4 p.m. or writing BeeSearch, P.O. Box 15779, Sacramento, 95852. The cost is \$5 per report for subscribers and \$7.50 for non-subscribers.

Ken Wachter, a professor of demographics at the University of California, Berkeley. He called into question the long-held notion that the second generation of most immigrant families automatically will meld into the mainstream culture. "We don't know that, not when we get a proportion like this."

Others say that is a needlessly fretful viewpoint.

"It is a canard of the worst kind to say we are going to become a bilingual society," argued Joel Kotkin, a Los Angeles-based author on the state's population trends. "Find me a kid who got to this country before the age of 15 who is not reasonably fluent before they are 25. You just don't run into it. You have to speak English to make it in this society."

In fact, many, including immigrants, say their real fear is that immigrant children will lose their native language, thus losing the best conduit to their native culture, just as previous generations of immigrants have.

"There is no question immigrants want to learn English," said Leland Saito, a University of California, Los Angeles, doctoral student who has extensively studied Monterey Park, the Los Angeles County city that was the first in the nation with an Asian majority population.

"The question is, Are we going to try to retain these language abilities in the next generation? Unlike Europe and Asia, the U.S. has been weak in that we have few people fluent in more than one language."

Many immigrants, like Oscar Torrentes of Sacramento, are trapped by their inability to speak English, and they are only too happy to push their children into the new language.

The 35-year-old Nicaraguan refugee lives with two teenage children in an Alkali Flat apartment and works for \$6 an hour as a restaurant cook and dishwasher — a salary that puts his family just at the poverty line.

The job is probably the best Tor-

rentes will have, because he says he is too old and too busy caring for his children to learn English. It is up to his children to learn.

"I sacrifice for them," he said in Spanish recently. That is why he was upset recently when his son, age 15, wanted to quit school this year and work.

"I told him no. If he doesn't learn English, he will end up like me — washing dishes."

Not all of those who speak a foreign language at home do so because they can't speak English. For many, preserving the mother tongue means preserving a proud cultural heritage.

Yuri and Lydia Lavrenov of south Sacramento, refugees whose English is excellent, speak only Russian at home with their 4-year-old daughter Tatyana, who speaks no English yet.

"I want my kid to know her culture," Lavrenov said. He knows she will easily learn English at school. "I want her to speak to her grandparents in their language. I see others, their kids don't speak their language. It is a pity."

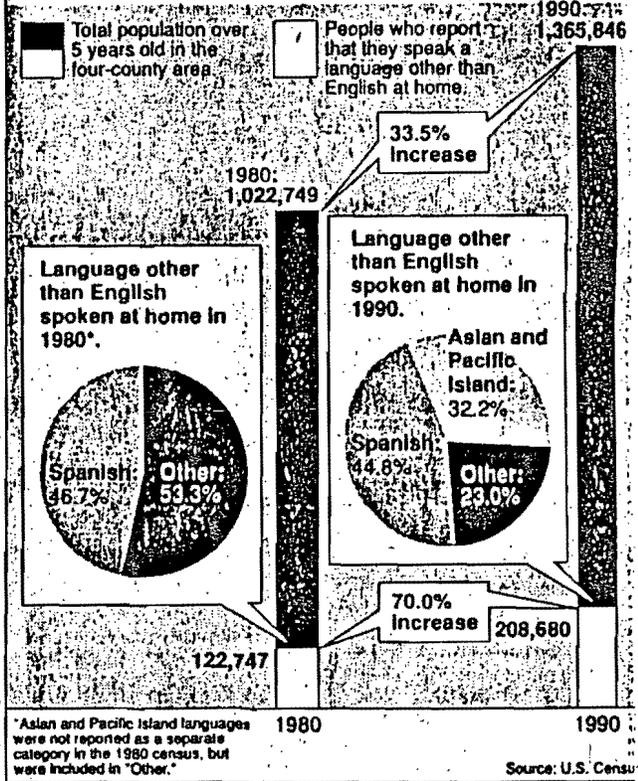
The four Sacramento metropolitan counties each have considerably fewer non-English speaking households than California's 31.5 percent.

Yolo County is highest at nearly 23 percent. Sacramento County has 16 percent, and in Placer and El Dorado counties, just 8 percent report they speak a language other than English at home.

In Los Angeles County, 45 percent of residents report speaking

## Language of choice at home

In Sacramento, Yolo, Placer and El Dorado counties, the percentage of people who do not speak English at home has grown about twice as fast as the entire population.



another language at home; in San Francisco, the figure is 42 percent.

Unlike past immigrant waves, this one, for the most part, is Latin American and Asian. As a result, said sociologist Karen Hoss-

field of San Francisco State University, its members may have more difficulty integrating into the state's still-dominant Eurocentric culture, even as they learn English.

**JOINT RESOLUTION**  
concerning

**(DRAFT)**

**DECLARATION OF POLICY MARYLAND AS A MULTI-LINGUAL STATE**

**ENGLISH PLUS**

For the purpose of declaring that it is the policy of the General Assembly that Maryland is a multi-lingual and multi-cultural state.

**WHEREAS,**

The State of Maryland has traditionally welcomed the diverse ethnic and linguistic communities that make up the State and the nation, and

**WHEREAS,**

These diverse ethnic and linguistic communities have contributed greatly to the vitality, social development and economic prosperity of the State, and

**WHEREAS,**

It is in the best interest of the State to continue to promote linguistic and cultural diversity along with proficiency in the English language for all its residents, and

**WHEREAS,**

Social unity and harmony are best achieved through mutual respect for, and acceptance of the diversity inherent in a multi-cultural and multi-linguistic society, and

**WHEREAS,**

English is already recognized as the predominant language of Maryland and legislation imposing English as the only official language of the State would impair efforts to welcome the full participation in our society of all linguistic and cultural groups; now, therefore, be it

**RESOLVED BY THE GENERAL ASSEMBLY OF MARYLAND, That it is the policy of the General Assembly that the use of diverse languages in business, government and private affairs, and the presence of diverse cultures is welcomed, encouraged and protected in the State of Maryland.**

**Drafted by:  
Jose Ruiz, Executive Director  
Governor's Commission on Hispanic Affairs**

## Vote on Voting Rights Bill

[Rollcall Vote No. 180 Leg.]

## YEAS—75

Adams	Cohen	Gorton
Akaka	Cranston	Graham
Baucus	D'Amato	Gramm
Bentsen	Daschle	Grassley
Biden	DeConcini	Harkin
Bingaman	Dixon	Hatfield
Bond	Dodd	Heflin
Boren	Dole	Hollings
Bradley	Domenici	Inouye
Breaux	Durenberger	Jeffords
Brown	Exon	Johnston
Bryan	Ford	Kassebaum
Burns	Fowler	Kasten
Chafee	Glenn	Kennedy
Kerrey	Mitchell	Sanford
Kerry	Moynihan	Sarbanes
Kohl	Murkowski	Sasser
Lautenberg	Nunn	Seymour
Leahy	Packwood	Shelby
Levin	Pell	Simon
Lieberman	Reid	Specter
Mack	Riegle	Stevens
McCain	Robb	Warner
Metzenbaum	Rockefeller	Wellstone
Mikulski	Roth	Wofford

## NAYS—20

Bumpers	Garn	Rudman
Byrd	Lott	Simpson
Coats	Lugar	Smith
Cochran	McConnell	Symms
Conrad	Nickles	Thurmond
Craig	Pressler	Wallop
Danforth	Pryor	

## NOT VOTING—6

Burdick	Hatch	Wirth
Gore	Helms	

So the bill (H.R. 4312), as amended, was passed.

Mr. SIMON. Mr. President, I move to reconsider the vote by which the bill, as amended, was passed.

Mr. SIMPSON. I move to lay that motion on the table.

The motion to lay on the table was agreed to.

YEAS—27

Abercrombie  
Ackerman  
Alexander  
Anderson  
Andrews (ME)  
Andrews (NJ)  
Annunzio  
Applegate  
Aspin  
AuCoin  
Bennett  
Bernan  
Blibray  
Blackwell  
Boehlert  
Bonior  
Borski  
Brooks  
Bruce  
Bustamante  
Camp  
Campbell (CA)  
Cardin  
Carper  
Carr  
Chapman  
Clay  
Coleman (TX)  
Collins (IL)  
Condit  
Cooper  
Costello  
Cox (IL)  
Coyne  
Darden  
de la Garza  
DeLauro  
Dellums  
Dingell  
Dixon  
Donnelly  
Dooley  
Dorgan (ND)  
Dfurne  
Miller (CA)  
Miller (WA)  
Mineta  
Mink  
Moakley  
Molinar  
Mollohan  
Moody  
Moran  
Morella  
Murtha  
Nagle  
Natcher  
Neal (MA)  
Nowak  
Oaker  
Oberstar  
Obey  
Olin  
Oliver  
Cruz  
Owens (NY)  
Palone  
Panicke  
Pastor  
Payne (NJ)  
Payne (VA)  
Pease  
Pelosi  
Penny  
Perkins  
Peterson (MN)  
Poshard  
Price  
Quillen

Downey  
Durban  
Eckart  
Edwards (CA)  
Edwards (TX)  
Engel  
English  
Espy  
Evans  
Fasoell  
Fazio  
Fish  
Flake  
Foglietta  
Ford (MI)  
Frank (MA)  
Gallegly  
Gardens  
Geren  
Gibbons  
Gillchrest  
Gillmor  
Gilman  
Glickman  
Gonzalez  
Gordon  
Gradison  
Grandy  
Green  
Guarini  
Gunderson  
Hall (OH)  
Hall (TX)  
Hamilton  
Hayes (IL)  
Hefner  
Hertel  
Hoagland  
Hobson  
Hochbrueckner  
Horn  
Horton  
Houghton  
Rahall  
Rangel  
Reed  
Richardson  
Rinaldo  
Ritter  
Roe  
Roemer  
Rös-Lehtinen  
Roe  
Rostenkowski  
Roybal  
Russo  
Sabo  
Sanders  
Santmelster  
Sarpallus  
Savage  
Sawyer  
Scheuer  
Schiff  
Schuise  
Schumer  
Serrano  
Sharp  
Shaw  
Shays  
Sikorski  
Sisisky  
Skeen  
Slattery  
Slaughter  
Smith (FL)  
Smith (IA)  
Smith (NJ)  
Snowe

Hoyer  
Hubbard  
Hughes  
Jacobs  
Jefferson  
Johnson (CT)  
Johnston  
Jones (GA)  
Jones (NC)  
Jontz  
Kaptur  
Kasich  
Kennedy  
Kennelly  
Kildee  
Kleczka  
Kolbe  
Kopetski  
Kyl  
LaFalce  
Lantos  
LaRocco  
Leach  
Lahman (CA)  
Lahman (FL)  
Levin (MI)  
Lewis (GA)  
Long  
Lowey (NY)  
Lujan  
Machtley  
Manton  
Markey  
Mavroules  
Mazoli  
McCloskey  
McCurdy  
McDade  
McDermott  
McEwen  
McGrath  
McHugh  
McMillen (MD)  
Solari  
Spratt  
Staggers  
Stallings  
Stark  
Stokes  
Studds  
Sweet  
Swift  
Synar  
Tanner  
Thornton  
Torres  
Torrice  
Towns  
Unsoeld  
Upton  
Valentine  
Vento  
Visclosky  
Volkmer  
Vucanovich  
Walker  
Washington  
Waters  
Waxman  
Weber  
Weiss  
Weldon  
Wheat  
Williams  
Wise  
Wolf  
Wolpe  
Yates  
Young (FL)

NAYS—125

Allen  
Archer  
Armey  
Ballenger  
Barrett  
Bateman  
Beltenson  
Bentley  
Bereuter  
Bevill  
Billirakis  
Bliley  
Boehner  
Brewster  
Browder  
Burton  
Byron  
Clinger  
Coble  
Combest  
Cox (CA)  
Cramer  
Crane  
Cunningham  
Dannemeyer  
Davis  
DeLay  
Derrick  
Dickinson  
Doolittle  
Dornan (CA)  
Dreier  
Duncan  
Emerson  
Erdreich  
Ewing  
Fawell  
Fields  
Franks (CT)  
Gallo  
Gekas  
Goodling

Goss  
Hancock  
Harris  
Hastert  
Henry  
Herger  
Holloway  
Hopkins  
Hunter  
Hutto  
Inhofe  
James  
Jenkins  
Johnson (SD)  
Johnson (TX)  
Kanjorski  
Klug  
Kosmayer  
Lacromarino  
Lancaster  
Lent  
Lewis (CA)  
Lewis (FL)  
Lightfoot  
Lipinski  
Lowery (CA)  
Marlanée  
McCandless  
McCollum  
McCrery  
McMillan (NC)  
Meyers  
Michael  
Miller (OH)  
Montgomery  
Moorhead  
Murphy  
Myers  
Neal (NC)  
Nichols  
Nussle  
Orton

Oxley  
Packard  
Parker  
Patterson  
Paxon  
Petri  
Pickett  
Porter  
Pursell  
Ramstad  
Ravenel  
Regula  
Rhodes  
Ridge  
Roberts  
Rogers  
Rohrabacher  
Roth  
Roukema  
Rowland  
Santorum  
Saxton  
Sensenbrenner  
Shuster  
Skelton  
Smith (OR)  
Solomon  
Spence  
Stearns  
Stenholm  
Stump  
Taylor (MS)  
Taylor (NC)  
Thomas (CA)  
Vander Jagt  
Wahsh  
Whitten  
Wylie  
Young (AK)  
Zeliff  
Zimmer

NOT VOTING—72

Allard  
Andrews (TX)  
Anthony  
Atkins  
Bacchus  
Baker  
Barnard  
Barton  
Boucher  
Boxer  
Broomfield  
Brown  
Bryant  
Bunning  
Callahan  
Campbell (CO)  
Chandler  
Clement  
Peterson (FL)  
Pickle  
Ray  
Riggs  
Schaefer  
Schroeder

Coleman (MO)  
Collins (MI)  
Conyers  
Coughlin  
DeFazio  
Dicks  
Dwyer  
Dymally  
Early  
Edwards (OE)  
Feighan  
Ford (TN)  
Frost  
Gaydos  
Gehardt  
Gingrich  
Hammerschmidt  
Hansen  
Skaggs  
Smith (TX)  
Sundquist  
Tallon  
Tamm  
Thomas (GA)

Hatcher  
Hayes (LA)  
Hefley  
Huckaby  
Hyde  
Ireland  
Keller  
Laughlin  
Levine (CA)  
Livingston  
Lloyd  
Martin  
Martinez  
Matsui  
McNulty  
Morrison  
Mrasek  
Owens (UT)  
Thomas (WY)  
Traffant  
Traxler  
Wilson  
Wyden  
Yatron

**ENGLISH ONLY OR ENGLISH PLUS?  
A SYMPOSIUM ON BILINGUALISM AND PUBLIC POLICY**

National Press Club, John Peter Zenger Room  
14th and F Streets, N.W.  
Washington, D.C.

September 23, 1992  
2:30 to 5:00 p.m.

Rapid immigration over the past decade has brought a 38 percent increase in U.S. residents who speak languages other than English, according to the 1990 census, and a comparable rise in those whose English is limited. How should government respond?

- Should we declare English the nation's official language as a way to defend the primacy of our common tongue? Or should we reject such legislation as inconsistent with American traditions of tolerance and pluralism?
- Should we require newcomers to communicate with government only, or primarily, in English as an incentive to assimilation? Or should we provide bilingual access to schools, courtrooms, polling places, and government offices while they are learning English?
- What policy would best serve U.S. interests—safeguarding "unilingualism" or promoting "English, plus" other languages?

The symposium will feature speakers on both sides of this debate:

**James Crawford**

Author, *Hold Your Tongue: Bilingualism and the Politics of "English Only"* (Addison-Wesley, 1992); editor, *Language Loyalties: A Source Book on the Official English Controversy* (University of Chicago Press, 1992); former Washington editor, *Education Week*

**Antonio Califa**

Legislative counsel, American Civil Liberties Union

**Linda Chávez**

Author, *Out of the Barrio: Toward a New Politics of Hispanic Assimilation* (Basic Books, 1991); senior fellow, Manhattan Institute; former president, U.S. English *gg bilingualism & bilingual ballots*

**James J. Lyons**

Executive director, National Association for Bilingual Education

**The Honorable Eugene J. McCarthy**

U.S. Senator from Minnesota, 1959-71; member, U.S. English advisory board

**Dr. Sara E. Meléndez (moderator)**

President, Center for Applied Linguistics

Sponsors: Addison-Wesley Publishing Company, Center for Applied Linguistics, English Plus Information Clearinghouse, Joint National Committee for Languages, and National Immigration, Refugee, and Citizenship Forum

For more information, call: (202) 544-0004, ext. 20, or (202) 544-5624

## ENGLISH PLUS

The strength and vitality of the United States springs from the diversity of our people. By promoting cultural and democratic pluralism within our own borders, we also enhance our economic competitiveness and maintain our international leadership. In an interdependent world, the diversity of our people provides a unique reservoir of abilities and resources.

The English Plus concept holds that the national interest is best served when all members of our society have full access to effective opportunities to acquire strong English language proficiency plus mastery of a second or multiple languages. English Plus holds that there is a need for an expanded network of facilities and programs for comprehensive instruction in English and other languages.

English Plus rejects the ideology and divisive character of the English Only movement. English Plus holds that national unity and our constitutional values require that language assistance be made available in order to ensure equal access to essential services, education, the electoral process, and other rights and opportunities guaranteed to all members of society. English Only, however, holds that newcomers not yet proficient in English should lose their access to public programs and assistance.

Proponents of English Plus believe that:

- English is and will remain the primary language of the United States, and all members of our society recognize the importance of English to national life, individual accomplishment, and personal enrichment.
- The ability to communicate in English and other languages has promoted and can further enhance American economic, political, and cultural vitality.
- The English Only movement promotes legislation and policies that abridge constitutional rights, impairs the effectiveness of those federal employees who must use languages other than English to do their jobs, fosters governmental interference in private activities and commerce, and causes social disunity.

To attain the goal of an English Plus society, proponents see a need for:

- expanding the educational opportunities for comprehensive English language instruction;
- enabling all newcomers to exercise the rights and responsibilities of full participation in society while reinvigorating society's commitment to pluralism, tolerance, and diversity;
- encouraging the retention and development of a newcomer's first language to strengthen that person's skills, as well as contributing to the multiple language skills of all members of our society;
- retaining and strengthening the full range of language assistance policies and programs, including bilingual assistance, to ensure all members of society an equal opportunity to exercise their rights and responsibilities throughout society, especially in the electoral process, education, the legal system, social services, and health care;
- rejecting the objectives and premises of English Only and defeating any legislative initiative on the federal, state or local level which would mandate English as the official language and thereby restricting the civil rights, civil liberties and equal opportunities of all persons, including persons with limited English proficiency as well as the ability of the government to meet its obligations.

the state, and that access to information regarding basic health care services is an essential element of that right.

Therefore, it is the intent of the Legislature that where language or communication barriers exist between patients and the staff of any general acute care hospital, arrangements shall be made for interpreters or bilingual professional staff to ensure adequate and speedy communication between patients and staff.

(b) As used in this section:

(1) "Interpreter" means a person fluent in English and in the necessary second language, who can accurately speak, read, and readily interpret the necessary second language, or a person who can accurately sign and read sign language. Interpreters shall have the ability to translate the names of body parts and to describe competently symptoms and injuries in both languages. Interpreters may include members of the medical or professional staff.

(2) "Language or communication barriers" means:

(A) With respect to spoken language, barriers which are experienced by individuals who are limited-English-speaking or non-English-speaking individuals who speak the same primary language and who comprise at least 5 percent of the population of the geographical area served by the hospital or of the actual patient population of the hospital. In cases of dispute, the state department shall determine, based on objective data, whether the 5 percent population standard applies to a given hospital.

(B) With respect to sign language, barriers which are experienced by individuals who are deaf and whose primary language is sign language.

(c) To ensure access to health care information and services for limited-English-speaking or non-English-speaking residents and deaf residents, licensed general acute care hospitals shall:

(1) Review existing policies regarding interpreters for patients with limited-English proficiency and for patients who are deaf, including the availability of staff to act as interpreters.

(2) Adopt and review annually a policy for providing language assistance services to patients with language or communication barriers. The policy shall include procedures for providing, to the extent possible, as determined by the hospital, the use of an interpreter whenever a language or communication barrier exists, except where the patient, after being informed of the availability of the interpreter service, chooses to use a family member or friend who volunteers to interpret. The procedures shall be designed to maximize efficient use of interpreters and minimize delays in providing interpreters to patients. The procedures shall ensure, to the extent possible, as determined by the hospital, that interpreters are available, either on the premises or accessible by telephone, 24 hours a day. The hospital shall annually transmit to the state department a copy of the updated policy and shall include a description of its efforts to ensure adequate and speedy

communication between patients with language or communication barriers and staff.

(3) Develop, and post in conspicuous locations, notices that advise patients and their families of the availability of interpreters, the procedure for obtaining an interpreter and the telephone numbers where complaints may be filed concerning interpreter service problems, including, but not limited to, a T.D.D. number for the hearing impaired. The notices shall be posted, at a minimum, in the emergency room, the admitting area, the entrance, and in outpatient areas. Notices shall inform patients that interpreter services are available upon request, shall list the languages for which interpreter services are available, shall instruct patients to direct complaints regarding interpreter services to the state department, and shall provide the local address and telephone number of the state department, including, but not limited to, a T.D.D. number for the hearing impaired.

(4) Identify and record a patient's primary language and dialect on one or more of the following: patient medical chart, hospital bracelet, bedside notice, or nursing card.

(5) Prepare and maintain as needed a list of interpreters who have been identified as proficient in sign language and in the languages of the population of the geographical area serviced who have the ability to translate the names of body parts, injuries, and symptoms.

(6) Notify employees of the hospital's commitment to provide interpreters to all patients who request them.

(7) Review all standardized written forms, waivers, documents, and informational materials available to patients upon admission to determine which to translate into languages other than English.

(8) Consider providing its nonbilingual staff with standardized picture and phrase sheets for use in routine communications with patients who have language or communication barriers.

(9) Consider developing community liaison groups to enable the hospital and the limited-English-speaking and deaf communities to ensure the adequacy of the interpreter services.

(d) Noncompliance with this section shall be reportable to licensing authorities.

(e) Section 1290 shall not apply to this section.

O

CHAPTER 672

An act to add Section 1259 to the Health and Safety Code, relating to hospital interpreters.

[Approved by Governor September 9, 1990. Filed with Secretary of State September 12, 1990.]

LEGISLATIVE COUNSEL'S DIGEST

SB 1840, Kopp. General acute care hospitals: interpreters.

Existing law requires a general acute care hospital, as defined, to obtain a license from the State Department of Health Services and meet prescribed standards.

This bill would, in addition, require a licensed general acute care hospital to review its existing policies regarding interpreters, as defined, for patients with limited-English proficiency and for patients who are deaf and to adopt and annually review a policy for providing language assistance services to patients with language or communication barriers, as specified.

The bill would, among other things, require a licensed general acute care hospital to develop and post notices, as specified, to advise patients and their families of the availability of interpreters, the procedure for obtaining an interpreter, and the telephone numbers where complaints can be filed. It would require the hospital to identify and record a patient's primary language and dialect on one or more specified medical information items. It would further require the hospital to prepare and maintain as needed a list of interpreters and to notify employees of the hospital's commitment to provide interpreters to all patients who request them.

The bill would require the hospital to review all standardized written material to determine whether to translate it into languages other than English.

The bill would make noncompliance with the above-mentioned provisions reportable to licensing authorities.

Under existing law, violations of these provisions would be a misdemeanor.

This bill would make that existing law inapplicable to this bill.

*The people of the State of California do enact as follows:*

SECTION 1. Section 1259 is added to the Health and Safety Code, to read:

1259. (a) The Legislature finds and declares that California is becoming a land of people whose languages and cultures give the state a global quality. The Legislature further finds and declares that access to basic health care services is the right of every resident of

Introduced by Senator Marks

March 7, 1991

An act to add Section 12949 to the Government Code, relating to employment.

LEGISLATIVE COUNSEL'S DIGEST

SB 834, as introduced, Marks. Employers: English-only rule.

The California Fair Employment and Housing Act prohibits discrimination in employment on the basis of several enumerated factors, generally prohibits unlawful employment practices as prescribed by the act, and prescribes an enforcement mechanism for these provisions.

This bill would make it an unlawful employment practice for an employer to make a rule requiring that only English be spoken in the workplace, unless certain conditions are met.

Vote: majority. Appropriation: no. Fiscal committee: yes. State-mandated local program: no.

*The people of the State of California do enact as follows:*

1 SECTION 1. Section 12949 is added to the  
2 Government Code, to read:

3 12949. (a) It shall be an unlawful employment  
4 practice for an employer to make a rule requiring that  
5 only English be spoken in the workplace, unless all of the  
6 following conditions are met:

7 (1) The rule is justified by business necessity.

8 (2) The employees are notified of the rule.

9 (3) The employees are apprised of the consequences  
10 of violating the rule.

11 (b) For purposes of this section, "business necessity"  
12 means an overriding legitimate business purpose

1 whereby a practice is necessary to the safe and efficient  
2 operation of a business and the practice effectively fulfills  
3 the business purpose it is designed to serve.

American Languages & Language Policy

- Policy & legal history of American language policy
- Current non-English-speaking population
- English acquisition trends

*Lawrence H. White  
Legal Scholars*

National Defense & Foreign Affairs (reclaim patriotism, demonstrate that language in no way equates with loyalty and that bilingualism is a strategic resource.)

- Historian on language & defense
- DOD and State Department representatives on language & international affairs; current needs and prospects
- Defense Language Institute & Foreign Service Institute representatives on cost/scope of efforts to teach foreign languages and results
- Panel of individuals whose residual bilingualism benefited national defense. *(if possible, female)*
- Veterans organizations panel

Commerce, Trade & Industry (demonstrate importance of language for U.S. exports, especially in an information age; document how language-restrictionism would harm efforts to reach segments of the U.S. domestic market and would lead to government red tape, etc.)

- Commerce Department official on trade & tourism
- Corporate witnesses
- Broadcasters

*Monterey Park -  
Soprano - Comedian  
107*

*Packell/other  
consumer  
corps.  
FCC - voluntary  
broadcasters*

Civil Rights & Civil Liberties (witnesses should include both expert witnesses and victims of language-based discrimination)

- Civil rights groups & coalitions
- Civil liberties groups
- Religious groups - *First Amendment*
- Anti-hate groups - *People for the American Way*

*General  
Providers*

Education

- Establishment, general education organizations
- Bilingual & ESL groups

*NEA  
+ ASA*

Foreign language education groups

Education advocacy and rights groups -- including litigators

Arts & Culture

"Star" witnesses

National Endowment for the Arts representative

Language Policy Advocacy Groups

## **THE LANGUAGE OF GOVERNMENT ACT DOES NOT SERVE THE NATIONAL INTEREST**

**There is no demonstrated need to "protect" English by designating it as the official language of government.**

English is overwhelmingly dominant in the United States and in no way needs "legal protection." According to the 1990 Census, even though 13.8 percent of U.S. residents speak languages other than English at home, 97 percent of those above the age of four speak English "well" or "very well." These figures indicate no "resistance to English" among language minorities. Given this fact, making a symbolic gesture by declaring English the official language would hardly make it more secure.

**The Language of Government Act would discourage the integration of limited-English-proficient citizens and legal residents.**

Transitional bilingual services act as a bridge between limited-English-proficient persons and the government, allowing for two-way communication during the process of English language acquisition. The Language of Government Act would cut off that dialogue, further segregating limited-English-proficient communities from the political and social mainstream. Integration of non-English speakers is best achieved through full governmental support of English language instruction—something that the Language of Government Act makes no provision for.

**Congress can play a constructive role in helping people learn English by supporting existing programs.**

Many states are experiencing a critical shortage of available English as a Second Language classes. For example, on the day that the State of California adopted an English Only constitutional amendment, there were 40,000 adults on waiting lists for English as a Second Language (E.S.L.) classes in Los Angeles County alone.

Some excellent federal programs exist which, if properly supported, could go a long way towards meeting the demand for these classes. Here are some examples:

- The English Literacy Grants program, a federal English literacy program targeting limited-English-proficient adults and out-of-school youth, has been funded at only a fraction of its authorized limit since it was passed in 1988. Last year, it was not funded at all, though it was authorized to receive \$32 million in FY 93. While it is part of the Adult Education Act, it requires a separate appropriation.
- The Elementary and Secondary Education Act will be reauthorized this year. This bill, which provides the bulk of federal aid for elementary and secondary education, contains provisions to assist limited-English-proficient children. In the reauthorization process, Congress could reform and strengthen these provisions so that immigrant children trying to learn English can be more effectively served.

**The Language of Government Act will not advance the causes of civil rights and ethnic harmony, as proponents claim.**

The bill would limit the government from assisting limited-English-proficient Americans in exercising their civil rights or in availing themselves of essential services to which they would otherwise be entitled.

**The Language of Government Act fosters an ugly mood of ethnic intolerance.**

The Language of Government Act is less about language than it is about fear of difference and change in the status quo. In seeking to restrict the use of other languages—in both public and private sectors—it serves the cause of anti-immigrant bigotry. Rather than breaking down language barriers, by isolating immigrant communities it would fortify those barriers.

**The Language of Government Act would hamper the effectiveness of the federal government by severely restricting the government's ability to use languages other than English as the need arose.**

While the extent of the English-only mandate remains a matter of dispute, there is no question that it would be far-reaching; the legislation states clearly that language restrictions would apply to "all branches of the Government of the United States and all employees and officials of the Government of the United States while performing official acts."

The Language of Government Act is unclear about the "official acts" to be covered. It exempts "actions, documents, or policies that are purely informational or educational; ... that are not enforceable in the United States; ... that protect the public health or safety; ... that protect the rights of victims of crime or criminal defendants; and ... that utilize terms of art or phrases from languages other than English." Yet these loopholes are open to a wide range of interpretations. Judging by statements of the legislation's proponents, they intend that such exceptions be kept as narrow as possible.

Potentially, the Act could hamper the work of agricultural inspectors, INS agents, tax collectors, prison guards, park rangers, refugee resettlement workers, and a wide range of other federal positions.

**Provisions of the Language of Government Act will likely become the subject of endless litigation.**

The law would give *anyone* "alleging injuring from a violation" of the Act legal standing to sue the government. The law is vague on allowable uses of other languages by the federal government. *Any* federal use of a language other than English that is not specifically excepted by the Act may well become the subject of litigation by English Only proponents.

### THIRD DRAFT

H.R. 123, the Language of Government Act of 1991, was introduced by Rep. Emerson (R-MO) on January 3, 1991. H.R. 123 establishes English as the official language of the United States, and prohibits government entities from "mak[ing] or enforc[ing] an official act that requires the use of a language other than English."

Although the precise scope of H.R. 123's prohibitions are not specified in the text, it adopts expansive language which implicates a broad range of government activities. H.R. 123 defines "government" as:

... [A]ll branches of the Government of the United States and all employees and officials of the Government of the United States while performing official acts.

The term "official" is described as:

... [G]overnment actions, documents, or policies that are enforceable with the full weight and authority of the Government, but does not include --

(A) actions, documents, or policies that are purely informational or educational;

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

(C) actions that protect the public health or safety;

(D) actions that protect the rights of victims of crimes or criminal defendants; and

(E) documents that utilize terms of art or phrases from languages other than English.

See Sec. 166(1). H.R. 123 does not clarify the scope of "official act," nor define a 'purely informational or educational' action, document or policy. Given these uncertainties, it would be prudent to recognize the potentially broad impact of adopting H.R. 123 into law. The following points illustrate the Act's potential effect:

- \* Could the passage of H.R. 123 hinder a Member of Congress' most important official duty -- communicating with his/her constituents?

Yes. H.R. 123 covers all branches of the federal government, and all federal officials and employees. Legislators and congressional staff are presumably included. Since communicating with constituents is an essential element of a Member of Congress' official duties, H.R. 123 seems to prohibit a Member or his/her staff from using a language other than English with constituents, either orally or in written notices or announcements.

\* Wouldn't passage of H.R. 123 be merely a symbolic act without any real legal effect?

No. H.R. 123 amends the Civil Rights Act of 1964 to permit persons to allege that they have been discriminated against because they communicate with the federal government in English. S. 434, the Senate companion Bill, expands the House's "antidiscrimination provisions" to reach communications between private parties. H.R. 123 and S. 434 also allow private parties to file suit to enforce their provisions. See Sec. 164, 165. Other than encouraging frivolous litigation on the basis of an absurd notion that English monolinguals suffer unfair treatment, H.R. 123 could threaten current protections against national origin discrimination by implying that the Civil Rights Act only covers discrimination against English monolinguals. That negative implication is even more pronounced with S. 434, as its antidiscrimination provisions go beyond H.R. 123 to reach purely private conduct not involving the federal government.

\* H.R. 123 could seriously hamper the fair and efficient operation of the judicial system. The exemptions contained in H.R. 123 only reach criminal proceedings. Civil actions are subject to the non-English language prohibition. Interpreters could be outlawed for limited-English-proficient witnesses and parties in all civil suits.

\* H.R. 123 could seriously hinder the efficient operation of many federal agencies. Many government workers need to use foreign languages to execute their official duties. They include:

- \* agricultural inspectors,
- \* INS agents,
- \* American sign language interpreters,
- \* soldiers,
- \* census takers,
- \* bilingual educators,
- \* diplomats,
- \* tax collectors,
- \* VISTA volunteers,
- \* public defenders,
- \* Voice of America broadcasters,
- \* park rangers,
- \* librarians,
- \* customs agents,
- \* housing inspectors,
- \* EEOC personnel,
- \* researchers,
- \* Peace Corps workers,
- \* prison guards,
- \* scientists,
- \* the Surgeon General,

- \* refugee resettlement workers,
- \* Bureau of Indian Affairs officials,
- \* Coast Guard personnel,
- \* Title X clinic doctors,
- \* court interpreters,
- \* Community Relations Service staff,
- \* Central Intelligence Agency staff,
- \* National Security Agency staff,
- \* OSHA inspectors,
- \* federal employees in Puerto Rico,
- \* Agency for International Development personnel,
- \* Legal Services Corporation attorneys, and many, many others.

- \* The nation's ability to remain competitive in an increasingly global economy could be threatened if we made English the only language of government. Exports have become the most vibrant sector of the U.S. economy through the diligent efforts of a number of federal departments and independent agencies. The officials and staff of the International Trade Commission, the Office of the United States Trade Representative, the Export-Import Bank and the Commerce Department must be permitted to use any appropriate foreign language in attempting to open up new foreign markets to U.S. goods and services.
- \* Prohibiting law enforcement personnel from using a language other than English would hinder effective law enforcement activities. The INS prints Spanish language forms, police departments read suspects their Miranda rights in foreign languages, and courts use interpreters to communicate with non-English speaking crime victims, witnesses and defendants. H.R. 123 would halt these practices.
- \* H.R. 123 could violate federal employees' freedom of speech. In 1988, Arizona adopted a constitution amendment similar to H.R. 123. A federal District Court later found that prohibiting a state worker from speaking another language violated the right to free speech guaranteed by the First Amendment.
- \* H.R. 123 will discourage the assimilation of limited-English-proficient citizens and legal residents by terminating transitional bilingual government services. Bilingual services act as a bridge between limited-English-proficient persons and the government, allowing for two-way communication during the process of English language acquisition. H.R. 123 would cut off that dialogue, further segregating limited-English-proficient communities from the political and social mainstream. Integration of non-English speakers is best achieved through full governmental support of English language instruction.

## ENGLISH-ONLY MOVEMENT TASK FORCE

In 1986, the National Board passed the following resolution concerning the English-Only Movement:

*OCA opposes any amendment to the Constitution, state and local laws, including any administrative action or executive order which would designate English as the Official Language.*

Activities of the Task Force included:

- The Greater Washington, D.C. chapter working to defeat for the second time an English as an Official Language Bill in the Maryland legislature.
- Urging the chapters to monitor and oppose any English as the Official Language legislation and to support multi-lingual/multi-cultural related legislation.
- Advocating successfully the American Psychological Association to pass a resolution opposing the English Only movement.
- OCA National conducting educational campaigns intended to unveil the discriminating nature of the English Only initiative.

## EQUAL EMPLOYMENT OPPORTUNITY TASK FORCE

The OCA Equal Employment Opportunity (EEO) Task Force was formed in 1988 to promote equal employment opportunities in the workplace and to increase awareness within the Asian American community of employment discrimination issues.

Activities of the Task Force included:

- Supporting the Civil Rights Act of 1990;
- Working with the United States Equal Employment Opportunity Commission, monitoring equal employment opportunity cases, issues, and the drafting of regulations.
- Disseminating information on administrative complaint procedures of the Department of Education with respect to discrimination in the college admissions process;
- Working on selective individual employment discrimination cases on a pro bono basis.

***The number of immigrants who do not yet speak English is increasing because the number of immigrants has grown in recent years.*** Although immigrants today appear to become dominant in English faster than immigrants early in this century, the number of non-English speakers in the U.S. is rapidly increasing. This is because the total level of immigration to the U.S. has grown, *not* because immigrants are refusing to speak English. As long as there is immigration to the U.S., there will be a pool of newcomers making the transition from their native language to English. Services such as ESL programs, bilingual voting ballots, and multi-lingual safety notices help ease this natural transition.

***Bilingual Education helps language minority children learn subject matter while they learn English.*** Bilingual education was designed to provide children who had long been excluded by language barriers with equal access to curriculums. Language-minority children, unable to keep up with their English-speaking classmates in their subject matter, were more likely than other children to drop out of school. Bilingual education helps ensure that immigrants learn English *and* keep up with the content of what they are learning. For example, a child who knows how to count in Polish can easily transfer that skill once she has learned English. If that Polish-speaking child is forced to sit through math classes she does not understand, she may end up not learning algebra, and perhaps lose confidence in her ability to learn anything—including English. At a time when U.S. employers demand skilled employees, the "content" of a student's education has become critically important.

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