

Approved: 4-9-97
Date

MINUTES OF THE SENATE COMMITTEE ON FEDERAL AND STATE AFFAIRS.

The meeting was called to order by Senator Lana Oleen at 11:10 a.m. on March 6, 1997 in Room 254-E of the Capitol.

All members were present.

Committee staff present: Mary Galligan, Legislative Research Department
Theresa Kiernan, Revisor of Statutes
Midge Donohue, Committee Secretary

Conferees appearing before the committee:

Senator Janice Hardenburger
Senator Tim Huelskamp
Senator Don Steffes
Mr. Bev MacCallum, Olathe
Professor Phillip E. DeLaTorre, University of Kansas School of Law, Lawrence
Mr. Arthur W. Solis, American GI Forum, Olathe
Mr. J. S. (Sam) Hermocillo, Foundational Leadership, Garden City
Ms. Monica Guevara, French Middle School Student, Topeka

Others attending: See attached list

SB 179: **An act establishing English as the official language of the state; providing exceptions**

SB 219: **An act designating English as the official language of the state of Kansas and concerning its use by state agencies and political subdivisions**

Senator Oleen opened the hearings by recognizing sponsors of the bills.

Senator Janice L. Hardenburger, a sponsor of **SB 179**, offered testimony in support of the bill (Attachment #1). She explained the intent of the bill is for the official, public business of governing to be conducted in English; that official English had nothing to do with language spoken in the home, church, community, or private enterprise. Senator Hardenburger urged the committee to consider approval of **SB 179**.

Senator Tim Huelskamp, a sponsor of **SB 219**, addressed the committee as a proponent of the bill (Attachment #2). Senator Huelskamp said he supports the bill because he believes it is common sense, and he listed his reasons for introducing the measure. He said a majority of people in southwest Kansas favored designating English as the official language, and he expressed concern for those who do not speak English as their primary language. Senator Huelskamp stated that, if passed, the bills would promote a common cultural identity and save the state money. He referenced the fiscal note furnished by the Director of Budget, which was included in his written testimony.

Senator Don Steffes, a sponsor of **SB 179** and **SB 219**, told the committee he had not prepared written remarks but was supportive of both bills and wanted to offer several observations. He recalled how his father grew up in a German community where German was spoken in the morning and English in the afternoon. The community, he said, was not encouraged to retain their native language at a time when they needed to be integrated but, instead, was forced to learn English to assimilate into the community. He recalled also how the same was true in the Swedish and Mennonite communities. Senator Steffes cautioned that it was best not to be too compassionate and thereby hurt people. He noted that Canada made the mistake of having a two-language society which divided the country and said, in his opinion, it would be a great disservice if splintering of the language is encouraged.

Senator Gooch pointed out that a law was not passed to require the German, Swedish and Mennonite

CONTINUATION SHEET

MINUTES OF THE SENATE FEDERAL & STATE AFFAIRS COMMITTEE, Room 254-E-Statehouse,
at 11:00 a.m. on March 6, 1997.

communities to speak English, and he asked why it was necessary now. Representative Steffes responded that often people tend to take the course of least resistance unless forced to do something.

Senator Oleen suspended the hearings on **SB 179** and **SB 219** to allow for a call to be placed to a conferee who wished to testify on the two bills but was unable to be present due to a family emergency. In the interim she recognized Representative Dan Thimesch who offered additional information on the Gulf War Syndrome issue.

SB 297: An act concerning the Kansas commission on veterans affairs; relating to Persian Gulf War Syndrome

HB 2108: An act concerning the Kansas commission on veterans affairs; relating to Persian Gulf War Syndrome

Representative Dan Thimesch, a sponsor of **HB 2108**, provided supplemental information to that furnished yesterday when he appeared before the committee in support of legislation pertaining to establishing a registry of individuals suffering from the Persian Gulf War Syndrome (Attachment #3). He told the committee the information he was providing was in response to concerns expressed in committee yesterday about what other states were doing and the funding available from the federal government in regard to the Gulf War Syndrome. Representative Thimesch asked the committee to recognize the intentions of the bill and report it favorably.

SB 179: An act establishing English as the official language of the state; providing exceptions

SB 219: An act designating English as the official language of the state of Kansas and concerning its use by state agencies and political subdivisions

The hearings resumed on **SB 179** and **SB 219** with a telephone call to Canada.

Mr. Bev MacCallum, Olathe, who was in Canada because of a serious family emergency, offered testimony via telephone in support of **SB 179** and **SB 219**. He said he had not seen the bills but was aware of them. Senator Oleen told the committee Mr. MacCallum was encouraged to testimony by Senator Huelskamp, and she asked him to summarize his written remarks which had been provided via FAX (Attachment #4). He told the committee his remarks were based on personal experience with two languages in Canada. Mr. MacCallum has resided in the United States for twenty years and, in response to a question from the chair concerning his citizenship status, responded he currently held Canadian citizenship but was considering applying for American citizenship.

Main points made by Mr. MacCallum were that a bilingual environment is divisive and results in enormous costs to the taxpayers and businesses. He indicated that after Canada established English as an official language, there was a movement to require French to be an official language also, and it was adopted.

Phillip E. DeLaTorre, University of Kansas law professor, Lawrence, addressed the committee in opposition to **SB 179** and **SB 219** (Attachment #5). He said he was appearing as an opponent to the bills as a Kansan, not as a lawyer, law professor, Hispanic, English or Spanish-speaker, because of his concern that his state government, through actions of the legislature, was about to make a serious and harmful mistake. Professor DeLaTorre recalled the experiences of his father and mother whose first language while growing up was Spanish but who now speak English without any accent. He said his parents made their choice voluntarily to speak English and did not need the government to tell them what was in their best interest. Professor DeLaTorre stated the bills go against a tradition of honor and respect for individual choice and he urged defeat of **SB 179** and **SB 219**.

Mr. Arthur W. Solis, American GI Forum of Kansas, Olathe, appeared in opposition to **SB 179** and **SB 219**. In the interest of time, he asked the committee to read the written testimony (Attachment #6) he submitted and requested that it be entered into the record.

Mr. J. S. (Sam) Hermocillo, Garden City, spoke in opposition to **SB 179** and **SB 219** (Attachment #7). He urged the committee to consider the magnitude of the two bills and the fact that, if passed, the measures would serve to further separate citizens. Mr. Hermocillo stated, in his opinion, the purpose of proponents of the bills was to stir hate and discontent toward Hispanic immigrants. He said Hispanics and other minorities know full well that one must learn English to become a viable member of society.

Miss Monica Guevara, an 8th grade student at French Middle School, Topeka, offered testimony in opposition to the bills (Attachment #8). She told the committee she did not know any English when she began preschool and found Spanish to be a great asset, not a burden. Miss Guevara encouraged committee members to

CONTINUATION SHEET

MINUTES OF THE SENATE FEDERAL & STATE AFFAIRS COMMITTEE, Room 254-E-Statehouse,
at 11:00 a.m. on March 6, 1997.

oppose **SB 179** and **SB 219** because she said they have the potential to be very harmful, noting that, if passed, teachers would no longer be able to send information home in any language other than English and this would greatly impair communication between many students and teachers.

The following did not testify orally but submitted information in support of **SB 179** and **SB 219**:

Ellen Boyd Verell, M.D., Meade (Attachment #9)
Phil Averitt, Dodge City (Attachment #10)

The following did not testify orally but submitted information in opposition to **SB 179** and **SB 219**.

Jana L. E. Gryder, Kansas National Organization for Women, Lenexa (Attachment #11)
Jose M. Olivas, State Commander, American GI Forum of Kansas, Ulysses (Attachment #12)
Frances J. Garcia, Mayor, City of Hutchinson (Attachment #13)
Michael Byington, Wichita Industries & Services for the Blind (Attachment #14)
Milton L. Pippenger, Superintendent of Schools, Garden City (Attachment #15)
Timothy Russell, Chairman, Mexican American Cultural Awareness Club, Emporia (Attachment #16)

The meeting adjourned at 12:02 p.m. The next meeting is scheduled for March 7, 1997.

SENATE FEDERAL & STATE AFFAIRS COMMITTEE
GUEST LIST

DATE: 3-6-97

NAME	REPRESENTING
ROB SIMMS	U.S. ENGLISH
DAVID B SCHLOSSER	PETE McFILL & Assoc.
Robert W. MARLEY	Hispanic / American Indian Coalition Wichita
JACK COBOS	BUENA GENTE GROUP
Nakita Vance	Hispanic / NATIVE AMERICAN Co. Wichita
Rita Solis Chavez	Hispanic / Native Amer. Wichita
Robert Gomez	Topeka KS LULAC
Josephine Falcher	Ex. Dir. Topeka LULAC
Marietta Fiebergood	Dos Mundos Newspaper - KC
Ina Meyer	KS Gov. Consulting
Michael L. Martins	LULAC council 11071
Arrey Pelt	KLS - Kansas Legal Services
TK Shovel	KCS
Patrice Bourmont	KACHA
Ronda De La Rosa	KACHA
Sandra Muniz	KACHA
Jessie Alvarez	KACHA
Tina DeLaRosa	KACHA
Margaret Vega	KACHA

SENATE FEDERAL & STATE AFFAIRS COMMITTEE
GUEST LIST

DATE: 3-6-97

NAME	REPRESENTING
Rebecca Escalante	Vista Volunteer
Veronica J. Peña	
MARIA P GUEVARA	
Monica F. Guevara	
COL BOB DALTON	KS ARMY NAT Guard
Mona Cortez	
Ann Carlin Ozeovic	KS Dept Human Resources
Christine Andrade	
CW2 ROSANNA Morrow	Assoc of the U.S. Army
Phil DeLaJorre	
William Abbott	Self
Jana Cryder	KS NOW
Jim Banker	Grif war Vets of Kansas
Arthur Solis	
Raul G. Guevara	Buena Gente
Bill Araiza	KACHA - Chair, Board of Advisors
Sue Chase	KNEA
Osie Torres	Families Together, Inc.
TROY G. SCROGGINS	

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SENATE FEDERAL & STATE AFFAIRS COMMITTEE
GUEST LIST

DATE: 3-6-97

NAME	REPRESENTING
ELIAS L. GARCIA	KS. Demo. Hispanic Caucus
Ricardo Chávez González	
Paolo Polit.	Community Action / Project Attention

JANICE L. HARDENBURGER

SENATOR, 21ST DISTRICT
 CLAY, CLOUD, MARSHALL
 NEMAHA, WASHINGTON, RILEY
 AND A PORTION OF
 POTTAWATOMIE COUNTY
 562 25TH ROAD
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STATEHOUSE-143-N
 TOPEKA, KS 66612-1504
 (913) 296-7371



TOPEKA

SENATE CHAMBER

COMMITTEE ASSIGNMENTS

CHAIRMAN: ELECTIONS AND LOCAL GOVERNMENT
 MEMBER: ASSESSMENT AND TAXATION
 PUBLIC HEALTH AND WELFARE
 JOINT COMMITTEE ON ADMINISTRATIVE
 RULES & REGULATIONS
 ORGANIZATION, CALENDAR AND RULES

6 March 1997

Madam Chairman Oleen and Members of the Federal & State Affairs Committee. I thank you for the opportunity to submit testimony in support of Senate Bill 179, an act establishing English as the official language of the state of Kansas.

The bill simply means that the official, public business of governing, will be conducted in English. Under official common language 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, nor do they affect bilingual education.

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.

So, why would we want to change the way we do business? I think declaring English as our state's official language has a stabilizing influence on our government. Government is comfortable with clear-cut precise directions. Citizens depend on its government to be stable, and the declaration of an official language for purposes of communication contributes to a state of reliability and dependability.

The recognition of an official language for a country encourages new citizens to master the language in which government operates. To be able to comprehend the paperwork produced by government improves communication and understanding of our system. We encourage immigrants to learn English to enable them to move into the job market more readily and to provide more economic opportunities.

Recently, I visited Dallas, Texas, and the taxicab driver who drove us from the airport to the hotel related to us that he was from Bangladesh. He shared with us that he began to dream of coming to the United States when he was five years of age. His teachers, the nuns in the Catholic school, encouraged him to learn to speak and to read English. They assured him that he would have an economic advantage if he became fluent in the language of his new country, if his dream came true. He said he went to every American movie that he could afford. He became very familiar with Roy Rogers and Gene Autry. Maybe that is why he settled in Dallas. He expressed a great deal of pride of being a new citizen of this country, and being able to express himself in the language which prevails in our land.

Establishing an official language merely sets a standard, promotes unity and serves as a common bond in our diverse society. I strongly support Senate Bill 179, and encourage your consideration of its approval.

Tim Huelskamp

Senator, 38th District

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TOPEKA

KANSAS SENATE

Committee Assignments

ELECTIONS AND LOCAL GOVERNMENT
ENERGY AND NATURAL RESOURCES
TRANSPORTATION AND TOURISM
JOINT COMMITTEE ON CHILDREN
AND FAMILIES

March 6, 1997

Testimony to the Senate Federal & State Affairs Committee
on Senate Bill 219

Thank you for the opportunity to testify for SB 219. As you know, I am the sponsor of this bill that designates English the official language of the state of Kansas. Today I would like to provide the background for and reasons I introduced this legislation.

My senate campaign included many months campaigning door-to-door. During my visits with people, I was surprised to discover that the most important issue on their minds was cultural concerns, particularly related to language and immigration. Thus, my first reason for introducing this bill is that a vast majority of the people of southwest Kansas strongly favor designating English the official language. Across the nation, polling has shown public support at more than 80% for this policy.

My second reason for introducing this bill is concern for people who do not speak English as their primary language, many of them recent immigrants. **I believe that the state should make a positive, pro-active policy statement -- we expect our citizens to speak the common language.** We must empower immigrants by encouraging them to learn English, the "language of opportunity" in this great country. To do otherwise, to lower our expectations, to send the message that we will indulge you in your native tongue (there are 300 different languages spoken in the U.S.) is detrimental to non-English speakers. We need to encourage cultural assimilation, not detract from it.

Third, this bill promotes something very lacking in our society -- a common cultural identity. We have enough divisions in this country, over race, ethnicity, religion, and many, many more. Why do we promote cultural division through multi-language government? We need to strengthen and enhance our cultural identity, not splinter and destroy it. Establishing English as official language will fortify our cultural identity, our cultural unity.

Fourth, passage of this legislation will save the state money. The current multi-language government policy of our state is expensive. The fiscal note for this bill suggests potential savings where agencies are publishing materials in more than one language. However, the Budget Division claims they cannot determine the net effect of these costs. Why? Because agencies are not tracking the costs of a multi-language government. That is why this bill requires a separate budget line item related to costs of the preparation, translation, printing, and recording of documents in other than English. I am sure you will later hear some very low estimates of these costs. However, remember, opponents to this legislation do agree with my point here -- there is a cost to multi-language government.

Lastly, this bill is common sense. It was, frankly, a no-brainer thirty years ago. Can you imagine traffic signs in multiple languages? Interpreters for drivers' license tests? How about teaching high school students advanced math in Spanish (this is happening in Dodge City!) Or even welfare applications in foreign languages? It would have stunned us a few years back what we are expecting today of a multi-language government. The issue seems so simple, yet you will be hearing soon from the nay-sayers, the opponents of change, those who want to cloud up this issue. But remember, this legislation is about cultural unity and assimilation, positive futures for immigrants, and saving taxpayer money. It is simple, straight forward, and makes sense.

I look forward to your support of this legislation. I stand for questions.

STATE OF KANSAS



143-N
Huelskamp

DIVISION OF THE BUDGET
Room 152-E
State Capitol Building
Topeka, Kansas 66612-1504
(913) 296-2436
FAX (913) 296-0231

Bill Graves
Governor

Gloria M. Timmer
Director

February 19, 1997

The Honorable Lana Oleen, Chairperson
Senate Committee on Federal and State Affairs
Statehouse, Room 136-N
Topeka, Kansas 66612

Dear Senator Oleen:

SUBJECT: Fiscal Note for SB 219 by Senators Huelskamp, et al.

In accordance with KSA 75-3715a, the following fiscal note concerning SB 219 is respectfully submitted to your committee.

SB 219 would designate English as the language of any official public document, record or meeting of the state. The bill would also require all costs related to the preparation, translation, printing and recording of documents, records or other informational materials in other languages to be specified as a separate line-item in the budget of the affected agency. Situations when the bill would not apply are outlined in the bill and include promotion of international commerce, trade or tourism; instruction in foreign and Native American language classes; compliance with federal law; and protection of public health and safety.

It is anticipated that this bill could bring some cost savings in those instances where agencies stop using or publishing materials that are in more than one language. However, information is not available that would indicate the extent to which information in languages other than English is provided through printed materials or other means. Therefore, the fiscal effect cannot be determined.

Sincerely,

A handwritten signature in cursive script that reads "Gloria M. Timmer".

Gloria M. Timmer
Director of the Budget

STATE BILLS AND RESOLUTIONS

Massachusetts Senate Bill 1993 - (in committee- may move any day)
Would set up a commission to study the effect of the "Gulf War Syndrome" and the impact in the State.

Ohio HB 117 - (Signed 6/30/95)

--- Appropriate \$100,000 in fiscal year 1996, a comprehensive research study to determine the medical effects as well as employment, social, emotional and family problems that have been incurred.

Pennsylvania House Resolution No. 241 - (adopted)

Memorializing Congress to investigate mysterious medical symptoms of Veterans of Operation Desert Storm.

California Senate Joint Resolution 19 - (adopted)

A petition to expedite research and dollars to solve the problem.

Colorado Senate Joint Resolution 95-27 - (adopted 5/4/95)

Urging additional Federal action to diagnose and treat any serious illnesses of Veterans of the Persian Gulf Hostilities. Asking to declassify information that could possibly have any bearing on illness. Investigate the communicability, access government documents regarding environmental exposure to chemical and biological warfare agents, place a moratorium on donation of blood, blood products, and organs by veterans.

Illinois HB 1760 - (in committee)

Changing their Department of Veterans Affairs by amending Section 2 - duties and powers. Obtaining any advantage, benefit, assistance, services and resources for veterans and their dependents. Create a program that State veteran facilities could treat veterans.

The Department could accept and hold on behalf of the State, a grant, gift, devise, or bequest of money or property for the general benefit of Illinois veterans. To be kept as a distinct fund.

Town resolution Santa Cruz New Mexico (Passed 10/27/94)

Urging a ban on blood and tissue donated by Persian Gulf War Veterans until doctors investigate the veterans' theories about virus or bacteria.

Fenn - Hawaii

Sen. Federal & State Affairs Comm
Date: 3-6-97
Attachment: #3

Physical Health Symptomatology

References

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3. Gordon NF, Hugo EP, Gillers JF: The South African Defence Force physical training programme. Part III. Exertion-related injuries sustained at an SADF basic training centre. *S Afr Med J* 1986; 69: 491-4.
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MILITARY MEDICINE, 160, 3:131, 1995

Physical Health Symptomatology of Gulf War-Era Service Personnel from the States of Pennsylvania and Hawaii

Robert H. Stretch, PhD
 CPT Paul D. Bliese, MSC USA
 David H. Marlowe, PhD

Kathleen M. Wright, PhD
 LTC Kathryn H. Knudson, MSC USA
 Charles H. Hoover, BA

We present data on physical health and possible "Gulf War syndrome" from a Congressionally mandated study of over 4,000 active duty and reserve service members from the states of Hawaii and Pennsylvania who served during Operation Desert Storm. We found that deployed veterans report significantly more physical health symptoms than non-deployed veterans that cannot be explained by reasons other than deployment alone. We also identified a subgroup of 178 deployed veterans at risk for possible Gulf War syndrome. We recommend that services collect baseline information from units likely to deploy in the future and update that information regularly.

Introduction

Acting upon the direction of Congress as outlined in the 1992 Defense Appropriations Act, the Assistant Secretary of Defense for Health Affairs tasked the Department of Military Psychiatry, Walter Reed Army Institute of Research (WRAIR), to study the effects of the Persian Gulf War on active duty, National Guard, and reserve units in the States of Hawaii and Pennsylvania.

Specifically, the Congress requested that the health and adjustment of veterans in these two states be assessed to determine the necessity (if any) for providing services to facilitate the resolution of any potential problems they may have experienced upon return from the Gulf War.

In response to this tasking, the Department of Military Psy-

chiatry, WRAIR, developed and implemented a research protocol with the following objectives:

(1) To define the general psychological and psychosocial status of the military populations under study in the states of Hawaii and Pennsylvania.

(2) To determine those subpopulations demonstrating higher than usual levels of psychological and psychosocial symptomatology, and to analyze probable causative and relational factors, e.g., demographic, experiential (exposure to combat or other trauma), organizational stresses, family stresses, illnesses, predispositional factors, etc.

(3) To determine those subpopulations demonstrating potentially high risk for diagnosis of post-traumatic stress systems or post-traumatic stress disorder (PTSD) as a result of experiences in Southwest Asia (SWA) during Operation Desert Shield/Storm (ODS) deployment.

Although the primary concern of this study is on psychological and psychosocial adjustment, we felt that, given the large body of literature that links acute and chronic life stresses and mental health status to risk for future morbidities, it was also important to assess physical health symptomatology in this protocol. For example, recent research¹ has linked mental health state to future functional gastrointestinal and hyperimmune diseases. Additional recent evidence suggests that upper respiratory complaints were common among troops who served in Operation Desert Shield/Storm and were related to both the troops' housing and to their exposure to the outside environment.²

Since the end of the Gulf War, concern over the physical health of ODS veterans has also surfaced in the form of what has been termed "Gulf War syndrome." This refers to as-yet

Department of Military Psychiatry, Walter Reed Army Institute of Research, Washington, DC 20307-5100.

This manuscript was received for review in December 1994. The revised manuscript was accepted for publication in February 1995.



U.S. NEWS

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EXPLORE

PATHFINDER HOME PAGE

Doctor to test bacteria theory for Gulf War Syndrome



Hyman (CNN)

Believes lack of immunity, not chemical warfare, caused vets' illnesses

February 19, 1997
Web posted at: 3:21 p.m. EST (2021 GMT)

From Correspondent Brian Cabell

NEW ORLEANS (CNN) -- After a four-year battle, Congress has allocated \$3 million to a New Orleans doctor who believes he can help solve the mystery of Gulf War Syndrome.

Dr. Edward Hyman testified before Congress and wrote and phoned the Pentagon urging funding to test his theory that veterans with the syndrome are actually suffering from a severe bacterial infection.

But the Pentagon blocked his requests, despite evidence that he'd had some success treating 10 Gulf War vets and their wives with large infusions of antibiotics.

"There were matters of oversight and patient safety," a defense official said, "that have now been resolved to everyone's satisfaction."

Both Congress and the Pentagon have signed off on the funding request.



Hyman testified before Congress (CNN)

"Now they are going to have to fund his research and he has the opportunity to show his stuff," said Louisiana Congressman Bob Livingston. (111K/9 sec. AIFF or WAV sound)

Although the Department of Defense has recently conceded that thousands of soldiers may have been exposed to chemical



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Study Says Gulf War Studies Need Coordination, Data Systems Should Be Improved

*News release from the Institute of Medicine
January 5, 1995*

WASHINGTON – Heightened public pressure on government agencies to change the way they address the health problems of Persian Gulf War veterans has resulted in fragmented efforts thus far, says a new report by an Institute of Medicine (IOM) committee. Steps must be taken now to redirect and coordinate research efforts, and to stop activities that won't yield new information.

Without better studies and data collection, productive scientific research into the health effects of the Gulf War is unlikely, the committee said.

"We feel that the Departments of Defense and Veterans Affairs deserve credit for addressing the potential health issues given time pressures and public concerns," said committee chair John C. Bailar III, professor of epidemiology and biostatistics, McGill University, Montreal. "But now it's time to take stock of the many activities under way. The government must determine which research efforts should be dropped because their usefulness has ebbed and which study gaps persist. Based on what we know now from these efforts, all of us -- veterans, the public, Congress, and the scientific community -- must adjust our expectations of what we will, and will not, find."

Saddam Hussein's invasion of Kuwait in August 1990 was repelled six months later by a multinational force that included deployment of 700,000 U.S. reserve and active-duty troops. During the war, soldiers and civilian personnel faced a range of health hazards including those posed by the threat of chemical and biological weapons and raging oil-well fires.

Four years later, the government is still grappling with reports from some veterans and their families that they are inexplicably ill and that their illnesses stem from service in the Persian Gulf. Reported but undiagnosed health problems include headaches and memory loss, fatigue, sleep disorders, and musculoskeletal complaints. Some veterans have reported that their offspring have birth defects or their spouses have health problems which they attribute to the veteran's Persian Gulf service.

Coordination Needed

Congress asked the IOM to review the government's means of collecting and maintaining information for assessing the health consequences of military service and to recommend improvements and epidemiological studies, if warranted. An epidemiological study involves research to find the cause or causes of a disease and any relationships between risk and personal characteristics.

Now in its second year of a three-year effort, the committee has issued this report recommending immediate actions that the Departments of Defense (DOD) and Veterans Affairs (VA) should take in three areas: data and databases, coordination and process and study design needs. DOD is responsible for the medical care of active duty and retired military personnel; VA is responsible for those who have served in but left the military.

After reviewing about 50 public and private activities through September 1994, the committee made an

EDITORIALS

GULF WAR SYNDROME

Hot air won't get job done

How many "Oops!" are we going to hear from the vicinity of the Pentagon before the defense establishment comes to the defense of Gulf War veterans?

Sick veterans, their families and others have been suspicious over the last few years toward repeated government denials of Gulf War syndrome. Even the United Nations has been more forthright about possible chemical or biological weapon exposure of U.S. troops.

Now the suspicion may grow into a mushroom cloud, as the Pentagon claims it has lost all its complete chemical warfare logs from the 1991 war.

Oops! The dog ate our top-secret homework!

How many dogs have access to classified defense logs kept in safes?

This is total, perhaps criminal, incompetence by our defense establishment — or a blatant cover-up.

Logs were kept in several locations and on both computer disks and paper — and yet virtually all of it has disappeared, the Pentagon claims.

Ridiculous. Alarming. Suspicious. Incomprehensible. Unconscionable. You name it; this apparent scandal is it.

We're talking about the possible poisoning of our troops — and a government incapable of giving us any coherent answers in any reasonable amount of time.

The Pentagon's credibility is close to zero.

"Obviously, it's not been well han-

■ Leave it to that nutty Pentagon to deny existence of the illness — then lose the records that might shed light on it.

dled," acknowledged Defense Secretary William Cohen.

That's an understatement. The fact is, in scope and depth of possible injury and outrage, the Pentagon's handling of the Gulf War syndrome question could amount to the biggest scandal since Watergate.

How long will those defense officials involved in all the delay and obfuscation in this matter escape responsibility? How long before the Pentagon honors the soldiers who honored their country by serving in wartime? How long before we get to the bottom of this?

Perhaps we would get answers sooner if Washington paid at least as much attention to Gulf War syndrome as it does to:

- banning federal funding of human cloning;
- soliciting campaign funds;
- investigating the other party for everything under the sun.

It seems every few months — for the past few years — someone in Washington stands up boldly and says, "Gee, we really need to get to the bottom of this."

Our politicians should thank their lucky stars that our people in uniform do a better job than that of carrying out a mission.

Call again

The NRA has put trace other exp back to specific sales areas. They possibly cost the sales. They want to gun dealers. T restrict the sale of trate law enforcement are attempting to objecting to limiti ments between cou of more sales and pr

This week inform the U.S. death loss and younger, is 12 nation. These are de don't result in death. A Topeka radi used all of the words ers) maintains there about these child numerically accepta interest of gun freedom to accept these losses.

Gun sellers want gun who gets hurt. NRA/Ci cials want gun sellers' apparently they don't c lawmakers who benefit Coalition support may seem to be willing to fo wishes to make the laws regardless of who gets h the voters who voted fo ing to pass the laws int sellers rich, regardless of

Now surely, there are believe all voters who

"ADVANCE" VOTING

was in school. Folks who broke the rules were suspended from school, and their parents raised Cain — not with the school, as is often preliminary estimates. The arti- renovate the State Hospital grounds. The four buildings in the southeast

Mr. Bev MacCallum
13543 S. Sycamore Drive
Olathe, KS 66062

Senator Lana Oleen
Room 136 North
State Capital
Topcka, KS

Dear Senator,

I wish to thank you and the committee for allowing me the privilege of sharing the experiences of myself and other Canadians with respect to official languages.

Since Canada was officially declared a bilingual country in the 1960's, the convenience of the few has hampered the many. Since then, this issue has divided and polarized the country, wasted billions of taxpayer dollars, and placed additional burdens on companies who are based in or do business in Canada.

There are only two provinces in Canada which have any significant French population; Quebec which is approximately 70% French-speaking, and New Brunswick with a 28% French-speaking population. The total French-speaking population of the country may be as high as 18-20%. The policy of bilingualism dictates that all official federal documents across Canada must be printed in both English and French in order to be in compliance with the law. (The percentages noted have not been confirmed due to the short preparation time)

Individual provinces have the option to conduct official business in French and/or English and at this time only one province, New Brunswick, has the distinction of being a bilingual province. All other provinces are unilingual and are officially English speaking for government business. Quebec is the exception which allows only French, not only for provincial business but also as the official language for all commercial companies doing business in the province. All signage must be in French, while signs in English may not exceed a certain percentage of the size of the French sign. Store owners can be fined for displaying a sign in English which is larger than that allowed. Last week, a television news story covered the predicament of a company in Quebec which wanted to present a sales program in English to compliment the one given in French. Before they would be given permission to do so, the program would have to be reviewed by the "language police" as they were called in the news story. At this time I do not know the outcome.

This means that all federal government publications, federal government services, federal court proceedings, and federal commerce documents must be offered in both French and English, even in western Canada where the French speaking population is nearly nil and other minority or ethnic groups outnumber by far the French-speaking population. It is not hard to imagine the cost involved in preparing all official government documents twice and providing additional staff to provide translation services for situations where the need neither exists and the benefit nonexistent.

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At public meetings translation services are often required by law. Several years ago my mother, who is the past president of the Head Injury Association of New Brunswick, recalled a meeting where she addressed a group of physicians and lawmakers. Of the three hundred who attended, only three attendees availed themselves of the mandatory French translation services, and my mother said that all three spoke fluent English because she had the opportunity to answer their questions later in English. The translation services added several thousand dollars to the cost of a financially strapped private association while achieving no real benefit other than satisfying the law.

While these examples seem incredible they are indeed a part of living in a mandated bilingual environment. Many more examples could be given but time does not permit and conclusions must be drawn.

1. Above all this issue has been divisive.

The French feel they are not getting all that is due them and the English feel that their rights are being eroded daily by an issue which has no real merit. In 1996 when Quebec voters narrowly defeated a referendum on separation from Canada, a majority of the country wished they had the opportunity to vote on whether or not Quebec remained a part of Canada.

Another recent news event pertains to the closing of a hospital in Canada's capital city of Ottawa in which a number of hospitals are slated to be closed in an effort to curb runaway health care costs. One of the hospitals which has catered primarily to the city's French speaking population is fighting to remain open at all costs and even threatening to raise the "francophone" issue with one representative of the hospital stating smugly that we all know that argument will prevail.

2. The enormous cost to the taxpayers.

If one was to calculate the cost providing all publications and services in duplicate and the attendant beauraucracy to manage it, the true cost would be staggering.

3. The enormous cost to business.

All businesses conducting business in the province of New Brunswick must provide all labeling in two languages, all owner's manuals, warranty information, and safety instructions in a French/English format. All employee training materials, manuals, and notices must also be provided in both French and English.

Most businesses answer their phones in two languages, and in the case of an automated switchboard callers must listen to the menu twice in order to work their way through to the appropriate party.

Although not mandated by law businesses are strongly encouraged to hire and promote bilingual employees regardless of their ability to perform the job when compared to a unilingual employee. Employees are encouraged to learn French ahead of learning

technical skills which would better enable them and their employer's to maintain a competitive edge in rapidly approaching "global economy".

4. Costs in efficiency

As previously noted the burden of duplicity in government and business services are obvious. The net result is increased costs to consumers and lowered productivity simply to serve a short sighted and limited end. Outside of New Brunswick and/or Canada bilingualism really won't matter in terms of economic performance, other than decreased production.

Imagine that you are on a flight over Eastern Canada and the pilot of the aircraft in which are flying receives a directive for an immediate turn to avoid other traffic. How would you feel if the pilot of your aircraft did not understand English or if he did, the bilingual controller issued the directive in French first followed by the English translation? This scenario is not that far-fetched as even now French speaking controllers are proposing that French be allowed over Quebec even though English is the worldwide language of aviation.

Imagine that America is called to war and the "new" army consists of a bilingual men and women. When orders are given will those orders be given in a timely manner so as to permit our forces to have the advantage in battle?

What started as a concession to allow the minority French speaking population, an encouragement to maintain their cultural identity, has resulted in the will of the few to prevail over the many, "the tail now wagging the dog". This issue has cost Canada dearly in unity and productivity.

While I have questions regarding the true need for any legislation regarding one common language in the state of Kansas, the presumption that commonsense will always prevail may not be correct. If, however, legislation declaring English the official language of the state of Kansas will prevent problems such as those experienced in Canada over the last thirty years, I strongly urge the members of this committee to send this bill to the floor of the state house.

Thank you for allowing me to be heard. I will make myself available from 11:00 AM to 12:00 PM today to answer additional questions by telephone.

Respectfully Yours,



TESTIMONY

to: members of the Senate Committee on Federal and State Affairs
from: Phillip E. DeLaTorre
re: S.B. 179 and 219 (English as the official language)
date: March 6, 1997

My name is Phil DeLaTorre. I am a law professor at the University of Kansas. I am a native Kansan, having been born and raised in Chanute in the southeast corner of the state. I received my Bachelor's degree from the University of Kansas, which is also where I met my wife, the mother of my three children. We live in Lawrence. The only times I have lived in any place other than in Kansas have been my three years of law school on the East Coast and the few times when I have had the honor of being a visiting professor at some other law school. I am a Kansan, through and through.

My parents were also born and raised in Chanute. All four of my grandparents came from Mexico. Their primary language was Spanish. I remember a few words and phrases from my grandparents, and I remember a little of the Spanish that I learned while I was a student at K.U. My language is English. I am as English-speaking as anybody could possibly be.

I am here today to offer a few thoughts on S.B. 179 and S.B. 219. I come not as a lawyer nor as a law professor nor as a Hispanic nor as an English-speaker nor as a Spanish-speaker. I

come only as a Kansan who is concerned that his state government, through the actions of this legislature, is about to make a serious and harmful mistake.

When I hear that some legislature is considering an English-only bill, I cannot help but think about the experiences of my own father and mother. Their first language growing up in southeast Kansas was Spanish, but today they speak English without any accent whatsoever. When it was their turn to raise their own children, they consciously chose not to teach us Spanish. They knew that my brothers, my sister, and I would be trying to succeed in an English-speaking society. I think they were right in their view.

This experience is why I oppose S.B. 179 and S.B. 219. My parents made their choice voluntarily. They didn't need the government to tell them what was in their own best interest. They were able to honor the heritage of their ancestors, but at the same time they made their own choice about how to prepare my brothers, my sister, and me for our future.

This highlights one of the great ironies of these proposed statutes. The Republican battle-cry has always been to get government off our backs and out of our lives. We don't need the government to tell us what religion to join. We don't need the government to tell us whether we are a Christian nation. And it would be most ironic if the government, in the form of a Republican legislature here in Topeka, were now to tell us what language to speak. We ought to be able to make that decision all by ourselves. Not only is it unnecessary for the government to do these things,

but, more than that, it would be wrong for the government to do these things. It would be wrong, for example, for this legislature to declare Christianity to be the official religion of the state, and it would be wrong for this legislature to declare the English language as the official language of the state.

Why this proposal? And why now, after 136 years of statehood? I do not claim to know the motives of the proponents of this bill, but I can tell you how the motives appear. As is true with all of our fifty states, Kansas throughout its history has experienced wave after wave of immigrants, including the families of just about everybody in this room. But when the Germans came, and when the Scandinavians came, and when all the other immigrants from Europe came, there was no effort to declare English the official language of the state. It is only when we have a predominance of immigrants from Central and South America and from East Asia that all of a sudden there is the perceived need to circle the wagons around the English language. Surely you can understand why people like me, as English-speaking as can be, are nevertheless wary about a bill that, in effect, tries to stigmatize all languages of the world except English.

S.B. 179 and S.B. 219 serve no useful purpose. They go against our tradition of honor and respect for our nation's multi-faceted makeup. And, most ironically (coming from a Republican legislature), they go against our tradition of honor and respect for individual choice. These bills are not worthy of the people of this state. I urge you to give these bills the treatment they

deserve. They deserve to be defeated.

Respectfully submitted,

Phillip E. DeLaTorre

Phillip E. DeLaTorre



215 North Normandy
Olathe Kansas 66061
(913) 782-1613

WRITTEN TESTIMONY SUBMITTED TO THE
SENATE COMMITTEE OF FEDERAL AND STATE AFFAIRS

BY

ARTHUR W. SOLIS

THURSDAY, MARCH 6, 1997

SENATE BILL NO. 179

SENATE BILL NO. 219

Chairperson Oleen and Members of the Senate Committee:

Thank you for the opportunity to submit testimony in opposition to Senate Bill No. 179 and Senate Bill No. 219, which seek to make English the official language of Kansas.

My name is Arthur Solís. I am an American of Mexican descent -- born and raised in Chase County. I am also a Vietnam veteran and the Immediate Past State Commander of the American GI Forum of Kansas, a veterans family organization.

Today, as in 1995 and 1996, U.S. English, a Washington, D.C.-based group, seeks to impose on Kansas its **racist, discriminatory, and xenophobic** views. Because I am a Native born Kansan and a veteran of the Vietnam War, I oppose SB 179 and 219. Mexican Americans and other Hispanics recognize the importance of promoting democracy and national unity. Indeed, we have shed our blood and died for democracy and to preserve our American heritage. We have always answered America's call -- whether it was to fight for the freedom of all Americans, or to defend the peace in which Americans have prospered for so many years.

Hispanics know what it means to wear the uniform of our country, to put our country first and to be willing to bear any sacrifice to keep America free. Hispanic veterans have been awarded more **Medals of Honor** -- American's highest military decoration for valor -- than any other ethnic group represented in the veteran population.

Such willing and stalwart service has not been without a price. Hispanic veterans have been consistently overrepresented as a percentage of wartime casualties. For example, Department of Defense data show that 170,000 Hispanics served in Vietnam and 3,700 Hispanic soldiers (**5.2 percent** of total casualties) died there. In comparison, non-Hispanic combat Vietnam veterans had a **1.8 percent casualty rate**.

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Today, as in 1995 and 1996, U.S. English, a Washington, D.C.-based group, seeks to impose on Kansas its **racist, discriminatory, and xenophobic** views. At best, Senate Bill 179 and 219 serve as symbols of cultural and linguistic intolerance.

It is condescending, even arrogant, for non-Hispanics to seek to impose by legislation that which the Hispanic community knows. Hispanics know the importance of learning to read and write English. Indeed, Hispanics are advocates and supporters of literacy and other educational programs. Hispanics know that education is the best way to empower our community. Hispanics know that English is the language of commerce, industry and government. However, there is a fundamental and constitutional difference between promoting the use of English and proscribing non-English languages by coercive means.

Unlike the often cited example of French-speaking Canadians in Quebec, Americans of Mexican descent strive to be inclusive. Indeed, our dream is the American dream -- to see a daughter or son elected President of the United States, appointed as a U.S. Supreme Court Justice, elected as Governor, etc.

Chairperson Oleen and committee members, it should be clearly understood that in Kansas, no governmental proceedings are being held in a language other than English. In Kansas, no official records or publications are compiled, published or recorded in a language other than English.

In Kansas, an insignificant amount of funds are expended to print informational forms in a language other than English. For the most part, such expenditures are required by Kansas or Federal law. In Kansas, people are not being denied employment based solely upon their lack of facility in a foreign language.

On a personal note, I am Pentecostal (Assembly of God) and a registered Republican. Because I am a conservative Hispanic Republican, I oppose SB 179 and SB 219. I do agree with the views of Republican Congresswoman Ileana Ros-Lehtinen, of Florida, and Republican Congressman Henry Bonilla, of Texas, regarding proposed federal legislation seeking to make English the national official language. I have attached a copy of their congressional testimony.

Today, as in 1995 and 1996, U.S. English, a Washington, D.C.-based group, seeks to impose on Kansas its **racist, discriminatory, and xenophobic** views. In 1995, the House Committee on Federal and State Affairs took the appropriate action of killing 1995 House Bill No. 2517, an English-only bill, in committee. In 1996, this Committee took the appropriate action of not moving 1996 Senate Bill No. 528, an English-only bill, out of committee. I respectfully urge this Committee to kill Senate Bill No. 179 and Senate Bill No. 219 in committee.

This concludes my testimony.

This is a document of opportunity, a vision of unity and a compassionate measure. It deserves America's strongest support.

□ 1145

Mr. BEILENSON. Mr. Speaker, I yield 4 minutes to the distinguished gentlewoman from Florida [Ms. ROS-LEHTINEN].

Ms. ROS-LEHTINEN. Mr. Speaker, as a public servant and educator, and a mother, I think it would be a great disservice to our children to make English the official language of the land, not only because of the domestic and international ramifications that it would have, but more so for the future of our children. It is time that as Americans we understand what educators throughout the world already seem to know, that proficiency in many languages ultimately results in increased understanding of others, awareness of other cultures and traditions, and ultimately improvements in our Nation's prosperity and welfare. Today, as a nation, we stand together joined by English as our primary language, and we hold hands as a nation, where our acceptance of diversity has given us greatness.

Chief Supreme Court Justice Earl Warren once said, "We are now at the point where we must decide whether we are to honor the concept of a plural society which gains strength through diversity, or whether we are to have bitter fragmentation that will result in perpetual tension and strife."

As a Cuban-American who immigrated to this country in 1960, I was granted the honor of living here in the United States, a nation where differences, not similarities are the norm and, most of all, a nation where for over 200 years this plural society has been the standard and where speakers of different tongues and persons of diverse cultures, ethnic backgrounds and walks of life have come with one goal: To live, persevere, and succeed in the United States of America, the land of the free and the melting pot of the world.

With the onset of the 104th Congress, there have been proposals made by various of my colleagues that seek to make English the official language of the United States of America and to eliminate bilingual written and oral assistance for language minority voters. Persons who have immigrated in the past, who do so in the present, and who will continue to do so in the future, already understand that in order for them to be able to do well in this great Nation of liberty and freedom, where equality is the law of the land, they must learn English and no law is needed to stress this. Moreover not only do over 97 percent of Americans speak English, but newcomers to our great Nation are learning English faster than ever, thereby making English as the official language a moot point.

There are many benefits to having no official language in a country re-

nowned for our diversity and home to communities where many different languages are heard. Among some of the benefits are those to public health and safety, a better and improved educational system for our children, the continuation of Government access to millions of taxpaying citizens and residents and the creation of a more cohesive American society.

Some would say that we are indeed a diverse nation, that we must provide for a common heritage through the use of the English language. Our heritage, however, is not so much English itself, but instead that regardless of race, color, creed, and our language preference, we have been given the honor of all being Americans.

The fact that we are all members of this great Nation and benefit from its Democratic ideals and liberties is a far more cohesive bond than any language could ever be.

From a more global perspective, it is obvious to all that America today is undoubtedly one of the world's top economic powers. In an everyday more globally interdependent world, where an astonishing four out of five jobs are created through exports, it is necessary that knowledge of other languages be encouraged in order to facilitate our business with the rest of the world and not force others to deal with us strictly in English. Establishing English as our official language would serve to undermine our competitiveness on a global scale.

As a Florida certified teacher and a former owner of a bilingual private school in south Florida, I know this bill will not facilitate the transition for children who have already come to the United States and do not have enough of a grasp of the language to understand challenging subject matters. "English only" legislation would only prove to be a disservice to these children instead of facilitating their learning abilities.

CONGRESSMAN MCDADE ACQUITTED

(By unanimous consent, Mr. SHUSTER was allowed to speak out of order for 1 minute.)

Mr. SHUSTER. Mr. Speaker, it is with a very happy tear in my eye that I announce the wire services are reporting that our colleague, the gentleman from Pennsylvania [Mr. MCDADE] has been acquitted of all charges.

Mr. MURTHA. Mr. Speaker, if the gentleman would yield, let me just add to what the gentleman from Pennsylvania [Mr. SHUSTER] said. JOE MCDADE has been under investigation for 6 years; under indictment for 2 years; he has been hurt emotionally, physically, and they were challenging the rights of the House during all this period of time.

Mr. Speaker, it really is a win for the House. The House sided with him in every appeal, and I think this is a strong message that goes out that the House of Representatives is a separate body. The jury understood that. We represent people.

We have seen in Canada what can happen when there is no common language. We cannot allow the United States to become balkanized with ethnic tensions that will only divide our country.

No matter what part of the world we or our ancestors come from, we all came to America for the same reason. We are here in search of the freedoms and opportunities that make our country great. We are here in search of a better life for themselves and their families. In short, we are here because we want to be Americans. The English language is part of the fabric that keeps us together.

Mr. Chairman, I urge my colleagues to join me in support of this common-sense legislation. I yield back the balance of my time.

Mr. BONILLA. Mr. Chairman, I rise in opposition to this bill. The fact is, English is America's language in fact, we don't need legislation to make a fact law.

No one understands the importance of mastering English more than I do. Growing up in a Spanish-speaking neighborhood in south San Antonio, I was lucky enough to have parents who stressed the importance of being fluent in English. My parents understood that English was essential to get work and succeed. My parents' example clearly demonstrated that learning English was essential to first succeed in school, and later in our jobs.

We don't need another Washington mandate, another law with bureaucrats to enforce it to tell us what we all know to be true fact. English is the common language of all Americans, passing or rejecting this legislation will not change this fact. I think it important to get beyond the impassioned rhetoric of this debate and address the facts of this bill, what this bill does and does not do.

This bill basically does two things. One, it restricts the use of other languages by the Federal Government with so many exceptions that it is unclear what in fact would change. At this time less than 1 percent of Federal documents are printed in other languages. Two, it ends the Federal requirement for bilingual ballots. This will have no impact on Texas as our State's electoral code provides for these ballots.

Now let's cover what this bill does not do. It does not promote usage of English. It will not affect commercial and personal communications. It will not increase English usage. It will not serve to bring us together. While I understand that many of my colleagues have good intentions in supporting this bill, millions of Americans do not see this as a well-meaning affirmation of national unity, but rather as a challenge to their Americanism. Until we eliminate this mistrust we should concentrate on promoting English usage rather than passing legislation.

English is America's common language. We do not need a law to prove this. Instead of making symbolic gestures to legislate language, we should take real concrete action to encourage every American to learn English.

Ms. JACKSON-LEE of Texas. Mr. Chairman, I rise today to express my support for the Serrano English plus substitute, which expresses the sense of Congress that the U.S. Government should pursue policies that promote English as the common language of the United States while recognizing the importance of multilingualism and working to expand educational opportunities and information resources.

The Serrano substitute would encourage all residents of this country to become fully proficient in English while also encouraging the development of skills in languages other than English—recognizing that multilingualism is vital to American interests.

The Serrano substitute would ensure that the Government continues to provide services in languages other than English as needed to facilitate access to essential functions of Government, promote public health and safety, ensure due process, promote equal educational opportunity, and protect fundamental rights.

Mr. Speaker, this is an issue which impacts not only the men, women, and children affected by such legislation but our Nation as a whole. Our Nation has remained strong and united because, while we do not always agree, we share a common set of democratic ideals and values. Commitment to freedom, equality, tolerance and opportunity—not language—is what holds us together.

Legislation which would establish English as a national language runs counter to our Nation's history and would create a new and unprecedented role for the Federal Government. The Founders of this country recognized the danger of restricting its citizens' freedom of expression. Language, like religion, is an intensely personal form of self-expression which must not be subject to governmental regulation.

Language-minorities do not need to be coerced by the Federal Government to learn English; they already are. According to the Census, over 95 percent of Americans speak English. And current generations of language minorities are learning English faster than previous generations. In Los Angeles, demand for English classes is so great that some schools are open 24 hours a day, and thousands are placed on waiting lists. Also as we should not discriminate against those who speak a single language—English, we should not discriminate against our citizens who are trying to learn English.

Diversity in people and languages is not a national threat, but an advantage. In today's Information Age, we have the ability to connect with individuals across the globe. The movement of people across countries and continents has intensified. Our businesses, too, have increasingly moved into the broader world marketplace where the most influential language is that of the customer. Therefore, the 32 million Americans who speak languages in addition to English are at a competitive advantage.

I urge my colleagues to support the Serrano substitute and resist this attempt to divide our citizenry. Thank you.

Mr. RICHARDSON. Mr. Chairman, the English Language Empowerment Act of 1996, is a bill we do not need. Everybody in America realizes that English is the language of the land. At a time when we are trying to deregulate government, why are we adding more laws to our books?

This bill would not only prohibit the Federal Government from conducting its official business in a written language other than English, but it would repeal a Federal law requiring bilingual ballots for many non-English speaking voters. As a consequence, it will jeopardize the effectiveness of our government and deprive thousands of people of their right to participate in the political process.

In my district alone, one out of every five of my constituents is Native American, and they

Foundational Leadership

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March 5, 1997

Senators: Lana Oleen Ben Vidricksen
 Janice Hardenberger Sherman Jones
 Rich Becker Donald Biggs
 Laurie Bleeker U. L. Gooch
 Keith Schraad

Dear Members of the Senate Federal and State Affairs Committee:

As a citizen of these United States, I urge you to consider the magnitude of the bill before you.

Beneath the surface of this bill, lies a brook to propagate emotional testimony that is without foundation to say the least. Its sole purpose will only serve to further separate our citizens by the rhetoric being espoused by its proponents whose only purpose is to stir hate and discontent levied mainly toward Hispanic immigrants.

First of all, Chairman Mauro E. Mujica, of U. S. English, states that it is his belief that the "melting pot society is threatened" if its people are not prodded into learning English.

His belief that the United States is a melting pot is folly in context with reality. More in alignment with reality is what President Franklin D. Roosevelt said in 1943, "is that Americanism is a matter of the mind and heart; Americanism is not, and never was, a matter of race and ancestry. A good American is one who is loyal to this country and to our creed of liberty and democracy."

About the mind and heart of Americanism: The Honorable John H. Dalton, Secretary of the Navy, on 18 September 1996, said it best when he participated in the award ceremony of Hispanic-Americans, he said "Throughout our history, Hispanics have served with great distinction and with extraordinary courage. 38 Hispanics--15 of whom were members of the Navy-Marine Corps

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team--have been awarded the Medal of Honor. That is the highest per capita rate of award for any population group in the United States." I do not consider this a threat to the security of the United States.

The Honorable John H. Dalton, went on to state that "You can divide (people) in to two classes: Pretenders and Contenders. The Pretenders are ones who never sacrifice themselves. They will never know the meaning of "total dedication," therefore, they will never taste the glory. The contenders are the ones who demand of themselves the absolute maximum limit and are willing to pay that price. They will be able to catch the glory. Life is that way. There are Pretenders and there are Contenders. The question is... which one are you?"

How ironic is the statement that followed, when he said, "On the strength of one link in the cable Depends the might of the chain. Who knows when thou may be tested So live that thou bearest the strained.

We as Hispanics, Native born or Immigrant are being tested in each day of our lives. We are often the target of discrimination on negative issues that deal with immigration, employment, crime, education, and welfare to name a few.

In 1944, Gunnar Myrdal wasted no words in declaring the American Creed the common possession of all Americans...in his book An American Dilemma, (he) provided a magistral analysis of America's most conspicuous failure to live up to the Creed: the treatment by white Americans of black America.

Ralph Bunche, one of Myrdal's cohorts, in his observation stated "that every man in the street--black, red, and yellow as well as white--regarded America as the "land of the free" and the Cradle of liberty."

On the issue ^{of} English, Hispanics and other minorities know full well that to become a viable member of society, one must come to learn English. I see in my neighborhood people who go to the local community college and participate in English programs, and have observed immigrants gather in

private homes to learn English so that they may become fully functional as citizens.

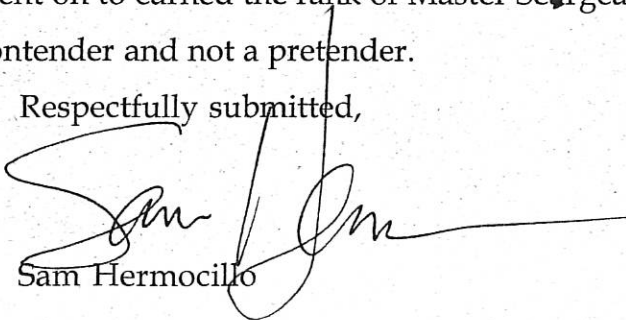
At the time of the Continental Congress, our founding fathers, printed in English and in German the Articles of Confederation and other pertinent documents they felt were important for its citizens to read and grasp.

In Nebraska, in the early 1920's, a young German American teacher employed bilingual education on his monolingual students who did not know English. He taught them subject courses such as American History, Civics, and other courses so they would not fall behind on their studies as they learned English. This was halted not because it was an ^{iv}effective tool, but because of the resentment toward the German immigrant that had nothing to do with World War I.

A preacher at Promise Keepers by the name of Tony Evans, said it best when he said that as a people, "we all came to the United States in different ships but we're all in the same boat now." I ask that you discern what comes before for the best of all Kansas and our country.

Yes, I love the United States as I served in Viet Nam in time of conflict and went on to earned the rank of Master Sergeant. I think of myself as a contender and not a pretender.

Respectfully submitted,



Sam Hermocillo

March 6, 1997

Senator Lana Oleen, Chairperson
Madame Chair and Members of the committee:

I am Monica Felicia Pacheco Guevara. I am a 14 year-old, 8th grader, at French Middle School. I did not know any English when I began preschool. I think that Spanish has been a great asset, not a burden. I have always maintained a 4.0 G.P.A. I have been in the gifted program since the 5th grade, and am taking a computer and foreign language classes at Topeka West High School.

Senate bills 179 and 219 have the potential to be **very harmful** so I encourage you to oppose them.

In the 6th and 7th grades I assisted the ESL instructor and recognize the critical need for teachers to communicate with parents in their native tongue. If these bills pass teachers will no longer be able to send home **notes, newsletters, or make telephone calls** in any language other than English. This would greatly impair communication between many students and teachers.

I have also noted that while high school students are given 5 years to fluently speak any language they wish, ESL students are only given 3 years to learn English. In Senate bill No. 219, section 2.(f), line 41-43, it states, "to provide instruction designated to aid students with limited English proficiency so they can make a **timely** transition to use of the English language in the public schools." This is just one example of the fear and racism that is behind the bill.

My grandfather and his brothers did not fight in World War II in North Africa, Italy, and France to, "make the world safe for English" but rather to "make the world safe for democracy."

Sinceramente,

Monica F.P. Guevara

Monica Guevara
Kansas Student

Sen. Federal & State Affairs Comm.
Date: *3-6-97*
Attachment: #*8*

ELLEN BOYD VERELL, M.D. 2127 18 Road Meade KS 67864 316/646-5420
Fax: 646-5418

TO: Senator Tim Huelskamp:
FROM: Ellen Verell
RE: An Official Language for Kansas

The following observations lead me to conclude that English should be the official language of this state. My experience includes having lived in Mexico four years.

I did not find in the city or the municipal government, much less the Federal, anyone who catered to my problems with the language. It was my responsibility to understand Mexico's traffic signs, bank rules, utility notices and motor vehicle bureau regulations. Needless to say, I was able to adapt to all notices printed in Spanish because that is the official language of the country.

Thousands of Americans living in Mexico were able to cope with the language. Some of us coped by learning to speak, read and write Spanish, others got by with interpreters. Those of us who learned the language were much more integrated into Mexican social circles than those who did not; but most Americans did not expect anyone to revise the country's language for American convenience! Mexico's justice system, based on Napoleonic law (one is guilty until proven innocent) was a much greater obstacle to living there--even for the Mexicans--than the language or lack of ability to understand it. Their system guarantees bribery as a way of life for all citizens and non-citizens.

I have observed that the regional differences in Spanish language are so great that instructions for Mexicans would need to include different terminology than instructions for Guatemalans, Nicaraguans or Panamanian aliens. This fact was illustrated to me through my acquaintance with people from these countries. They used different slang and interpreted even traffic signs quite differently!

The second and third generation Americans (of Mexican origin) living among us are quick to point out that no one made Spanish-language

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instructions available to their ancestors who came here to work. They adapted. It is such an insult to the intelligence of any group to imply that they cannot learn the language, therefore it must be interpreted for them on a regular basis. What could be more demeaning?

I don't blame Americans of Mexican ancestry for resenting the belief that people who immigrate now must receive special language consideration. Why should their tax dollars be wasted this way?

The native American Indian had nothing printed in his language for a very good reason. It was not written. Finally, Christian missionaries wrote the Cherokee language so that they could print a Bible in Cherokee dialect. It later proved to be a disadvantage to the Cherokee to have two Bibles to read. They overcame the problem and are today among the most literate of American Indian tribes.

Should my ancestors ,who spoke mostly Gaelic and German, have had their rights "protected" by instructions in their native tongues? Laughable, isn't it? They wanted to assimilate into the culture as rapidly as possible, because they wanted to be as American as possible!

Having worked in a refugee resettlement program that deals with many Vietnamese and other Asian groups, I can testify that these people want to assimilate as rapidly as possible because they want to be Americans! They understand the benefits of assimilation into the culture!

Are Kansas taxpayers supposed to spend their hard-earned dollars to make life easier in Kansas for those who don't want to be citizens? Where is the logic in this kind of "reasoning?" What do we owe to these non-citizens?

People come to the U.S. in order to leave behind the culture that has kept them down-trodden and poor. Why do we consider, even for a minute, spending money to perpetuate the culture they left behind? They are certainly at liberty to maintain all customs, beliefs and practices that do not violate our laws. They can speak their native dialects in homes

where they desire to pass their culture on to their children. There is nothing wrong with passing on one's heritage to his offspring. However, it is absurd to believe we must "honor" everyone's culture by printing all his legal documents, traffic signs and public instructions in his native tongue regardless of what it may be.

English being the predominant language of this state should also be the official language because it is one fundamental, unifying factor in our identity as a state. To those who disagree, I would say look at India when under British rule and language and compare it to the splintered India of today. Do you want that to happen to Kansas?"

If cost, cultural unity, assimilation and respect for the intelligence of immigrants are not sufficient reasons to make English the official language of Kansas, then I must conclude that our legislators do not represent the Kansans I know. Over 85% of us believe that cost, cultural unity and assimilation demand that English be our official language!

Thank you for taking the time to listen to my experience and observations.

Ellen Boyd Verell

Testimony to the Senate Federal & State Affairs Committee on
Senate Bill 219

Dear Committee Members:

Kansas needs to adopt English as its official language and make sure that all of its people can use it because:

- 1) Communications are the main ingredient needed for interaction among people.
- 2) Trying to provide people with all of the information in all the languages they need it in is so far out of the realm of possibility it doesn't deserve consideration.
- 3) The need for a common language is obvious in our society and our society is already English based. This makes self-evident that it also goes to duplicate everything into all the different dialects is redundant.
- 4) The ability to use English does not mean that a person cannot use any language he wants but it doesn't hurt anyone to learn it, so it only makes good sense to adopt this bill as it can only help us all.

Thank you.

Respectfully,

Phil Averitt
411 Smith
Dodge City, KS 67801
(316) 227-6328

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Attachment: #10



To: Senate Committee on Federal and State Affairs

Submitted By: Jana L. E. Gryder
Kansas National Organization for Women
(913)-357-8450

Date: March 6, 1997

Re: Testimony in Opposition to SB 179 & SB 219

PO Box 15531
Lenexa, KS 66285-55531

The Kansas Chapter of the *National Organization for Women* recognizes that English is the common language of the United States, and believes that all newcomers should learn English. **Senate Bills 179 and 219** do nothing to promote English fluency but instead render harmful consequences. These bills send a message of intolerance, create barriers to access to services, and are unnecessary. Therefore, *N.O.W.* stands in opposition to **SB 179 and 219** because of their discriminatory effect on citizens and residents of this state whose primary language is other than English.

SB 179 and 219 would result in non-English speaking citizens and residents being treated differently than their English speaking counterparts. The proposed legislation singles out language minorities for discriminatory treatment. The bills do so by denying access to critical services, to those who are not fluent in English. This type of legislation will also undoubtedly encourage private discrimination against language minorities and conflict with the current federal laws and policy, favoring access to vital services to all citizens and residents of this country, including those whose primary language is other than English.

This legislation is supported because of its "symbolic" and seemingly innocuous effect. Intolerance of ethnic minorities is not new in our country. State and local agencies have used symbolic measures as the basis for discontinuing services in languages other than English. In turn, some private individuals and businesses have used this movement as the basis for discriminating against ethnic and language minorities. Though proponents of the "English-only/Official English" movement claim that a national language will unify our country, their movement has fueled division and discrimination, rather than fostering unity. As recently stated by an en banc panel of the Ninth Circuit, "the State cannot achieve unity by prescribing orthodoxy." *Yniquez v. Arizonans for Official English*, 95 Daily Journal D.A.R. 13447 (Oct. 6, 1995).

English-only legislation is not about helping people to learn English, but about making it more difficult for non-English speakers to participate in society, integrate, and ultimately, learn English. Neither the proposed legislation, nor its supporters have any linguistic

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support for their position that restricting non-English language services will “encourage” the state’s citizenry to learn the English language. To the contrary, absolutely nothing in this bill concretely provides for English-language education.

Experience teaches us that restricting services to limited English-proficient persons has only one result -- exclusion of substantial numbers of persons from participating in our society. Rather than exclusion, a better approach is recognizing the linguistic and cultural diversity of our society.

The direct and foreseeable outcome of this legislation would be a discriminatory burden imposed on non-English and limited-English speaking persons. Adopting this legislation evidences a direct intent to disenfranchise language minorities and other identifiable categories of persons. **SB 179 and 219** erect barriers to access and participation in a free and democratic society.

AMERICAN GI FORUM OF KANSAS

NATIONAL VETERANS FAMILY ORGANIZATION



1000 N. Cheyenne
Ulysses, Kansas 67880

February 10, 1997

Dear Senator(s):

I am writing this letter on behalf of the American GI Forum of Kansas, a family veterans organization. The GI Forum in the past has been opposed to establishing English as the official language of Kansas. We are still opposed.

This Senate Bill No. 179 and 219 serve only to divide people in Kansas. We need to spend more time on bills that united people.

If you need more information concerning this matter please do not hesitate to contact me at your convenience.

Sincerely,

A handwritten signature in blue ink that reads "José M. Olivas".

Jose M. Olivas
State Commander
American GI Forum of Kansas
(316) 356-4070 home
(316) 356-4079 office
(316) 356-1195 fax

cc State Officers
National Officers

Sen. Federal & State Affairs Comm.
Date: 3-6-97
Attachment: #12

HUTCHINSON

March 4, 1997

POST OFFICE BOX 1687; 67604-1687
TELEPHONE 316-694-2811

OFFICE OF MAYOR

67360

Lana Oleen, Chairperson
Federal and State Affairs
Topeka, KS 66603

Post-It® Fax Note	7671	Date	3/10/97	# of pages	1
To	Lana Oleen	From	Frances J. Garcia		
City/Dept.		Co.	City of Hutchinson		
Phone #		Phone #	316/694-2611		
	913/296-6718	Fax #	316/694-2673		

Dear Ms. Oleen:

I am writing in reference to Bills #2194 and No. 179 concerning English as the official language in Kansas.

I do not feel that this is necessary in the State of Kansas. Statistics show that 99% of our populace speak English. Any individual coming to the United States knows they need to and should learn to speak English for their own personal benefit. I do not believe it is necessary to make a law requiring English to be the official language. This country, as well as this state, has been established and continues to grow through the efforts of people of many cultures. We are constantly speaking of a global economy and even requiring students to learn another language to assure their future in this global picture.

Today, many businesses are seeking individuals who can speak or write a language other than English for business transactions. Although this is not a new occurrence, this has been in practice within businesses for a number of years.

This is one instance where I believe government should not be involved. Let us take care or handle each situation as it occurs.

I thank you for your time and consideration in this matter.

Sincerely,

Frances J. Garcia
Mayor



Sen. Federal & State Affairs Comm.
Date: 3-6-97
Attachment: #13

WICHITA INDUSTRIES & SERVICES FOR THE BLIND, INC.

Please reply to: Michael Byington
WISB Governmental affairs office
P. O. Box 1063
Topeka, Kansas 66601

March 5, 1997

TO: Senate Committee on Federal and State Affairs

SUBJECT: Senate Bill 179 - opposition

We oppose this bill based on the potential that it could cause unintended, but nonetheless, critical, harm to several categories of persons who have disabilities. I will explain our reasoning.

We feel the best solution would be to kill the bill, but if the Kansas Legislature moves instead to adopt legislation on this subject, we believe such legislation must at least include language which specifically grants exemptions for the circumstances we will reference in this testimony. We would urge that the bill be amended accordingly.

Many deaf people use the primary language of American Sign Language. This language is not simply a version of the English language converted to hand signs. It has its own unique sentence structure, syntax, and has no more in common with the English language than the English language has with French, Greek, or any other language of another country. When you see a sign language interpreter assisting a deaf person or persons in communicating with the hearing, English speaking public, it must be understood that such an interpreter may not be simply converting English to a non-verbal form, but may instead be translating the conversation into a completely different language.

While it is true that signed, exact English is an alternative manual communications method also used by some deaf people in Kansas, American Sign Language, not signed exact English, is the primary language of the established deaf culture in our State. Many Kansans who are deafblind use a tactile form of American Sign Language as their primary form of communication.

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Date: 3-6-97

Attachment: # 14

A not-for-profit
agency providing
employment &
services to
blind citizens
since 1931

801 East Lincoln
Wichita, Kansas 67211
(316) 267.224
Fax (316) 267.431

925 Sunshine Road
Kansas City, Kansas 66111
(913) 281.071
Fax (913) 281.245

Although American Sign Language does not have a very workable written form, it is in every way a language and is recognized as such by a number of federal statutes. After all, a number of the American Indian languages also do not have written forms; yet certainly, this fact does not prevent them from being languages.

It quite clearly poses an undue hardship under the Americans With Disabilities Act to legislate away a deaf or deafblind person's right to information simply because such people are not able to use spoken or written English. That is what Senate Bill 179, in its current form, has the potential to do.

Also written English is a very different writing system than literary English Braille. This bill, in its current form, also certainly opens the door for interpretations suggesting that persons who are blind have no legal right to have documents, which the State provides in standard written English, translated or transcribed, in Braille. Again, it is a violation of the equally effective communications standards of the Americans with Disabilities Act to refuse to accommodate the information needs of a blind citizen.

Even if there were no federal civil rights laws impacting communications with the sensory impaired, it certainly is not in the best interest of Kansas to exclude its sensory disabled citizens from full and complete opportunities to participate in the State governmental process. Senate Bill 179 is unworthy of the Kansas spirit and tradition; the bill should die!

Sincerely yours:
Michael Byington

Garden City



Public Schools

U.S.D. #457

Superintendent of Schools

March 3, 1997

To Senators: Lana Oleen
Janice Hardenberger
Rich Becker
Laurie Bleeker
Keith Schraad


Ben Vidricksen
Sherman Jones
Donald Biggs
U.L. Gooch

Dear Members of the Senate Federal and State Affairs Committee:

As Superintendent of Schools for Garden City USD 457, I would like to express my concerns regarding Senate Bills 179 and 219, designating English as the "official language" of the state of Kansas. I believe that declaring an official language in this fashion is impractical and short-sighted, separating many people from mainstream Kansas who are already alienated because of a lack of English proficiency. It also serves to perpetuate an attitude of separatism for individuals who are in the process of learning English.

Obviously, our expectation is that immigrants to the United States need to learn English, if they are to function as full members of society. Our own school district goes to great expense and effort to teach all our students English, even if that means conducting classes in a student's first language (other than English) for a few years and supplementing with intense English instruction. However, denying public access to those without English language skills, or those in the process of learning English, does not serve any useful purpose.

Sincerely,


Milton L. Pippenger
Superintendent of Schools

MLP/bsa

pc to Senators:

Dick Bond
Karin Brownlee
Stan Clark
David Corbin
Tim Emmert
Nancey Harrington

Mike Harris
Tim Huelskamp
Nick Jordan
Dave Kerr
Barbara Lawrence
Pat Ranson

Don Sallee
Larry Slamans
Don Steffes
Robert Tyson
Dwayne Umbarger
Ben Vidricksen

Sen. Federal & State Affairs Comm
Date: 3-6-97
Attachment: #15

Attention; Elias Garcia

From Timothy Russell, Chairman Mexican American Cultural Awareness Club

Dear Mr. Garcia;

I thank you for ^{the} call concerning Senate bills 179 and 219. I find this legislation offensive and intrusive to the basic rights of all minorities.

The United States of America is a nation of immigrants. From all parts of the world have come the people who make up this melting pot we call home. People who speak French, German, Spanish, Chinese and so on. These languages have enhanced our form of English and our culture as a Nation and as a state.

The Native peoples of Kansas; the Kanza, Wichita, Kickapoo, Sax and Fox among others; have had their language restricted and their culture stripped because of laws that were put in place for the benefit of the english speaking immigrants to this state. Now as these same tactics are being used under the guise of the enrichment, and protection of others to take freedoms away from the recent immigrants to this state we must take a stand and say NO.

We as people (weather white, hispanic, black, asian, or native american) must send a message to the nation that Kansas is a forward moving, forward thinking state that does not judge anyone by the language they speak, the color of their skin, or the limits of their understanding of the English language.

We as a people cannot allow anyone to prescribe to us as individuals how to speak, read or think. We must fight segregation, cultural seperation, and racism on every avenue at every crossroad, to keep our freedoms intact.

To this agenda the Mexican American Cultural Awareness Club of Emporia oppoes both Senate bills 179 and 219. We will be proud to be added to the list of our brothers and sisters whom oppose this legislation and are participating in the fight for basic freedoms and cultural diversity.

Please feel free to contact me if you have any information that may be beneficial to our organization.

Fax - - (316) 342-1619
Home - (316) 342-5864
Work - (316) 341-1600

I look forward to meeting you face to face in the future. If you have the oppurtunity to come to Emporia please let me know and we can arrage a meeting

Sincerely;
Timothy Russell
Timothy Russell



Sen. Federal & State Affairs Comm.
Date: 3-6-97
Attachment: # 16