

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 11:00 a.m. on March 7, 1997 in Room 254-E of the Capitol.

All members were present except: Senator Ben Vidricksen - Excused

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

Conferees appearing before the committee:

Senator Laurie Bleeker  
Mr. Robert A. Simms, Governmental Relations Representative,  
U. S English, Inc., Washington, D. C.  
Mrs. Esther Wolf, Lenexa  
Professor Rogelio A. Lasso, Washburn University School of Law  
Mr. Elias Garcia, Chairman, Kansas Democratic Hispanic Caucus  
& Buena Gente, Topeka  
William L. Albott, Ph.D., Topeka

Others attending: See attached list

Senator Oleen advised that the hearings on **SB 179** and **SB 219** would continue and close at 12:00 noon today. She explained that the time would be divided equally between both sides and asked conferees to briefly summarize their testimony, speaking to specific points others had not addressed, in order to allow for all conferees to be heard.

**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 Laurie Bleeker, a sponsor of **SB 179** and **SB 219**, offered testimony in support of the bills (Attachment #1). She spoke of her heritage and parents who conversed in a Dutch dialect. She said it was recognized then that, to succeed in this country, one needed to speak the language of the land and there was no need to enact an official language because it was automatically assumed and accepted that English was the language to be learned and used. Senator Bleeker stated that she believes things have changed since then and, because of the demands placed on government, now there is a need to establish an official language. She cited the cost involved if transactions of the state are required in multiple languages. She stated that, if legal immigrants are allowed and encouraged to function in their native language, they will not learn the common language.

Robert A. Simms, Government Relations Representative, U. S. English, Inc., Washington, D.C., spoke in support of **SB 179** and **SB 219** (Attachment #2). Mr. Simms provided the committee with the background of the organization he represents, pointing out it is the nation's oldest and largest non-profit citizen advocacy group fighting to make English the official language of government at all levels. He stated that it is necessary to begin taking steps to ensure that all Americans have the basic ability to communicate with each other, and declaring English the official language is a significant step in achieving that goal. Mr. Simms told the committee there were many languages spoken in Kansas. He said that both of the bills before the committee were common sense measures that send a clear and unmistakable message of inclusion, empowerment and fairness to all people of Kansas.

Senator Gooch asked Mr. Simms what is different today that would require legislation to make people learn

CONTINUATION SHEET

MINUTES OF THE SENATE FEDERAL & STATE AFFAIRS COMMITTEE, Room 254-E-Statehouse, at 11:00 a.m. on March 7, 1997.

the English language and what, if anything, would be different in Kansas with the passage of this legislation. Mr. Simms responded it would set a proactive policy for what the government can and cannot do in regard to furnishing information.

Senator Schraad inquired if passage of this legislation would result in constitutional problems in Kansas, and Mr. Simms replied it would not; that it dealt strictly with government activities and was not intended to restrict other activities.

Senator Jones stated that the measure appeared racially motivated and, because he had not heard from any ethnic groups who supported it, he opposed the legislation on those grounds.

Senator Oleen referenced the exceptions in the bills in regard to government business and asked what the legislation would limit. Mr. Simms responded it would not affect any educational programs. When pressed for information on programs in Kansas the legislation would affect, if passed, Mr. Simms was unable to give specifics.

Mrs. Esther Valladolid Wolf, Lenexa, appeared in opposition to **SB 179** and **SB 219** (Attachment #3). Mrs. Wolf said the proposed legislation was not well received in her community and she found it an affront to her sense of fairness in the Kansas Legislature. She said she felt the bills spoke to division of the people of Kansas and would add enormous obstacles in strengthening relationships between policy makers and the people they seek to govern. Mrs. Wolf stated that the legislation is unnecessary; that Kansas Hispanics understand and accept the economic and social importance of English and do not need to be forced to learn it. She pointed out that Federal congressional records show that less than one per cent of federal documents are printed in other languages and, in Kansas, no official records or publications are printed in other languages. Additionally, she said Kansas has no official records or publications which are compiled, published or recorded in a language other than English. She told the committee also that insignificant amounts are expended to print informational forms in a language other than English. For the most part, she said, the expenditures are required by Kansas or federal law and benefit the public safety and health of Kansans.

Professor Rogelio A. Lasso, Washburn University School of Law, Topeka, spoke in opposition to **SB 179** and **SB 219** (Attachment #4). Professor Lasso said he was offended by the proposed legislation. He stated that the bills are illegal, unnecessary, and counterproductive governmental intrusion; that they violate the fundamental rights and liberties of non-English speaking Americans. He told the committee that restricting communications between non-English speaking constituents and governmental agencies during the performance of governmental business is a violation of the First Amendment's protection of free speech. In addition, he said that restricting the government's ability to communicate with its citizens in languages other than English would be in violation of First Amendment rights, and he assured the committee it would be challenged in the courts. Further, he stated that facts do not support proponents' arguments that this legislation is needed to cut the cost of governmental services being provided in languages other than English, and he presented figure showing the total savings would be less than \$4,000. Professor Lasso said he found both bills to be divisive and **SB 219**, in particular, to be patronizing and racist.

Senator Oleen noted that thirty-five minutes had been used by proponents of the bills and she would extend the hearing until 12:15 to allow opponents equal time to present their testimony.

The chairman acknowledged the petitions and resolutions that had been submitted in opposition to the bills and assured that they would be processed in the manner prescribed.

Mr. Elias L. Garcia, Chairman, Kansas Democratic Hispanic Caucus and Buena Gente, Topeka, testified in opposition to **SB 179** and **SB 219** (Attachment #5). Mr. Garcia asked the committee to consider what was best for Kansas and not concern itself with national trends or what has taken place in Canada. He called attention to the petitions with signatures of some 750 Kansans and resolutions from the City of Topeka and Shawnee County, as well as many letters from Hispanic organizations and individuals, all opposing legislation that would make English the official language. He discussed the background of U.S. English, Inc., the Washington based organization he said was committed to making English the official language of this country and in Kansas. He told the committee the organization was founded in response to concerns that if something were not done to address immigration and the high Hispanic birthrates, whites would have to relinquish political power in this country. Mr. Garcia referenced claims of proponents that the measures, if passed, would save taxpayers' money and pointed out they have failed to provide evidence to substantiate those claims.

William L. Albott, Ph.D., Topeka, spoke in opposition to **SB 179** and **SB 219** from both a personal and professional point of view (Attachment #6). From a professional perspective, he cited information in scientific literature relevant to arguments for and against the English-only movement. He told the committee no

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MINUTES OF THE SENATE FEDERAL & STATE AFFAIRS COMMITTEE, Room 254-E-Statehouse, at 11:00 a.m. on March 7, 1997.

literature of a scientific nature was found to support the English-only position; to the contrary, he said the literature pointed out that the English-only position can have far reaching and very serious negative consequences. On a personal level, he said he seriously questioned whether this legislation is needed and stated he feared such bills would serve to lay the foundation for irrational provincialism, fostering the type of conflict seen in other countries. Dr. Albott asked the committee not only to reject these bills but to show vision and leadership and consider the unintended adverse consequences.

Senator Oleen noted that the allotted time had elapsed for opponents' verbal testimony. She acknowledged conferees who were present but did not have an opportunity to offer verbal testimony and assured them the written information they had submitted would be included the official record.

Written testimony entered into the record in support of **SB 179** and **SB 219**:

Mr. Ahmadullah Ahmadullah, Turner Farms, Great Bend (Attachment #7)

Written testimony entered into the record in opposition to **SB 179** and **SB 219**:

Mr. Harold Orosco, Garden City (Attachment #8)

Mr. Pete Tavares, Jr., Topeka City Councilman (Attachment #9)

Ms. Juanita Jessepe, Prairie Band Potawatomic Tribe (Attachment #10)

Ms. Nakita Vance, Wichita (Attachment #11)

Raul R. Guevara, Buena Gente, Topeka (Attachment #12)

Ms. Tina DeLaRosa, Executive Director, Kansas Advisory Committee on Hispanic Affairs (Attachment #13)

Ms. Rebecca Escalante (Attachment #14)

Esperanza Lara & Earnest A. Lehman, MANA, Topeka (Attachment #15)

Ascension Hernandez, Kansas League of United Latin American Citizens (LULAC), Shawnee (Attachment #16)

Mr. Troy G. Scroggins, Topeka (Attachment #17)

Wendy McFarland, American Civil Liberties Union, Topeka (Attachment #18)

Mr. Michael L. Martinez, League of United Latin American Citizens, Topeka (Attachment #19)

Mr. Chad Lopez, Executive Secretary, American GI Forum of Kansas, Topeka (Attachment #20)

Mr. William M. Araiza, Chair, Board of Advisors, Kansas Advisory Committee on Hispanic (Attachment #21)

Dora Falcon, Community Developer, Dodge City (Attachment #22)

Ms. Rita Botello, Chair, Coalition of Hispanic Organizations (COHO), Kansas City, Mo. (Attachment #23)

The meeting adjourned at 12:20 p.m. The next meeting is scheduled for March 10, 1997.

# SENATE FEDERAL & STATE AFFAIRS COMMITTEE GUEST LIST

DATE: 3-7-97

NAME	REPRESENTING
Tina DeLaRosa	KACHA
Jessie Alvarez	KACHA
Linda De La Rosa	KACHA
Patrice Bryant	KACHA
August Vega	KACHA
Marietta Fiebrgood	Dos Mundos
Circunsion Hernandez	LULAC
Michael L. Masten	LULAC
Jana Bryder	KS NOW
Amy Campbell	R. Rice Law Office
Callie Jill Denton	Bottenberg's Assoc.
Jesse Mahmy	Sen. Salisbury
William Abbott	SELF
Sia Meyer	KS Gov. Consulting
Arthur W. Solis	AGIF - Kansas City
Ferry & Casey Merrille	visitors self
Evert & Billy Samsara	self
Wally J. Hankland	ACLU
Monica Neff	PPK

SENATE FEDERAL & STATE AFFAIRS COMMITTEE  
GUEST LIST

DATE: 3-9-97

NAME	REPRESENTING
<i>Raul A. Alvarez</i>	<i>Buena Vista</i>
<i>Joseph Yantis</i>	
<i>Mike Shields</i>	<i>Harris News</i>
<i>Bill Capra</i>	<i>KACHA</i>
<i>A. J. ...</i>	<i>Dem Hispanic Caucus</i>

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SENATE CHAMBER

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& CULTURAL RESOURCES

PUBLIC HEALTH AND WELFARE

Page 1 of 3

I'm Laurie Bleeker, and I thank you for the opportunity to voice these comments in support of SB 179 and SB 219.

I have a rich heritage, not unlike many in this room. My Dutch Russian ancestors settled in central Kansas and brought with them many customs and contributions, including the immigrant imports of twiebach turkey red hard winter wheat. They also brought with them a language from the lowlands of Holland, "Pleut Deutsch". My parents conversed in this Dutch dialect when I was growing up. The "Pluet Deutsch" had survived generations, but as a second language, because it was recognized that to succeed in this country, the immigrants needed to function in the primary spoken language of the land.

There is nothing wrong with learning about and preserving one's heritage, but there is a marked difference between celebrating one's roots, and continually looking for opportunities to point out our differences.

Sen. Federal & State Affairs Comm.  
Date: **3-7-97**  
Attachment: **#1**

It was mentioned yesterday that the European immigrants didn't need "an official language" law, so neither does Kansas today.

I would disagree with the rationale. Things are quite different today than they were 100 years ago. It used to be that people came to this country, often in pursuit of freedom, but willing to exchange some individual rights and freedoms for the greater whole. Laws were made, limiting a person's rights to the degree that he could not infringe on another's unalienable rights. That mindset, never questioned the fact that if one wanted to function in America, or Kansas, you had to communicate in the language most commonly spoken. There was no need to enact an "official language" statute, it was automatically assumed and accepted that English was the language to be learned and used.

But we have done a 180 degree shift in thinking. We need to establish an official language because so many of us no longer ask, "What can I do for my country?" But, "What can my country do for me?" We demand that government exist to serve our every want and need, including serving us in the language of our choice. We have students demanding to pledge allegiance to the country they fled from instead of wanting to truly

becoming a part of the new country they have chosen. It wasn't like that in the 1800's. That is why we need legislation to protect the integrity of Kansas' spoken language.

I contend that if we get into the business of doing all the state's transactions in multiple languages, the cost would force a vast reduction in other family services and education funding which we do not want to short. Canada spends an excess of 6 billion annually to conduct government business in two languages.

If we allow and encourage legal immigrants to function in their native language, offering them every convenience, they will learn the common language no sooner than a student in French class who is told he may speak and do written assignments in English as often as he likes. Ultimately the student, like the immigrant, is suffering a disservice in the name of compassion.



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TESTIMONY OF ROBERT A. SIMMS  
GOVERNMENT RELATIONS REPRESENTATIVE, U.S. ENGLISH, INC.  
SENATE FEDERAL AND STATE AFFAIRS COMMITTEE  
HEARING OF SENATE BILLS 179 & 219  
March 6, 1997

Sen. Federal & State Affairs Comm.  
Date: *3-7-97*  
Attachment: *#2*

Thank you Madame Chair and the members of this Committee for the opportunity to appear here this morning. My name is Robert Simms, and it is my pleasure to testify this morning on behalf of the more than 8,000 members and supporters of U.S. ENGLISH in Kansas. Founded in 1983 by the late U.S. Senator S.I. Hayakawa of California, an immigrant of Japanese descent, U.S. ENGLISH is the nation's oldest and largest non-profit citizen advocacy group fighting to make English the official language of government of all levels.

For hundreds of years Americans of all ethnic, religious and cultural backgrounds have been able to grow, prosper and share in the American experience because we have shared the common bond of the English language. Today, that bond of the English language is beginning to break. In this nation where more than 320 languages are spoken, and in this state where more than 110 are spoken, we must begin taking the steps necessary to make sure that all Americans have the most basic ability to communicate with each other. Declaring English the official language is a significant step in achieving that goal.

Ladies and gentlemen, as I mentioned earlier there are more than 110 languages spoken in this state, but there is no mechanism in place to decide what services and programs should be provided in a language other than English. Surely, even our opponents would have to agree that it is outrageous to expect the government to operate in all 110 languages. However, let me ask the committee this, if citizens of one linguistic group are entitled to services in their native language, why aren't others? Or should every citizen, regardless of the language that they speak, entitled to **their** services in the language of **their** choice? With the current policy vacuum that exists, at what point will this legislative body draw the line on who is accommodated and who is not? Why is one group of people entitled to these services while others are not?

Opponents will contend that Kansas does not currently have a problem with multi-lingual expenditures -- that this legislation is not needed. However, I suggest that anytime the government is acting without a coherent policy and spending taxpayer money on misguided and ineffective programs that there is a significant problem. However, I would also point out for the committee today, that the government is unable to identify those multi-lingual services and programs that are currently being provided and at what cost. Passage of this legislation will, if nothing else, require agencies and departments to document those multi-lingual services and programs that are being provided at taxpayer expense. Passage of a bill making English the official language of Kansas will establish a proactive language policy for the state and will establish a more effective and representative government for all of the people of Kansas.

Immigrants come to America -- come to Kansas -- looking to build a better life for themselves and their families. But, unlike their predecessors, today's immigrants are met with misguided government policies that do more to promote multi-lingualism than to promote inclusion and the English language.

As our government's misguided and divisive multi-lingual programs continue to grow and expand, it becomes increasingly easier for immigrants to exist in our society without proficiency in English. Today's newest citizens are met with a myriad of multi-lingual programs that supposedly aid their timely transition into American society. But these programs, which may make some activists and bureaucrats feel better about themselves, are a failure. They undermine and erode the natural economic incentives and empowerment that comes with the English language.

Opponents and supporters agree that knowledge and proficiency of the English language is essential for all of our citizens, and yet opponents continue to denounce this legislation and the official English movement as racist, disenfranchising and divisive. I urge the committee and our opponents to move past the emotional rhetoric of this debate and examine the bills before the committee. If you look at the bills you will realize that these allegations are a total misrepresentation.

As the *Santa Barbara News-Press* editorialized in support of official English legislation, "Any attempts made by the government to get those who are governed onto the same page, running at the same speed and going in the same direction couldn't be more enfranchising." If one's intentions were truly malicious and we truly wanted to disenfranchise immigrants, I would stand before the committee today supporting the status quo. But, as U.S. ENGLISH Chairman Mauro Mujica, himself an immigrant from Chile, recently said during testimony in favor of declaring English the official language of Oklahoma, "Unfortunately, the effect of many of the governments' well intentioned multilingual programs is to handicap those very people these programs are supposed to help."

I appear before you as a representative of an organization of nearly 1 million people nationwide, including more than 8,000 in Kansas, that support official or common language legislation for their local, state and federal governments. A vote in favor of making English the official language is not a vote against diversity, it is not a vote against Hispanic-Americans, or Asian-Americans, or Jewish-Americans—**Rather, it is a vote for all Americans!**

That's why you see such tremendous support for official English legislation. Eighty percent of all Americans, as well as eighty percent of the people of Kansas, whether black, white, Asian, Hispanic, Republican or Democrat, conservative or liberal, first generation or fifth generation, support making English the official language of their government. And that's why national organizations such as the American Legion, the Farm Bureau, Veterans of Foreign Wars, and Hispanics for English Language Proficiency all formally support official English legislation. A larger list of supporting organizations is included in your packet. A recent poll by the Center for Equal Opportunity, proves that contrary to what some leaders may say, a growing number of immigrants (in this case immigrants of Hispanic descent) disagree with their leaders on the issue of official English. As Jorge Amselle, spokesman for CEO, said in an October 3, 1996, article concerning the this survey, "...a bill making English the official language passed the House of Representatives and is now before the U.S. Senate. Whatever they decide, Senators should not think that a vote for official English is a vote against Hispanics."

Ladies and gentlemen, both of the bills before the committee today are common sense measures that send the clear and unmistakable message of **inclusion, empowerment and fairness** to all of the people of Kansas. To draw any other conclusions regarding official English is simply a misrepresentation and a tremendous disservice to Senators Hardenburger, Huelskamp, as well as the co-sponsors of these bills, and all of the people of Kansas who support making English the official language of Kansas government.

Thank you for allowing me appear in support of Senate Bills 179 and 219 this afternoon. I welcome the opportunity to answer questions.



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WHAT SB 179 AND ENGLISH AS THE OFFICIAL LANGUAGE OF KANSAS DO:

- Establishes English as the common language of Kansas and formally recognizes the common bond of English in our society.
- Reinforces the importance of a common language in government, while simplifying government operations.
- Sets common sense parameters on those programs that the government may offer in multiple languages, while at the same time ensuring that the most critical services are available to immigrants while they learn and make the transition to English proficiency.
- Establishes a precise and common language of communication for governing.
- Reaffirms our belief that a common language promotes unity and serves as a bridge of unity in our diverse society.
- Establishes a commonsense language policy which ensures all of our citizens are treated equally and fairly.

SB 179 AND ENGLISH AS THE OFFICIAL LANGUAGE OF KANSAS DOES NOT:

- infringe upon or restricts a person's right to speak the language of their choice in private conversations or in their homes, places of worship or civic associations.
- affect bilingual education, bilingual voting ballots or the teaching of foreign languages in our schools.
- affect the use of languages in business, commerce or trade.

INFORMATION REGARDING  
OFFICIAL ENGLISH  
PRESENTED  
TO THE  
SENATE FEDERAL & STATE AFFAIRS  
COMMITTEE  
BY  
PETE MCGILL & ASSOCIATES  
ON BEHALF OF  
U.S ENGLISH  
SENATE BILLS 179 & 219  
6 MARCH 1997



# *Facts & Issues*

## *What is Official English? —*

**Official English is the use of English as the language of government**—the language of public record, public business, the Constitution, the governing body and the courts. Official English means that the official, public business of governing is 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.** It does not pertain to religious services or texts. Names of cities, streets, monuments and buildings that are in other languages do not change under official common language laws. Restaurant menus are not affected; nor is entertainment such as music concerts, movies, plays and art exhibits.

Official English legislation makes allowances for the use of other languages as necessary. Private conversations between government employees may be spoken in other languages. Emergency services and safety information would also be available in other languages. A non-English speaking defendant may have a translator in court, but the trial would be conducted in English.

The idea of a nation having an official language is accepted worldwide. Roughly half of the world's nations 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.

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



THE  
LUNTZ RESEARCH COMPANIES

Luntz Research & Strategic Services ■ The Public Opinion Company ■ Luntz Corporate ■ Luntz Worldwide

U.S.ENGLISH  
NATIONAL OFFICIAL ENGLISH SURVEY  
AUGUST, 1995

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U.S.ENGLISH, Inc.  
818 Connecticut Ave., N.W., Suite 200  
Washington, DC 20006

## SUMMARY

Between August 2 - 6, 1995, the Luntz Research Companies surveyed 1,208 Americans nationwide by telephone, asking them, "do you think English should be made the official language of the United States?" Eighty-six percent of Americans said "yes," and 12 percent said "no." Between 1 and 2 percent either did not respond or did not know. The survey has a margin of error of +/- 2.8 percent.

***86 percent of Americans surveyed support official English.***

- ⇒ ***More than 8 out of 10 first generation Americans.***
- ⇒ ***Over three-quarters of non-whites (78%).***
- ⇒ ***90 percent of Republicans and 84 percent of Democrats.***
- ⇒ ***91 percent of 1992 Perot voters.***
- ⇒ ***Support does not vary more than 3 percent across income levels.***
- ⇒ ***Support increases with age of respondent.***

This issue goes to the core of what it means to be an American and the notion that we are a nation of immigrants with more that unites us than divides us. Following is an analysis of the public's opinion of official English according to various demographic factors.

**CITIZENSHIP GENERATION**

The argument that the newest Americans would be discriminated against under official English legislation is dismissed by immigrants. More than 8 out of 10 first generation Americans (81%) are in favor of official English while 18 percent oppose it. Yet, support *increases* and opposition *decreases* dramatically with subsequent generations:

<u>Generation</u>	<u>Support</u>	<u>Oppose</u>
<b>First generation (7% of U.S. pop.)</b>	<b>81%</b>	<b>18%</b>
<b>Parents immigrated (13% of pop.)</b>	<b>83%</b>	<b>14%</b>
<b>Grand parents immigrated (15% of pop.)</b>	<b>87%</b>	<b>12%</b>
<b>Before grand parents (59% of pop.)</b>	<b>87%</b>	<b>11%</b>

**RACE**

While there are often vast differences between white and black respondents on ideological questions, on the issue of a common language there is only a three point variance between blacks and whites. Nearly nine out of ten whites (89%) believe English should be the official language (9% are opposed). Among blacks, 86 percent support and 14 percent oppose the proposal. However, this narrow difference is more the result of animosity between blacks and Hispanics than the convergence of whites and blacks on the issue.

Although first generation Americans are largely non-white and from Asia or the Americas, their support (81%) is higher than that of all non-whites (78%), a significant portion of whom are black (86%). Age impacts heavily on the opinion of non-whites, with those over 40 years old showing high levels of support (87%). With under-40 non-whites, support drops dramatically to 73 percent. As with whites, non-white support decreases with education.

<u>Race</u>	<u>Support</u>	<u>Oppose</u>
<b>White</b>	<b>89%</b>	<b>9%</b>
<b>African-American</b>	<b>86%</b>	<b>14%</b>
<b>All non-white</b>	<b>78%</b>	<b>22%</b>
<b>Age 18-39 non-white</b>	<b>73%</b>	<b>26%</b>
<b>Age 40 + non-white</b>	<b>87%</b>	<b>12%</b>
<b>Male non-white</b>	<b>75%</b>	<b>24%</b>
<b>Female non-white</b>	<b>81%</b>	<b>19%</b>

**SOCIO-ECONOMIC LEVEL**

Intellectual and philosophical arguments for a common language are well founded. Though interestingly, support among more educated Americans tends to be lower than less educated persons. Only 81 percent of those with at least a college education support official English with 17 percent opposing it. This is significantly lower than the 89 percent of high school educated and "some college" educated who are supportive. Also significant is that only 10 percent of less educated people oppose it.

The lower support with the most educated Americans may be ideological rather than economic, that is, driven by the more liberal temperament associated with institutions of higher learning. This notion is bolstered by the fact that among Americans whose family income is above \$20,000 a year support is consistently in the 86 to 87 percent range (even with incomes above \$70,000) with opposition at approximately 12 percent. With family incomes below \$20,000 support drops slightly to 84 percent and opposition raises to 14 percent. Though this factor may be the result of the higher concentration of minorities (non-whites) in the lower economic classes.

Overall, when variables are derived from education and income levels that is, socio-economic indicators, we find that support decreases as one's situation improves. Again, this is driven more by education than income:

<b>Socio-economic level</b>	<b>Support</b>	<b>Oppose</b>
<b>Low</b>	<b>87%</b>	<b>10%</b>
<b>Mixed</b>	<b>86%</b>	<b>12%</b>
<b>High</b>	<b>84%</b>	<b>15%</b>

**POLITICS & IDEOLOGY**

Support increases somewhat and opposition decreases substantially as you move from left to right politically and ideologically. The only exception to this pattern is equal support among independent voters (83% support) and Democrats, 84 percent of whom approve of English being the official language, 15 percent who do not. Opposition decreases slightly among independents is at 14 percent with 3 percent unsure (higher than those on the left and right). And support is highest with Republicans, 90 percent in favor, and only 8 percent opposed -- almost half the opposition of Democrats.

Results were similar along voting lines: Ninety-one percent of Bush and Perot voters support official English with 8 and 9 percent, respectively, opposing. Bill Clinton voters only favor the measure 82 percent to 16 percent. Last November's election had nearly identical results: Ninety-one percent of GOP voters support official English and 8 percent oppose it. With those who voted for the Democrat candidate for Congress, their

support was still strong though less so than GOP supporters -- 83 percent in favor, 16 percent opposed.

Ideologically, the patterns become more clear:

<u>Ideology</u>	<u>Support</u>	<u>Oppose</u>
<b>Liberal</b>	<b>80%</b>	<b>19%</b>
<b>Moderate</b>	<b>83%</b>	<b>14%</b>
<b>Conservative</b>	<b>91%</b>	<b>9%</b>

### CONCLUSION

There is wide-spread support for official English. Nevertheless, this is going to be an emotional debate especially with an election year rapidly approaching. Support varies along racial lines first, ideological grounds second, poverty level third and immigrant status fourth. However, even where support is weakest -- non-whites, liberal Democrats, the poor and first generation immigrants -- support rarely goes below 80 percent and opposition most often, does not rise above 20 percent. Self appointed "community leaders" and multiculturalists will object strongly to official English legislation, as will the academy and civil libertarians. But bear in mind, *they represent a very small, though vocal, segment of the population.*

Despite pockets of deep resistance, strong national support bolstered passage of the Civil Rights Act thirty years ago and ended state sanctioned discrimination. Today, the vast majority of Americans support making English the official language of the United States. Still, there are congressional districts where support is much lower, specifically, those with high numbers of poor, non-white recent immigrants. Ironically, it is these communities that have been most isolated, culturally and economically, by multi-lingualism and have the most to gain from a common language. By passing official language legislation, lawmakers not only heed the will of over 85 percent of Americans, they also shine the unifying light of a common language on many of our society's most vulnerable citizens.

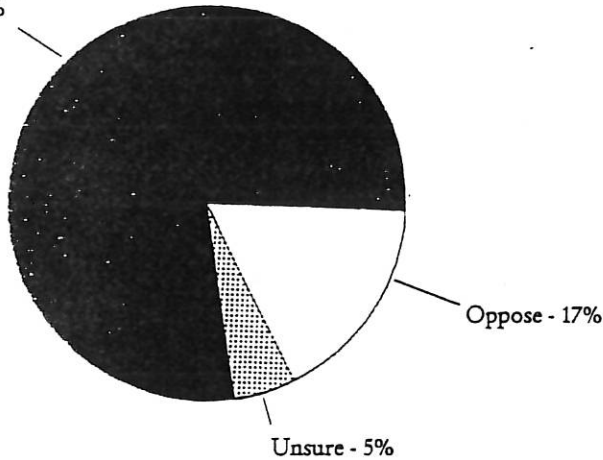
*Interviewers at The Tarrance Group asked 1,000 registered voters the following questions:*

"Now, thinking about making English the official language of the United States – As you may or may not know, while the majority of Americans speak English, there is no law making English the official language of the United States. Designating English as the official language would mean official government business would be conducted in English. For example, government forms and proceedings of the legislature would be in English and no other language. However, it would not affect the use of other languages in everyday life.

August 18-19, 1993; margin of error plus or minus three percentage points

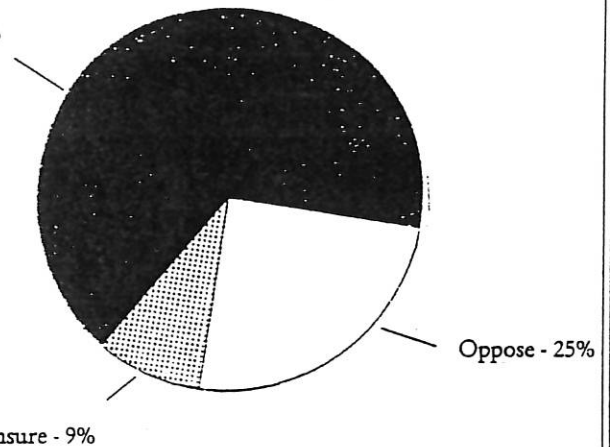
"Would you favor or oppose making English the official language of government?"

Favor - 78%



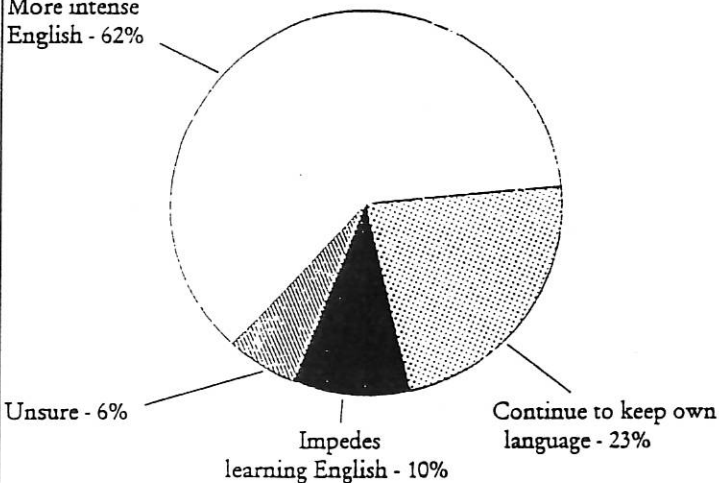
"On July 2nd of this year in Tucson, Arizona, a swearing-in ceremony for U.S. citizenship was conducted primarily in the Spanish language. Do you agree or disagree that these ceremonies should be conducted only in the English language?"

Agree - 67%



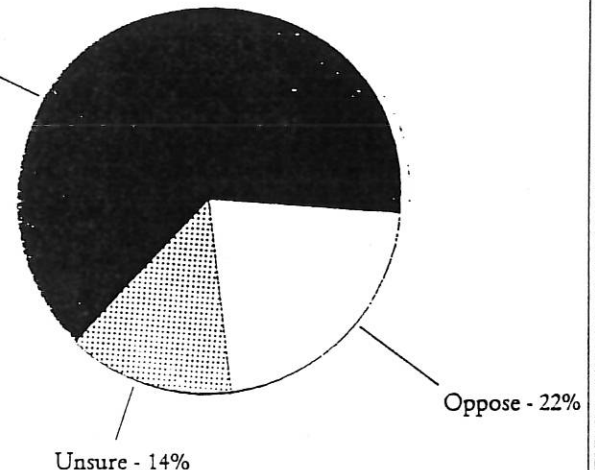
"Bilingual programs teach children who do not speak English basic subjects such as math and science in their native languages, while also teaching them English. Some people say that these bilingual programs slow down or impede the learning of English. Other people say that bilingual education is needed to maintain the native language of these children and enhance their self-esteem. Still others say that the focus should be on teaching the children English at a more intense level, so that they will be able to learn it quickly, while joining the mainstream. Which viewpoint comes closer to your own?"

More intense English - 62%



"The Dade County, Florida Board of Commissioners repealed a 13-year-old ordinance which provided that the county business must be conducted primarily in English. They did this in spite of the fact that the Florida state constitution has a provision declaring English the official language of the state. This and similar situations lead some to conclude that the only way to resolve this issue is with a uniform federal law which supersedes state and local law ordinances. Do you agree or disagree with that conclusion?"

Agree - 65%



# **THE COST OF PROVIDING GOVERNMENT SERVICES IN LANGUAGES OTHER THAN ENGLISH**

**A PRELIMINARY EXAMINATION OF STATE AND LOCAL DATA**

**DRAFT**

## INTRODUCTION

"Give a man a fish and he eats for a day, but teach a man to fish and he eats for a lifetime," the adage states. Providing government services in native languages may make today somewhat easier for non-English-speakers. But investing money in teaching English will enable immigrants to take advantage of the many economic opportunities this country has to offer, and will provide them more time and money to preserve their cultures.

Mauro E. Mujica in *The Washington Post* (12/17/94).

Mr. Mujica wrote in response to an article, "Some Immigrants Build Lives Without English Cornerstone," published by *The Washington Post* on November 27, 1994. His statement appears logical and based on common sense. It also contains an assumption. It assumes significant resources are being spent on providing government services in languages other than English. The assumption that resources are being spent on providing government services in other languages bears investigation. That investigation is the purpose of this study.

This investigation does not document the total amount that is being spent by State and local governments in providing services in languages other than English. It attempts to identify the minimum that is being spent. It does not address expenditures by the Federal government. The General Accounting Office says that it does not have sufficient resources to perform such an examination. It, therefore, seemed prudent to begin the investigation at the State and local level.

The study has severe limitations. The major limitation is the validity of data at a unit of analysis smaller than the aggregate of the 50 States and the District of Columbia. Thus, the estimates given for expenditures for the country may withstand scrutiny while a specific State or locality may be spending more or less than the estimates given in this study. Indeed, the major finding of the study is that responsible government officials, Federal, State and local, have no hard numbers on the expenditure of public funds for services provided in languages other than English. The primary recommendation of this study is that all levels of government should specifically identify public funds spent on providing services in languages other than English so that reasonable judgements can be made about the appropriateness of such expenditures.

At least one billion dollars a year is being spent by State and local government to provide services in languages other than English. This figure does not include expenditures for bilingual education. The real figure is probably several times that amount. When the reality of long waiting lists for English classes is combined with the \$75 billion in annual income that those on the waiting lists lose because of their lack of English skills, it is apparent that one must agree with Mr. Mujica.

Significant resources are being spent on providing services in languages other than English with little or no evidence that these services accomplish any public good or are desired. At the same time that demands for English language instruction, which has a demonstrably positive effect on



personal income, receive little attention. It is likely that the good intentions of sincere politicians and bureaucrats have motivated this expenditure. But determining the reasons behind this state of affairs is beyond the scope of this simple investigation.

The report first presents a discussion of the distribution of non-English-speaking adults across the country. It then examines selected direct costs to government for providing services in languages other than English. These costs do not include cost associated with education. The report summarizes other investigations of the personal income lost by individuals because of their deficiencies in English. The report also includes excerpts from a previous study of expenditures for bilingual education. The report ends with sample State legislation that could be considered in the context of this discussion.



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## **The Following Organizations Support Designating English as the Common Language of Local, State and Federal Governments**

American Alliance for Rights and Responsibilities  
American Association of Women  
American Conservative Party  
American Coptic Association  
American East European Ethnic Conference  
American Ethnic Coalition  
American Farm Bureau Federation  
American Latvian Association of the USA, Inc.  
American Legion  
American Slovenian Catholic Union  
American Sokol  
Asian American Union, Inc.  
Association of Byelorussian-American Veterans  
Azerbaijan Society of America  
Bulgarian National Front in the USA  
Cambria Institute  
Coordinating Committee of Hungarian Associations in North America  
Croatian Fraternal Union of America  
Czechoslovak National Council of America  
Czechoslovak Society of America  
The Danish Brotherhood in America  
Daughters of the American Revolution  
Dutch International Society  
Estonian American National Council  
Federation of Women's Clubs  
The First Catholic Slovak Ladies Association  
Florida Federation of Republican Women  
Free Albania Association  
The Heritage Foundation  
Hispanics for English Language Proficiency (HELP)  
Hungarian Reformed Federation of America  
Independent Order of Suithiod  
Islamic Society of North America  
Italo-American National Council  
Learning English Advocates Drive (LEAD)  
Lithuanian American Council  
Lithuanian Catholic Alliance

Maltese American Benevolent Society, Inc.  
Magyar Czerkeszovetseg (Hungarian Scouts Association)  
Maryland Association of Secondary School Principals  
National Federation of Republican Women  
National Grange  
National Slovak Society  
North American Swiss Alliance  
Polish American Congress  
Polish Beneficial Society  
Polish Falcons  
Polish National Alliance of the United States of North America  
Russian Brotherhood Organization of the USA  
Scottish Rite Freemasonry  
Slovak American National Council  
Slovak Catholic Sokol  
Slovene National Benefit Society  
Slovenian Women's Union of America  
Society of Mayflower Descendants  
Steuben Society of America  
Ukrainian Congress Committee of America, Inc.  
UNICO National (Italian-American Service Organization)  
United Societies of USA  
Union of Polish Women in America  
VASA Order of America  
Veterans of Foreign Wars of the United States of America  
Young Americans for Freedom



# *Facts & Issues*

## *Common Questions About Official English —*

**1. Isn't English already the official language of the United States?**

**No.** English is our common language only by custom, not by law.

**2. After 200 years without an official language, why do we need one?**

As the United States increases its commitment to cultural diversity, a commitment to the common bond of English becomes more and more essential to maintaining clear, precise communication. Our government must take the lead in providing this impetus for the American people to join together and move forward as a nation.

**3. What will happen if we declare English as our official language?**

- Common-sense limits will be set on government's use of multiple languages.
- Taxpayers will be saved the cost of duplicating all government functions in multiple languages as the focus will be on teaching our common language.

**4. Does official English eliminate emergency health and safety services in other languages?**

**No.** In regions where significant numbers of people speak a different language, emergency health and safety services will continue to operate in that language as well.

**5. Would official English require private business to operate only in English?**

**No.** Official English does not require businesses, publications, and television and radio stations to be exclusively in English. The Constitution guarantees freedom of expression—including the right to express oneself in any language. While private business would not be legally required to operate in English, an alternate language would clearly communicate who the business is seeking to serve.

**6. What have other states done about official English?**

In 1812, Louisiana became the first state to recognize English as its official language. Currently 19 states recognize English as the official language and several more are considering similar legislation.

**7. Does official English imply that English is better than other languages?**

**No.** The official English issue is not a question of one language versus another. It is a question of one official language versus *many* languages. Official English recognizes that our government functions best in one language—and that language traditionally has been English.

8. **Does official English imply that there is something wrong with multilingualism?**  
No. It is of great personal benefit for individuals to be multilingual; however, it is both inefficient and expensive for the government to be required to function in multiple languages.
9. **Does official English violate the Constitution's guarantee of freedom of speech?**  
No. Many courts have upheld the constitutionality of official English laws. However, in 1990, a federal district court found that the Arizona English Language Amendment may violate a government employee's freedom of speech. The decision is being appealed. U.S.ENGLISH's "Language of Government Act" does not affect an individual's right to free speech, but limits the instances where government has to do its business in languages other than English. The act assures that all official government documents will be published in English.
10. **Is official English anti-immigrant?**  
No. Official English recognizes English as the tool by which immigrants can have equal access to the educational, economic, and political opportunities available to native and other English speakers in the United States. The purpose of official English is not to obliterate individual identities, but to strengthen our common bond as American citizens. A common language allows for cultural traditions to be communicated and shared across ethnic and cultural barriers.
11. **Does "The Language of Government Act" eliminate bilingual ballots?**  
No. This legislation is superseded by federal laws that require certain state and local jurisdictions to supply bilingual ballots. However, U.S.ENGLISH maintains that knowing English is important to be able to fully participate in the democratic process.
12. **Will bilingual education and foreign language instruction be affected by English being designated the language of government?**  
No. Foreign language instruction will not be affected in any way. Fostering the learning of foreign languages should be encouraged as a part of any comprehensive education policy. The purpose of bilingual education, that of teaching non-English proficient (NEP) children English, will be strengthened. Official English will provide a clear objective for all bilingual education programs.



# Facts & Issues

## *Point/Counterpoint on Official English —*

Communicating the goals of common language legislation is vital to the success of U.S.ENGLISH. Often, we meet resistance from organizations, legislators, and others who do not understand the intentions of official English legislation. Here are a few responses to common misrepresentations of the issues and goals of U.S.ENGLISH.

*They say:* “Establishing English as the official language of government is unnecessary.”

**We say:** “Demands for the United States government to function in more than one language are on the rise. By increasing the official duties it performs in other languages, government is gradually developing a ‘defacto’ multilingual language policy.”

*They say:* “Official English will lead to increased separatism and discrimination against non-English speaking individuals.”

**We say:** “Designating English as our official language will require the U.S. government to actively promote the role of English as our shared, common language which will lead to increased racial and ethnic understanding and acceptance. In the 19 states that currently have legislation recognizing English as their official language, there have been no substantiated instances of language discrimination.”

*They say:* “The common language movement is actually an ‘English-only’ movement seeking to permit only English to be spoken.”

**We say:** “Opponents of the official common language movement use the misnomer ‘English-Only’ to misrepresent the goals of U.S.ENGLISH. Official English does NOT restrict the use of other languages in private businesses and homes. It affects only government business.”

*They say:* “The common language movement is driven by anti-immigrant, racist, xenophobic sentiments.”

**We say:** “In a country of such diversity, a shared language is the common bond that promotes the understanding of racial and cultural differences.”

*They say:* "Immigrants already understand the importance of learning English. We don't need a law requiring them to learn it."

**We say:** "Official English will not require anyone to learn English; it will simply increase the opportunities and need to do so. By continuing the costly trend of providing government services in multiple languages we are telling immigrants that it is not necessary or important for them to speak our common language."

*They say:* "U.S.ENGLISH does little to help non-English speakers learn English."

**We say:** "A primary goal of U.S.ENGLISH is to promote opportunities for Americans to learn English. This is done through grants and by supporting legislation that provides incentives to businesses for assisting individuals in their efforts to become proficient in English."

*They say:* "U.S.ENGLISH wants to eliminate bilingual education and the teaching of foreign languages."

**We say:** "U.S.ENGLISH believes special assistance should be given to limited-English proficient (LEP) students. We support the use of effective, transitional bilingual education programs that quickly move LEP students into the mainstream. U.S.ENGLISH whole-heartedly supports the teaching of foreign languages to English-speaking students, believing that proficiency in other languages can be a personal asset. "

K.C. 5  
10-13-16

# A lack of assimilation

## Without English, Hispanics' earnings stay low.

By PAT TRULY

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**T**he Census Bureau recently published some scary new numbers.

The bureau revealed that while most Americans' income rose 2.7 percent last year, Hispanics' median household income dropped more than 5 percent. Three in 10 Hispanics are considered poor.

The Census Bureau doesn't say why this bad news for Hispanics is true.

I offer some possibilities. And it has to do with two sore topics in America these days: language and immigration.

It rankles a lot of non-Hispanic Americans that many of their Hispanic brethren seem — whether this is true or not — to be determined to speak Spanish instead of English. But a very good point was made a while back by Mark Falcoff of the American Enterprise Institute, in an article about the English-only and Official English movements.

"The persistence of Spanish," he wrote, "reflects not so much resistance to linguistic integration as it does the uninterrupted flow of newcomers. If there were no new immigrants from Spanish-speaking countries for 20 years, the percentage of Spanish speakers would diminish. If that is what most Americans want, let us revise the immigration issue."

While there will be no 20-year break in immigration, I think he has hit upon an important link between immigration (especially illegal immigration) and language. It is also vital to understanding why Hispanic incomes are dropping.

Studies have shown that immigrants, in general, tend to earn less than native-born Americans. Country of origin doesn't seem to matter much. The immigrants' earnings are low — but their children and grandchildren (native-born) do better.

Indeed, it worked that way for the ancestors of most of us, whatever our antecedent part of the world. As subsequent generations are integrated into the economy and the society, they prosper more. The only partial exception to that seems to be for African-Americans. and the

chief reason that comes to mind is a residue of prejudice and second-class citizenship — but that's a whole 'nuther story.

It's not very popular (in fact, it inflames avowed liberals), but I still think that Official English legislation is valuable, if only because it does emphasize acquisition of a working command of English, and thus speeds up the linguistic integration process which is vital to economic success in America.

That's why I don't consider Official English to be anti-immigrant, but rather pro-assimilation.

But back to illegal immigration. As indicated above, it is illegal immigration more than legal immigration that slows linguistic integration and hurts Hispanic median income figures.

GOP Sen. Phil Gramm of Texas mentioned the other day that continued illegal immigration undermines Americans' support for legal immigrants. He is right, and it's sad.

Slowly, America is coming around to cracking down on those who ignore its borders. This, too, seems to inflame a lot of people. Those on one end of the political spectrum appear to see no difference between legal and illegal immigrants, and those on the other end enjoy the prospect of a low-paid, powerless work force.

But it is important, in part for the reasons given above. At the lowest end of the income scale, surely, are the illegal immigrants. They also are less likely to know or learn English. And they keep coming — Falcoff's "uninterrupted flow."

America must interrupt that flow, without losing the vital contributions of legal immigrants, persons who intend to become part of the economic — and probably linguistic — mainstreams.

The chief of the Census Bureau's Ethnic and Hispanic Statistics Branch said of last year's drop in Hispanic income that it was "not good news for Latinos."

I would correct him. It is not good news for any of us, whatever our ethnic or linguistic background. Cutting off the flow of illegal immigration can help reverse the trend.



## EXECUTIVE SUMMARY

### THE IMPACT OF POOR IMMIGRANT ENGLISH SKILLS ON STATE GOVERNMENTS

By Richard Vedder and Lowell Gallaway  
Distinguished Professors of Economics, Ohio University

Lost incomes from poor English skills among the immigrant population means lost revenues to state and local governments. It also means higher state governmental expenditure, as lower incomes are accompanied by greater poverty, public assistance, lower labor force participation and greater unemployment. Some details:

- \* In 1995, it is estimated state and local governments will lose over \$11.3 billion in revenues from the income foregone by poor English comprehension among immigrants;
- \* The loss to state governments alone exceeds \$6.2 billion in revenue per year;
- \* California state government loses over \$2 billion annually, and nearly that much is lost by New York, Florida and Texas combined;
- \* The average taxpaying family of four could have \$180 in lower state and local taxes annually if immigrant English skills matched native norms - without reducing governmental services; in California and New York, the annual potential tax relief approximates \$500;
- \* Nearly 1.5 million immigrants are in poverty because of their lack of English skills;
- \* Eliminating substandard English skills among immigrants would create 900,000 jobs and reduce unemployment by 200,000 a year, conservatively;
- \* State governments face some \$1.5 billion in added public assistance payments from the income effects of poor immigrant English language skills.

The evidence of fiscal strain on the states provides further support for public policies designed to reduce poor English language skills among America's foreign born population.

2-26

# Hispanic Parents Want English Education

By LINDA CHAVEZ

"Why won't they learn English like everyone else did, who came to this country?"

That's a common complaint about Hispanic immigrants, based on the perception that, unlike previous immigrants, Hispanics want to retain their native language—even insisting that their children be taught in Spanish in public schools. And indeed a huge number of Hispanic children in American public schools—perhaps as many as one million—are being taught to read and write in Spanish before they learn English. Yet most people don't realize this practice has almost nothing to do with what Hispanic parents want for their children and everything to do with government policy.

## As Quickly as Possible

For more than 20 years now, politically motivated federal and state policy has dictated that Hispanic youngsters in most school districts be treated differently from other non-English-speaking students. Most Korean, Russian and Chinese immigrant children, for example, receive intensive English instruction, usually for several hours a day, in Eng-

lish-as-a-second-language classes. But Hispanic youngsters, many of whom were born in the U.S., are put into bilingual-education classes instead, where they are likely to hear and speak Spanish most of the day. Is this what Hispanic parents want for their children? Until now, no one cared to ask.

Last month, the Center for Equal Opportunity commissioned a national survey of Hispanic parents to discover what they most want their children to learn in school. A random sample of 600 parents

searchers Christine Rossell and Keith Baker have systematically reviewed every existing bilingual-education study that meets minimal academic standards. They report that 78% of program evaluations show native-language instruction to be either no better than (45%) or actually worse than (33%) doing nothing for non-English-speaking children.

When asked to choose which sentiment better reflects their opinion, 81% of Hispanic parents in our survey said "My child should be taught his/her academic

mic subjects like math, history, and science" as their highest priority (44%), compared with 19% of Spanish-speaking parents who ranked learning other academic subjects most important. Only 11% of Hispanic parents ranked "learning to read, write, and speak Spanish" as their most important goal, and only 4% said "learning about Hispanic culture" was most important. The survey does not suggest that learning Spanish is unimportant to Hispanic parents; rather, it simply shows that Hispanic parents don't think that this should be a high priority for schools. Presumably, those who want to preserve their native language and culture will do so in their homes, churches and community groups, as have millions of previous immigrants.

## Stop Blaming Hispanics

The Center for Equal Opportunity invites policy makers, including the Republican-controlled Congress, to study our survey results carefully. So far, Congress has avoided dealing comprehensively with bilingual-education policy, instead merely cutting funding for federal bilingual programs. But only a tiny fraction of the more than \$6 billion a year spent on bilingual education nationally comes from the federal government, \$178 million in fiscal year 1996. And even the proposed constitutional amendment to make English the nation's official language won't do much, if anything, to change bilingual education policy.

Twenty-three states have similar laws or constitutional provisions, including California, which funds more bilingual-education programs and forces more Hispanic students to learn their lessons in Spanish than any other state. Simply declaring English the nation's official language won't touch those programs. Real change will come only when schools start trusting parents to know what's best for their kids. It's time we stop blaming Hispanic parents for the dismal failure of bilingual education to teach their children English. The real blame belongs to federal and state officials who keep this disastrous policy in place.

*Ms. Chavez is president of the Center for Equal Opportunity and author of "Out of the Barrio: Toward a New Politics of Hispanic Assimilation" (Basic Books, 1991).*

*Those who want to preserve their native language and culture will do so in their homes, churches and community groups, as did millions of previous immigrants.*

from five cities with large Hispanic populations (Los Angeles, New York, Miami, San Antonio and Houston) participated in the telephone survey, which was conducted in both English and Spanish, depending on each respondent's preference. The results were overwhelming: Hispanic parents want their children taught English as quickly as possible. They want their children's lessons for all academic subjects taught in English, so that their children will spend more time hearing and speaking English. And they think learning to read, write and speak English is the single most important goal of education.

The survey asked Hispanic parents: "Should children of Hispanic background living in the United States be taught to read and write Spanish before they are taught English, or should they be taught English as soon as possible?" Nearly two-thirds (63%) said Hispanic students should be taught English as soon as possible, while only one-sixth (16.7%) thought they should learn Spanish first.

Yet bilingual-education advocates claim that Hispanic children must learn to read and write in Spanish first if they are to succeed in eventually mastering a second language. What's more, many bilingual programs teach not only reading and writing but also most other academic subjects first in Spanish. Nonetheless, there is little solid empirical evidence to suggest that native-language instruction is superior to all-English instruction. Re-

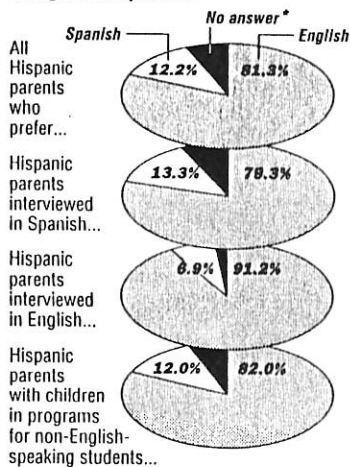
courses in English, because he/she will spend more time learning English"; only 12% said "My child should be taught his/her academic courses in Spanish, even if it means he/she will spend less time learning English." Although bilingual-education advocates never present the choice this starkly, children who spend time in classrooms where Spanish is the language of instruction will necessarily spend fewer hours hearing and speaking English.

And as anyone who has ever struggled with learning a new language knows, the time spent actually practicing it is absolutely critical. In 1988 the U.S. Department of Education surveyed parents whose children were enrolled in federal programs for students with limited English and found that 78% of Mexican parents and 82% of Cuban parents opposed teaching "language minority children a non-English language if it means less time for teaching them English." Despite its own findings, the department chose not to change federal policy to reflect parents' wishes. It did not even publicize the results of the survey.

Hispanic parents in our poll ranked "learning to read, write and speak English" as their top education goal. Overall, 51% of parents surveyed ranked this first among education goals; a higher percentage of parents interviewed in Spanish (52%) than in English (45%) did so. Hispanic parents who spoke English were more likely to rank "learning other acad-

### Bilingualism—For Whom?

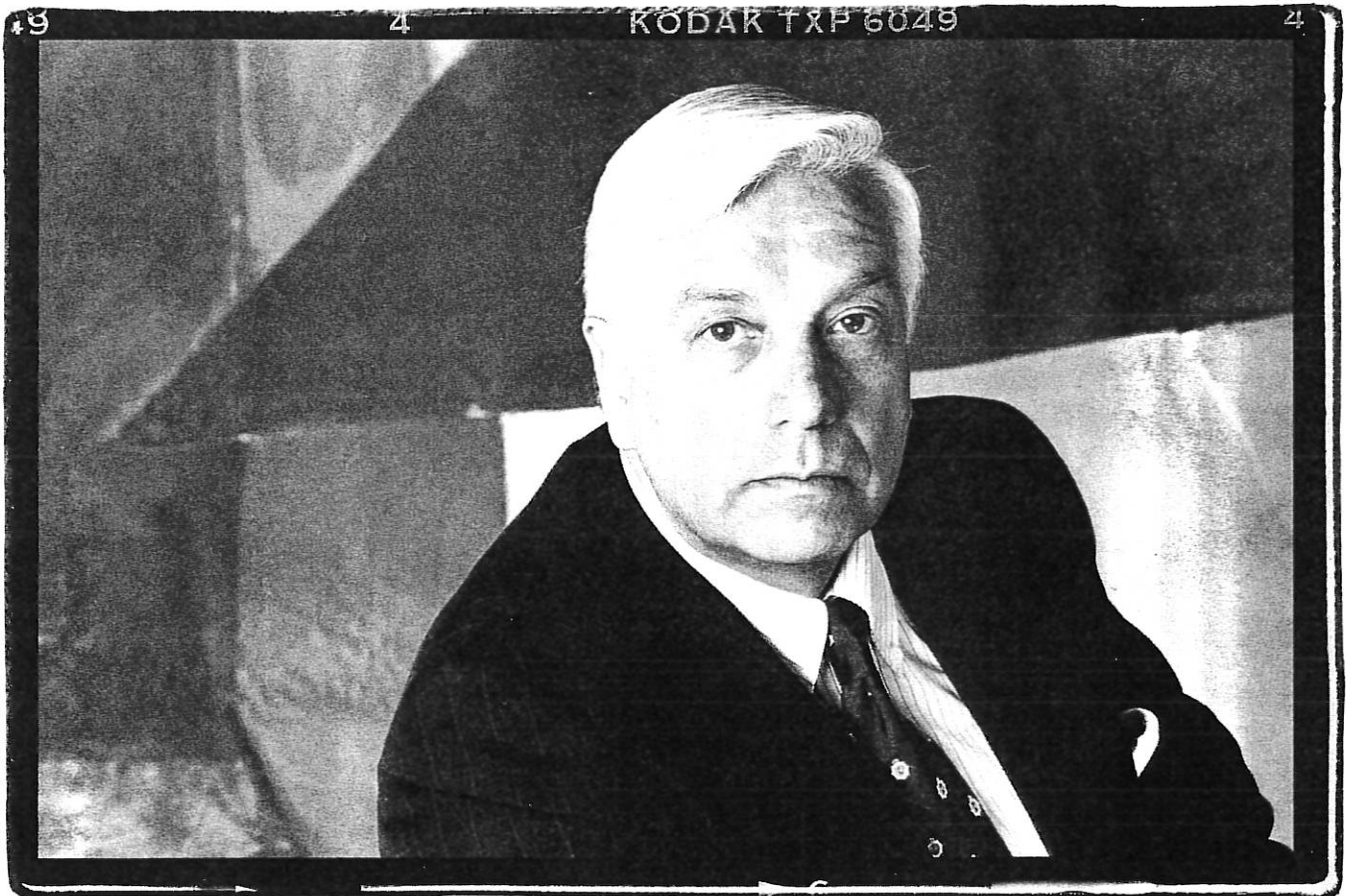
Should academic courses be taught in English or Spanish?



\*Those who either didn't know or refused to answer

Source: Market Development Inc. survey of 600 respondents; margin of error +/- 4 percentage points.

# "Why A Hispanic Heads An Organization Called U.S.English."



*Mauro E. Mujica, Architect  
Chairman/CEO, U.S.English*

"I am proud of my heritage. Yet when I emigrated to the United States from Chile in 1965 to study architecture at Columbia University, I knew that to succeed I would have to adopt the language of my new home.

"As in the past, it is critical today for new immigrants to learn English as quickly as possible. And that's so they can benefit from the many economic opportunities that this land has to offer. I believe so much in this concept that when asked to head an organization that promotes the use of English, I eagerly accepted.

"U.S.ENGLISH is a national, non-partisan, non-profit organization committed to making sure every single immigrant has the chance to learn English.

"Our mission is the preservation of our common bond through our common language: English. We are dedicated to making it the official language of all levels of government, of course, exempting such activities as emergency services and foreign language teaching. With our help, today 20 states have passed laws declaring English their official language. In the courts we have won a number of key federal and state language cases. On the job and in the schools we're supporting projects that will ensure that all Americans have the chance to learn the language of equal opportunity."

To make a contribution or to find out more information, call toll-free 1-800-U S E N G L I S H (1-800-875-6454). Or write: 818 Connecticut Avenue, N.W., Suite 200, Washington, D.C. 20006.



**THE LANGUAGE OF EQUAL OPPORTUNITY<sup>SM</sup>**

# "Immigrants Want And Need To Learn English. It's Time Politicians Got The Message."



*Mauro E. Muñica, Architect  
Chairman/CEO, U.S. English  
Immigrant*

"**M**ultilingual ballots. U.S. citizenship ceremonies in foreign languages. Drivers' license tests in dozens of different languages. Bilingual education programs that fail to teach children English language proficiency.

"Programs invented by politicians and implemented by bureaucrats, all designed to help immigrants assimilate into American culture. In reality, they do just the opposite. They keep immigrants linguistically isolated. And they seriously limit an individual's earning potential.

"My native language is Spanish, yet I know the value of learning the language of this country. I am Chairman of U.S. ENGLISH. With over 600,000 members nationwide — we are the largest, non-partisan, non-profit organization committed to making sure government — at all levels — not waste money and energy providing services in foreign languages when money could be better spent simply teaching new immigrants English.

"We're supporting a bill in Congress which would make English the official language of government. Of course, common sense applications such as emergency services and foreign language teaching would be exempted. This bill would in no way restrict an individual's use of any language.

"Around the nation we're at the forefront of legislation on a state by state level. To date, 19 states have passed official language bills. We have a lot of work ahead of us and we can't do it without your help. It's time for you to speak up in a language politicians and bureaucrats can't ignore."

To join our grassroots movement, or to find out more, call 1-800 U S E N G L I S H (1 800-775-6454). Or write: Dept. T-11818 Connecticut Avenue, NW, Suite 200, Washington, DC 20006



**THE LANGUAGE OF EQUAL OPPORTUNITY<sup>SM</sup>**

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## TESTIMONY

Testimony by Esther Valladolid Wolf

Honorable Members of the Senate Committee on Federal and State Affairs

I testify before you to oppose Senate Bills 179 and 219. The Bills do not play well in my community. I am an American of Hispanic decent and I feel that the proposed legislation to make English as an official language is an affront to my sense of fairness in the Kansas Legislature. The ideals of freedom, equality, tolerance, and opportunity - not language are the bonds that hold us together.

I proudly served the State of Kansas as the Secretary of Aging and know the concern this body has for doing the right thing and that is to govern in the most effective way. However, this Bill speaks to division for the peoples of Kansas and adds enormous obstacles in strengthening relationships between the policy makers and the people they seek to govern.

The English only law is unnecessary. Kansas Hispanics understand and accept the economic and social importance of English and do not need a law to force them to learn it. Ninety-seven percent of the population above the age of four speak English well or very well. We know that the immigrant from Latin America learns English within 10 years of being in Kansas.

I believe it will interfere with the effective operation of State workers from using other languages in the performance of their duties, such as agricultural inspections, public health workers, prison guards, etc.

Federal congressional records on August 1, 1996 state that less than one percent of federal documents are printed in other languages. In Kansas no official records or publications are printed in other languages. Moreover, Kansas has no official records or publications which are compiled, published or recorded in a language other than English.

Insignificant amounts are expended to print informational forms in a language other than English. For the most part, the expenditures are required by Kansas or federal law and benefit the public safety and health of Kansans.

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Kansans should be thinking how to enhance the global markets by learning more not fewer languages. The value of English-Plus would bring strength to our economy. Four out of five jobs in the U.S. are created through exports and the majority of export jobs are service-related. Where multi-lingualism is important to the business transacted, the competitive advantage to Kansans who have been encouraged to learn a second or third language is self-evident.

The waste of precious energy on dubious legislation in the end brings further negative legislation and chills our efforts to interact with each other. Our future is at stake and we must oppose these proposed Bills.

## TESTIMONY

TO: Members of the Committee on Federal and State Affairs of the Kansas Senate.  
FROM: Professor Rogelio A. Lasso, Washburn University School of Law  
RE: Senate Bill No. 219: *An Act designating English as the official language of the state of Kansas and concerning its use by state agencies and political subdivisions*; and Senate Bill No. 179: *An Act establishing English as the official language of the state; providing exceptions.*  
DATE: March 6, 1997

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Distinguished ladies and gentlemen, thank you for the opportunity to testify before you today.

I have studied race relations, immigration, and ethnic diversity for the past 15 years. I am also an immigrant who arrived from Panamá 30 years ago speaking no English.

I am here today to testify *against* Senate Bills 219 and 179.

S.B. 219 and S.B. 179 should not be passed for many reasons; I will only address four: (1) these bills are unnecessary; (2) illegal; (3) not cost-effective; and (4) divisive, patronizing, and racist.

### I. SB 219 & 179 ARE UNNECESSARY

In a democracy laws should be passed for two reasons: To address an issue and to confront a problem. Legislation designating February 19 as Presidents' day was passed to officially honor the presidents who worked to make this land of immigrants the greatest nation on earth. Legislation making Burglary a crime was passed to confront the problem of persons entering the property of another to steal. There is no issue or problem that SB 219/179 will address or confront.

If these bills are being introduced as merely a symbol of linguistic and national unity, they will be ineffective, as well as an unnecessary and counterproductive governmental intrusion. To the extent that these bills are symbolic, they symbolize the magnitude of the current wave of anti-immigrant xenophobia. If these bills are being introduced to save the state money, the savings will be minuscule in dollars and will be achieved at a much higher price in the long run.

#### A. There is No Danger to Our National or Linguistic Unity

The primacy of English as our national language has never been (and is not now) in jeopardy despite America being populated by many non-English speakers; Germans, Dutch, Scandinavians, Asians, and Hispanics to name a few.

The fact is English is our national language. We never have and do not now need the government to pass legislation declaring the obvious. Even at the time of the first Constitutional Convention, our founding fathers had the wisdom to not mandate an official language notwithstanding the distrust many citizens felt toward the "new" immigrants of the time, the Germans.

#### 1. Immigrants Today are Assimilating Faster than Ever

Today 97% of Americans speak English "well" or "very well."<sup>1</sup> More significantly, today's immigrants are learning English at a *faster* rate than prior immigrants.<sup>2</sup> Immigrants today are 4½ times more likely to speak English than they were 100 years ago.<sup>3</sup> Within 15 years of arriving in the U.S., 75% of Hispanic immigrants speak English on a regular basis.<sup>4</sup> Among first generation Mexican-Americans, 95% are proficient in English; and for second generation Mexican-Americans, the transformation is even more dramatic, with more than 50% of them speaking only English, having completely lost their mother tongue.<sup>5</sup>

## 2. Immigrants' Learn English Without Government Intrusion

SB 219 and 179 are simply not needed to impress upon immigrants the importance of English. The pressures of the free market always have and will continue to provide all the incentive people need to learn English. Immigrants recognize that English is the key to full participation in the opportunities offered by this nation. Studies show that Hispanics (at higher rates than Whites and Blacks) believe it is essential that their children learn to master English.<sup>6</sup> There is such a demand for English-as-a-Second-Language (ESL) classes, that across the nation, only about 13% of the demand for ESL classes is being met.<sup>7</sup>

Like myself, all immigrants have reached the conclusion that English is crucial to achieving the American dream. And we have done so without government intervention. It makes no sense to pass a law that purports to motivate us to speak English by prohibiting the government from communicating with the very Americans who want most to learn English.

## II. SB 219 & 179 ARE ILLEGAL

### A. *SB 219 & 179 Violate the First Amendment*

The plain language of Section 1(c) of SB 219 and Sections 1(b) & (c) of SB 179, provide a blanket restriction against communication between non-English speaking constituents and governmental agencies during the performance of governmental business. This curtails a form of expression in violation of the First Amendment's protection of free speech.

Additionally, by restricting the government's ability to communicate with its citizens in

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<sup>1</sup> 1990 U.S. Census.

<sup>2</sup> Karen Hanson, *Official English Laws*, Dallas Morning News, May 19, 1996, at J-1.

<sup>3</sup> *Id.*

<sup>4</sup> *Id.*

<sup>5</sup> Kevin McCarthy & R. Burciaga Valdez, *Current and Future Effects of Mexican Immigration in California* (The Rand Corp. 1985).

<sup>6</sup> A 1985 survey in Florida revealed that 98% Hispanics, compared to 94% for Whites and Blacks, believe it is essential for their children to read and write English "perfectly." Strategy Research Corp., *The 1985 South Florida Latin Market* (1985).

<sup>7</sup> Hanson, *supra* note 2.



languages other than English, SB 219 & 179 violate the First Amendment rights of limited English proficient citizens and residents to receive vital information and petition the government for redress of grievances.

B. *SB 219 & 179 Violate Fundamental Rights and Liberties of Non-English speaking Americans*

By restricting the government's ability to communicate with and provide services to non-English speaking Americans, many of whom are children and elderly citizens, SB 219 & 179 deny fair and equal access to government.

If SB 219 and/or 179 are passed, they will be challenged in court. After what will likely be lengthy and time consuming litigation, I believe these laws will be declared invalid. The result will be more, rather than less expense to the voting taxpayers.

III. **SB 219 IS NOT COST-EFFECTIVE**

A. *SB 219 will not save the state money*

Proponents of English Only argue that such laws are necessary to cut the cost of governmental services being provided in languages other than English. The facts simply do not bear this out.

On one hand, out of a yearly budget of \$4.9 Billion dollars, SB 219 & 179 will save the state of Kansas only about \$4,000. The Kansas Legislative Research Department calculated that during the 1995-96 fiscal year, approximately \$23,000 from the State General Fund was spent to provide services and publications in languages other than English. However, over \$19,000 of those funds were for services to the judiciary and state hospitals, which are expressly excepted from SB 219 & 179. This leaves less than \$4,000 as the total savings from these bills.<sup>8</sup> On the other hand, having Kansans who cannot communicate with their government is short-sighted, dangerous, and costly. For example, in some parts of Kansas, the Department of Motor Vehicles provides driver's license test preparatory materials in Spanish. Without these, non-English speaking immigrants will likely not be able to pass the test and obtain a drivers license. But this will not prevent them from driving. People will do what they must to feed their families and, in Kansas, that means driving to work. What SB 219 & 179 will accomplish will be to force non-English speakers to drive without a license and without learning our laws. The savings from these bills will be more than offset by the cost of accidents due to drivers who do not understand our traffic laws.

B. *SB 219 will be costly to administer and enforce*

Section 7 of *SB 219* will result in frivolous but costly litigation. This section permits any Kansan to sue the state to force it to put a stop to any real or imagined violation of the law.

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<sup>8</sup> *Non-English Language Publications and Services*, Kansas Legislative Research Department (February 7, 1995).

Although English only proponents argue that the state spends more than \$30,000 in bilingual education, neither SB 219 nor 179 would reduce this amount because both bills expressly except foreign language instruction and instruction to aid students with limited English proficiency. *See SB 219, Section 2 (e) & (f) and 179, Section 2 (2) & (3).*

Immediately after California enacted its English only law, U.S. English funded an office to "police" the state's enforcement of the law and to take the state to court whenever the group feels there is a violation. It is very likely U.S. English will do the same in Kansas if SB 219 is passed. After all, U.S. English is the major force behind these English only bills. If SB 219 is passed, our limited judicial resources will be further diminished by these lawsuits.

At a time in which voters are demanding less government, SB 219 & 179 would introduce government in an arena where it is not normally found. Taxpayers (and voters) will not appreciate spending tax dollars in enacting and enforcing unneeded legislation.

#### IV. SB 219 IS PATRONIZING, DIVISIVE AND RACIST

Immigrants who do not speak English have arrived at our shores for hundreds of years. Germans, Scandinavians, Italians, and Eastern Europeans knew that to become productive Americans they had to learn English. Immigrants today understand that in these increasingly competitive times, English proficiency is even more critical. As a result, today's immigrants are learning English even faster than previous waves of immigrants. So, why more than 200 years after our nation was founded are some people under the impression that today's immigrants won't learn English unless there is a law prohibiting them from communicating with their government?

##### A. *SB 219 & 170 Are Symptoms of Fear*

My research has revealed that the fact that most new immigrants come from the southern hemisphere and they look and sound "foreign," has caused some Americans to be concerned that today's immigrants are so different that they will dilute our "American Culture."

SB 219 and 179 are symptoms of this fear.

##### 1. This Fear of Immigrants is Unfounded and Dangerous

This fear is unrealistic. New immigrants want nothing more than to be just like all of you here, successful immigrants. Before these new immigrants can affect any change in us, they will undergo the same transformation previous immigrants have undergone; namely, they will be assimilated by our "American Culture." To the extent that foreigners have "affected" our culture, the result has been a richer American Culture. The fact that Salsa now outsells Ketchup is a sign that our American Taste has become more sophisticated.

This irrational fear of immigrants is also dangerous because it creates an atmosphere of antagonism, intolerance, and divisiveness between established and recent immigrants. The impact of laws like SB 219 & 179 is often to create an atmosphere of ethnic intolerance that emboldens prejudiced individuals to act against those perceived to be less than completely American because of their national origin.<sup>9</sup>

U.S. English is a Washington D.C. lobbying group that has promoted SB 219 & 179 as well as similar legislation in more than a dozen states. Since its inception, U.S. English has been

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<sup>9</sup> Reports of anti-immigrant actions fueled by English Only xenophobia are numerous. In one of the most widely publicized, the owner of a bar in Yakima County, Washington, enforced her "In the USA its --English or Adios Amigo" written policy by expelling three Spanish speaking men from the bar. "This is America, where English is supposed to be the main language. We don't want Spanish gibberish here, and we mean it," said bar owner Joyce Ostrander. Joseph Rose, Yakima Herald-Republic, January 4, 1996 at 1A.

associated with an undercurrent of ethnic intolerance. One of the founders of U.S. English, a Michigan physician named John Tanton, is linked to White Supremacist groups and is openly hostile to all immigration.<sup>10</sup>

At a time in which we should appreciate what we have in common, SB 219 & 179 will have the effect of magnifying our differences.

B. SB 219 & 179 are Divisive

SB 219 & 179 will have the effect of limiting the political and economic power of non-English speaking persons by delaying their ability to participate fully in some of the most important aspects of being Americans. Whether this is an undesired by-product of this law or a specific goal fueled by Xenophobia, the reaction of immigrants will be the same. We have a right to be here. We have a right to pursue the American dream. If you try to prevent us from doing so only because we did not arrive here being fluent in English, we will fight you by any means necessary. This bill will result in Americans turning on Americans.

V. SB 219 & 179 ARE SIMPLY BAD BILLS

SB 219 & 179 are singularly bad bills. They do not address a single problem and carry a heavy price by helping to create intolerance and by offending a group of Americans who want nothing more than to assimilate into our great nation.

The small savings achieved by not providing services and publications in languages other than English, will more than be offset by litigation and by forcing good people to become criminals if they have to drive without a licence.

And, ladies and gentlemen, these bills are offensive! Ask immigrants whether they believe English should be the common language of Kansas and they'll give you a resounding YES! Ask them, however, if they believe there should be a law that mandates English as the official language of Kansas and they'll give you a resounding NO!

Please say NO to these unnecessary and divisive Bills.

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<sup>10</sup> In a 1988 U.S. English internal memo, Tanton argued that something had to be done about Hispanic immigration and birthrates or, he predicted, Hispanics would seize power from Whites. "Will the present majority peaceably hand over its political power to a group that is simply more fertile?" asked Tanton, "or will there be an explosion?" Tanton has also been linked to openly racist individuals and organizations. Tanton founded the Federation for American Immigration Reform (FAIR), which advocates a total stop to new immigration with funding from groups like the Pioneer fund, a foundation dedicated to "racial betterment" through eugenics. One of the largest funders of FAIR and U.S. English is Cordelia Scaife May, an heir to the Mellon fortune who has also funded the distribution of *The Camp of the Saints*, an openly racist parable in which Third World Immigrants destroy Western civilization and kill all whites. James Crawford, *Hold Your Tongue: Bilingualism and the Politics of "English Only."* (1992); James Crawford, *English Only Movement is Bigger, and Worse, Than First Believed*, The San Diego Union-Tribune, Oct. 30, 1988 at C-8.

**TESTIMONY**  
**SENATE COMMITTEE ON FEDERAL AND STATE AFFAIRS**  
**ELIAS L. GARCIA, CHR.**  
**KANSAS DEMOCRATIC HISPANIC CAUCUS**  
**BUENA GENTE - TOPEKA**  
**SENATE BILLS 179 AND 219**

Madame Chair and Honorable members of the committee, my name is Elias L. Garcia, Chairman of both the Kansas Democratic Hispanic Caucus of Buena Gente - Topeka. I appreciate the opportunity to come before you today on behalf of these organizations to oppose to Senate Bill 179 and Senate Bill 219.

Today I come before to share my understanding of true merits of these bills in a factual and unemotional manner. I will not stand before you today and make overstatements in an attempt to rebutt the positions of proponets of these bills or make overgeneralizations regarding the position of opponents of these bills. I cannot say that the vast majority of Kansans oppose this bill, however, I can tell you that for your review we have submitted petitions with the names of at least 750 Kansans, resolutions from the City of Topeka, and Shawnee County and finally letters from Hispanic Organizations and individuals----All OPPOSING LEGISLATION THAT WOULD MAKE ENGLISH THE OFFICIAL LANGUAGE OF RECORD. I cannot tell you that this represents the general sentiment of all Kansans, it is solely our effort in assisting this body make a decision based on factual information not rhetoric and we appreciate the opportunity to contribute to your further understanding regarding this matter.

I'd like to preface my remarks by saying that , Today, lets talk KANSAS--let us not concern ourselves with national trends or the actions of Canada, Quebec, California, or any other entities or parties. I know English only is not unique to Kansas but todays proceedings are, so, I respectfully request that today, lets give all our full attention to KANSANS AND KANSAS.

As we all know, that in attempting to understand the full scope of any issue it is important to go back and analyze all the dynamics of issue from the begining. How did this whole thing get started in Kansas? In this case, we can track this back to U.S. English, a D.C. based organization committed to making English the official language of this country, and in KANSAS.

What do we know about U.S. English, well we know that their own internal memos have revealed that this organization was founded in response to concerns that if something were not done to address Immigration and the High Hispanic birthrates, whites would have to relinquish political power in this country.

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U.S. English is in Kansas today, not expousing their true agenda, but sending up a smokescreen, attempting to indoctrinate KANSANS into believing that English as the official language will Unite our communities, make government more efficient, save taxpayers money, bond our country through common language --- and finally, in a humane way--doing "those people" a favor by making them learn English.

Honorable Senators, as you know our courts are flooded with cases where attorneys have made careers litigating the "intent" of laws---and while I appreciate the fact that it is your intent to Unite Kansans and address the issue of Divisiveness---I am afraid that history shows that in fact the opposite is true. I ask you, doesn't this whole issue have a familiar ring to it, like in all those southern cities in the mid-sixties where signs clearly stated "White Only" -- "Black-Only" .....now - English Only! As you may also remember, at that time, the southern segregationist power structure also confirmed that such policies united their communities and combated divisiveness., but evenso, and all of this notwithstanding, Senators, do you really think unity can be legislated?

In terms of streamlining government efficiency --I would agree with you that these bills will make it far more easier for government employees not to feel any obligation to provide services to Kansans who do not comply with this law, after all, it is the law! But, is that your intent---to disconnect people from its government? To lock them out of the mainstream? I think not.

You have heard sponsors of this legislation say that these bills will save taxpayers money, yet they have failed to provide this body with any evidence to substantiate that claim. Where are their facts? I can not stand up here and tell you that freshman Senator from Fowler has no basis for his beliefs --- However, inquiring minds want to know his source of information as to how he is basing his knowledge on this particular issue. On the other hand, I can factually report to you that in KANSAS, no public services are required to be offered in anything other than English. That means no drivers license exams are given in language other than English, no voting ballots are translated, no tax forms, Employment services or any other government function are executed in anything other than English. You tell me what savings are going to be derved from this legislation?

To summarize Senators, Let me leave you with some further KANSAS facts for your information:

- \*99% OF ALL KANSANS SPEAKS ENGLISH
- \*97% OF ALL AMERICANS SPEAK ENGLISH

\*IN KANSAS, STUDIES SHOW THAT PRESENT DAY IMMIRANTS ARE FOLLOWING THE SAME ASSIMILATION PATTERNS AS TURN OF THE CENTURY IMMIGRANTS

\*ALTHOUGH PERHAPS UNITENTIONAL, YOUR ENGLISH ONLY LEGISLATION, IS SUBSCRIBING TO THE U.S. ENGLISH EFFORTS TO OFFSET EMPOWERMENT OF THE HISPANIC COMMUNITY

\*NO EVIDENCE HAS BEEN INTRODUCED TO SUBSTANTIATE THE TRUE VALUE SB 179 AND 219

In closing Honorable Senators, I would like to say that English Only is a solution in search of a problem!! It fails to appreciate that language is the most quintessential expression of culture and ethnicity. It is something to be revered and respected --- not repealed or rejected.

America is all about values -- not language--

and even though we may not look like you or at times talk like you, we are as much American as any of you! We must continue to respect our differences and endeavor to continue to judge all God's children by the content of their charactor and not the color of their language! Remember Senators if Spanish is outlawed, only outlaws will speak Spanish.

# William L. Albott, Ph.D.

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March 6, 1997

Madame Chairperson, members of the committee, thank you for allowing me to appear before you today. I am Dr. William Albott. I am a Licensed Psychologist in private practice here in Topeka. I am a native Kansan, I have degrees from Garden City Junior College, Fort Hays State University, and two Ph.D.'s from Ohio University. I am appearing before you today in opposition to SB 179 and SB 219. My opposition to these bills rests both on personal and professional grounds.

In 1991 an article appeared in the journal the American Psychologist entitled "**The English-Only Movement: Myths, Reality, and Implications for Psychology**". In this article the authors reviewed the scientific literature relevant to the arguments for and against the English-only movement. These authors organized this scientific literature into four broad categories: (1) social psychological issues, (2) educational issues, (3) issues affecting the testing of cognitive abilities and school achievement, and (4) health services issues regarding assessment, diagnosis, and treatment.

In the first area of literature review, Social Psychological Issues, the authors note that there are four significant issues which they conclude invalidate the arguments put forth as supporting the English-Only position. The first is the willingness to shift from the native language to English, the second issue focuses on racist attitudes that are seen as being prominent in the English-Only movement, the third pertains to interethnic group relations, and the last to the role played by language in social and ethnic identity. In all four of these areas the authors found no literature of a scientific nature which would support the English-only position, to the contrary the literature points out that the English-only position can have far reaching and very serious negative consequence in all of these areas.

In the area of Education there are two major issues. First there is the bilingual education effectiveness and second is the relationship between bilingualism and cognition. The article concluded after reviewing the literature here that,

"...psychological and educational research suggests that policies aimed at promoting English at the expense of other languages are misguided on at least three counts. First, there is considerable basic, applied, and evaluation research showing that bilingual education can promote achievement, dual language proficiency, and psychosocial

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competence, whereas English immersion approaches may lead to lower levels of achievement, English proficiency, and psychosocial development. Second, there is no evidence that bilingualism causes any type of cognitive overload. Third, bilingualism may lead to higher levels of cognitive development.

The third area Testing of Cognitive Abilities and School Achievement has a long and controversial history. Clearly and as expected, if you evaluate a child in terms of academic or cognitive skills and your questions are not in the child's native language you run the risk of serious underestimating and the ramifications of this are far reaching. Assessment that is insensitive to the native language and culture can seriously misrepresent achievement, ability, intelligence, etc. In recent years the literature has, in this area, shown that testing in English only not only frequently under estimates assessed skills and abilities, when research is properly done it frequently shows that bilingualism enhances certain cognitive/intellectual skills.

The fourth area Health Services is one where I believe there is considerable problems that grow from the English-only position. There is in the US an underrepresentation of ethnic-minority health care providers and providers with bilingual skills, a state of affairs that does nothing to promote health care for ethnic minorities or the general health of our country. The English-only position serves only then to institutionalize an already bad state and thus makes it worse.

The authors conclude "on the basis of a review of the scientific literature,...[there is] no basis for the claims made to justify an English-only position. . . . We take the position that the English-only movement can have negative consequences for the delivery of psychological, educational, psychometric, and health services for many American citizen and residents, who, through no fault of their own, are not proficient in English. . . .We hold that the English-only movement is socially divisive and poses a threat to the human welfare that psychologists espouse in the **Ethical Principles of Psychologist** (APA, 1981)."

At a personal level I seriously question whether this legislation is needed. Where is the problem? What is the problem? I ask myself will these bills actually improve anything? Will having English-only make my state better? my country better? Will I or any of you be better off having English as the Official Language? Will I feel better knowing that I speak the Official Language of America? Will these two bills make me a better citizen or a better neighbor? Will either



of these two bills make Kansas a better place to live? Will my children take pride in the vision of my state? Will my children, your children, our grandchildren be better prepared to meet the challenges of their generation in business, health care, relationships with all of their neighbors both nationally and internationally? Lastly I ask, would my immigrant ancestors take pride in such bills? I fear the answer to all of these questions is NO.

I fear such bills as English-only serves to lay the foundation for irrational provincialism and to foster the type of conflict we see in other countries. Try as I might, I can think of nothing positive that will come from either of these bills. Members of the committee I ask that you not only reject these bills, I would call upon you to show vision and leadership and to consider the unintended adverse consequences to your neighbors, your children, your grandchildren.

English is the language of our country, let us not belabor the obvious, and let us not perpetuate the attitudes of discrimination, racism and prejudice. Let us never forget that we are a nation of immigrants and with this in mind I would like to close with a quote from a sonnet by Emma Lazarus (1883) which is, I think, familiar to all of us:

"Give me your tired, your poor, your huddled masses yearning to breath free, The wretched refuse of your teeming shore, Send these, the homeless, tempest-tost, to me, I lift my lamp beside the golden door."

Thank you for your attention, if I may answer any questions.

References:

Padilla, A.M., Lindholm, K.J., Chen, A., Duran, R., Hakuta, K., Lambert, W. and Tucker, G.R. **The English-Only Movement: Myths, Reality, and Implications for Psychology.** American Psychologist, 1991, 46(2), 120-130.

# The English-Only Movement

## *Myths, Reality, and Implications for Psychology*

Amado M. Padilla  
Kathryn J. Lindholm  
Andrew Chen  
Richard Durán

Kenji Hakuta  
Wallace Lambert  
G. Richard Tucker

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*The scientific literature relevant to the arguments for and against the English-only movement is reviewed, to determine whether the Resolution Against English Only before the Board of Directors and the Council of Representatives of the American Psychological Association (APA) was supportable. Some of the misconceptions advanced by English-only advocates that affect the sociopsychological, educational, testing, and health-service delivery arenas are examined. It is argued that there is no support for English-only initiatives, and that the English-only movement can have negative consequences on psychosocial development, intergroup relations, academic achievement, and psychometric and health-service delivery systems for many American citizens and residents who are not proficient in English. The public interest is best served by affirming a position in opposition to English-only. English-only is socially divisive and poses a threat to the human welfare that psychologists espouse in the APA Ethical Principles of Psychologists.*

In recent years there has been considerable attention and debate on the question of whether English should be designated the official language of the United States. On the one hand, there are organized movements, such as U.S. English and English First, whose primary purpose is to make English the official language of the United States either through an amendment to the U.S. Constitution, through state legislation, or through repeal of laws and regulations permitting public business to be conducted in a language other than English. On the other hand, there are movements, including English Plus, that clearly support the acquisition and use of English by all U.S. citizens and residents. However, these groups also advocate, consistent with the goals of the National Governors' Conference, enhancing second-language training and proficiency for English speakers. In addition, groups such as English Plus also promote expansion of bilingual education programs for the growing number of immigrant and other linguistic minority children in U.S. schools, for broadening the range of health and other social services available

to individuals who speak languages other than English, and for increasing the number of English-as-second-language and literacy programs for adult immigrants.

To date 18 states have enacted laws designating English as the official state language. These states are Arizona, Alabama, Arkansas, California, Colorado, Florida, Georgia, Hawaii, Illinois, Indiana, Kentucky, Mississippi, Nebraska, North Carolina, North Dakota, South Carolina, Tennessee, and Virginia. It is important to point out that a federal district judge in Arizona declared Arizona's constitutional amendment making English the language of all government functions and actions in violation of federally protected free speech rights. In addition, Hawaii has not one, but two official languages: English and Hawaiian. As various states have considered constitutional amendments making English the official language, legal scholars have also examined the constitutional provisions that apply to language rights issues in the classroom, workplace, courtroom, and social service agencies (Piatt, 1990).

The fervor of interest and diversity of opinion given to language considerations has been matched only once before and that was at the turn of the century. The major difference, however, between the concern for language then and today is that in earlier times language issues were confined to local or state arenas, whereas today the initiatives dedicated to establishing English as the official language are orchestrated at the national level by a powerful and heavily funded political organization. Furthermore, this English-only movement has close connections to restrictionist, anti-immigration organizations, which suggests that the English-only movement has a wider, more far-reaching, and more negative agenda than simply advocating an official English language policy. For example, until the middle of 1988, U.S. English was a proj-

This article was prepared for the American Psychological Association by the Panel of Experts on English-Only Legislation.

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ect of U.S. Inc., a tax-exempt corporation that also supports the Federation for American Immigration Reform (FAIR), Americans for Border Control, Californians for Population Stabilization, and other immigration-restrictionist groups (Crawford, 1989).

The purpose of this article is to present documentation in support of the Resolution Against English Only before the Board of Directors and the Council of Representatives of the American Psychological Association (APA). In preparing this paper we have reviewed the scientific literature surrounding the stated rationale given by English-only advocates for supporting a policy aimed at making English the official language of state governments and eventually of the nation through an amendment to the U.S. Constitution. We hope to clarify misconceptions surrounding English-only efforts and to demonstrate the relevance of this movement to psychologists.

This article is organized into four major sections, corresponding to the areas most affected by the English-only movement: (a) social psychological issues, (b) educational issues, (c) issues affecting the testing of cognitive abilities and school achievement, and (d) health services issues regarding assessment, diagnosis, and treatment.

The authors of this article have all devoted their professional careers to the study of language use and function in various linguistic contexts and among speakers of several different languages in the United States and in Canada. In reviewing the literature and in drawing conclusions based on this review, we have sought to be balanced in our judgement and to keep in mind both the public interest as discussed by Smith (1990) and the responsibilities of psychologists set forth in the Ethical Principles of Psychologists (APA, 1981).

### **Social Psychological Issues**

English-only advocates argue that a national policy that declares English as the official language of the country is essential because without such a policy the country risks being balkanized by non-English language groups. The case of Canada and the French-speaking community in Quebec is frequently cited as an example of what might happen to the United States if an official language policy is not instituted. In Quebec, the French Canadians have instituted a policy of linguistic determinism that recognizes the legitimacy of French in all sectors of public life. French has replaced English as the mode of communication in business, service provision, and education for all newcomers to the province.

Opponents of English-only policies have been quick to counter that the circumstances in Canada and the United States are not equivalent and that parallels cannot be drawn between the two countries in establishing U.S. language policy. For example, there are significant historical differences between the French-speaking Canadians in Quebec province and the indigenous-language and linguistic-minority communities in the United States. In addition, the numeric and power relationships between the Canadian French- and English-speaking communities

are strikingly different from those between the dominant English speakers and linguistic-minority groups, especially Hispanics, in the United States.

More important, though, are the four significant issues that invalidate the English-only position. The first issue addresses the willingness to shift from the native language to English, the second issue focuses on racist attitudes that appear to underlie the English-only movement, the third pertains to interethnic group relations, and the last to the role played by language in social and ethnic identity.

### **Language Shift**

One of the arguments that has been used by English-only advocates is that some linguistic minority groups, most notably Hispanics, are resistant to surrendering their native language usage following immigration to the United States, and that only a national language policy will ensure language shift to English. Immigrants clearly recognize the importance of learning English as a way of improving their socioeconomic and geographic mobility in the United States (Loo & Mar, 1982), as is exemplified in the following comments by Chinese immigrants: "If my language problem could be solved, everything would be better"; "Life is hard for me because I can't write or read in English"; "Since I don't know English, I find myself [like] a dumb and blind person in this society" (Loo, 1987, p. 499).

Studies by Loo (1987), Lopez (1978, 1982), and Veltman (1983, 1988), however, showed that ethnolinguistic groups, including Hispanics, shift to English within a generation or two. Some immigrant groups shift more rapidly from their home language to English than do other groups. The rate of shift is influenced by the educational level, social class, and age at immigration of the individual group members, and by the influx of new immigrants from the same language community who replace earlier immigrants and later-generation individuals who have already shifted to English as their primary language of communication.

On the basis of these indicators, one might predict that Hispanics would be more likely to show signs of resisting language shift because they tend to be less educated than some other immigrant groups. However, this has not really altered the continued shift in language orientation among later-generation Hispanics. Veltman's (1988) study showed that 75% of all Hispanic immigrants speak English frequently each day. As Crawford (1989) stated after studying Veltman's analysis of the use of non-English languages, "Veltman found that languages other than English are most threatened in this country. That is, without the replenishing effects of immigration, all minority tongues would gradually die out, with the possible exception of Navajo" (p. 60). If linguistic assimilation is occurring as rapidly as it appears to be, then what is the motive behind the English-only movement?

### **Racism**

Crawford (1989) suggested that racist attitudes are behind English-only initiatives. It is now generally well known

that Linda Chavez, the Hispanic one-time director of U.S. English, resigned her position in late 1988 after an inflammatory and racist memo authored in 1986 by John Tanton, chairman of U.S. English, was made public. In this memo, Tanton offered a range of cultural threats posed by Spanish-speaking immigrants. Among these threats Tanton listed

the tradition of the *mordida* (bribe), the lack of involvement in public affairs, Roman Catholicism, with its potential to "pitch out the separation of church and state," low "educability" and high school-dropout rates, failure to use birth control, limited concern for the environment, and of course, language divisions. (Crawford, 1989, p. 57)

After this memo was revealed, Walter Cronkite resigned from the board of advisors of U.S. English, indicating that he found the memo contrary to his beliefs.

The position that English-only initiatives may appeal to racist beliefs was also supported by Huddy and Sears (1990), who examined the attitudes of White Americans toward bilingual education. Similarly, in an analysis by MacKaye (1990) of letters to the editors of various California newspapers that appeared before and after the 1986 election that included Proposition 63, the English Only Initiative, the signs of racism were clear. In fact, Norman Cousins, who was on the board of advisors for U.S. English, resigned to protest the "negative symbolic significance" of Proposition 63. In his resignation, Cousins explained that if Proposition 63 were passed it would cause language-minority citizens to be "disadvantaged, denigrated, and demeaned" (Crawford, 1989). An example of this denigration and demeaning can be found in communities such as Monterey Park, California, where Asian-language books were removed from library shelves and laws banning or limiting commercial business signs in languages other than English have been repeatedly proposed. In other examples, Filipino hospital employees in Pomona, California, said that they had not been allowed to speak Tagalog during their lunch breaks, and a supermarket cashier in Miami, Florida, was suspended by his supervisor for speaking Spanish on the job.

### *Interethnic Group Relations*

Over the past decade there has been a sharp increase in the number of hate crimes and other forms of anti-minority group sentiment. There has been an increase in Ku Klux Klan demonstrations, neo-Nazi activities, and attempts by young skin-head toughs to intimidate individuals because of differences in race, ethnicity, religion, or sexual orientation. So commonplace have these events become that in 1990 the U.S. Congress passed and President Bush signed the Hate Crimes Statistics Act, which requires local governments to keep track of bias crimes. It has long been known that the more favorably one's own group is perceived, the less attractive other groups are viewed, making ethnocentrism the psychological mechanism that promotes ingroup-outgroup cleavage

and prejudice of all forms (Adorno, Frenkel-Brunswick, Levinson, & Sanford, 1950). The English-only movement and the arguments used by its supporters to justify their actions are very similar to those used at other times and in other places to force the domination of one group over another.

Research in Canada and the United States has demonstrated that the social distance and attitudes of one group toward another can be successfully changed through certain language education models to produce less distance and more positive attitudes. Extensive longitudinal and comparative research was conducted by Lambert and his colleagues (see Lambert, 1987) in Quebec with English-speaking students at various grade levels in public schools who were being educated in French immersion programs. The immersion students were carefully matched with English-speaking control students who were following a conventional English-language program. At the start of the program, both groups of students and their parents had similar patterns of social attitudes. Results showed that (a) the stereotypes of the immersion students about French Canadians were more favorable than those of the control students; (b) immersion students were more likely than controls to say they had come to appreciate and like French Canadians, and to show a greater willingness and desire to meet and interact with French Canadians; and (c) immersion students reduced the perceived distance between their ethnic group and French Canadians more so than did the controls. As Lambert concluded,

The present research suggests to us that attitudes can cluster into higher-order, generalized orientations that encompass not only a tolerance for another group, but also a knowledge of, appreciation for, and interest in people from that group. (pp. 218-219)

Similar attitudinal results have been reported in studies of immersion students in the United States at both the elementary level (Snow, Padilla, & Campbell, 1988) and the secondary level (Lindholm & Padilla, 1990). These findings suggest that rather than restricting access to languages other than English, educational programs should strongly promote second language learning for English speakers to foster more positive interethnic group relations. Furthermore, the early studies on motivation and language learning showed that

prejudiced attitudes and stereotypes about the other ethnolinguistic group—quite independent of language learning abilities or verbal intelligence—can upset and disturb the motivation needed to learn the other group's language, just as open, inquisitive, and friendly attitudes can enhance and enliven the language learning process. (Lambert, 1987, pp. 198-199)

These results have serious implications for the National Governors' Conference goals regarding the development of foreign language competence among a greater number of U.S. students.

However, these findings also have ramifications regarding language competence and the identification processes of language-minority students. We now turn to a discussion of the relationship between identification and language.

### *Social and Ethnic Identity*

The process of identification is an issue of considerable significance in developmental psychology. Although the area of social identity and bilingualism or the development of identity in language-minority students is an important issue, it has not received a considerable amount of empirical inquiry, especially in the past decade. However, there are several lines of research that show that the position advocated by English-only proponents that would require a child to give up his or her native language and acquire English involves more, at a personal level, than the subtraction of the native language from the child's linguistic repertoire. The reason for this belief lies in the close linkage between language and identification. As Ferdman (1990) pointed out, "For Puerto Ricans in the United States, the Spanish language is not just a means of communication; it also represents their identification as Latinos" (p. 190). Similarly, many Asian American and other ethnic-minority parents place their children in public school and extracurricular programs (e.g., Saturday schools) to develop the children's competence and pride in their heritage language.

According to Taylor (1987) and Lambert (1984), any positive consequences of learning a second language are far outweighed by the negative effects of losing one's native language in other, more important areas of life. The loss may be to an individual's ethnic or group identity. As Taylor (1987) noted: "If learning in the second language contributes to the demise in knowledge and use of the heritage language, the results can be devastating" (p. 187). When a person gives up the native language and feels a lack of identity with any group, as might arise when an immigrant attempts to lose all traces of his or her native language and culture, the result may be the loss of this identity with no real feeling of identity for the host culture to replace it, leading to the undesirable condition of marginality (Berry, 1983).

On the positive side, Taylor and his colleagues' research (see Taylor, 1987) showed, not surprisingly, that French-speaking community college students who maintained more contact with English speakers were themselves better speakers of English. More important, though, was the result that those French speakers who did not feel their own ethnic identity to be threatened were the more competent speakers of English.

As Lambert (1987) noted, threats of this sort can lead to suspicion and distrust. Other studies have shown that parents' suspicions and prejudices about outgroups or about their own group can determine the academic route their children will follow and also the language identity their children will develop. The significance of this point is clearly illustrated in Rodriguez's (1982) autobiography *Hunger for Memory*, in which he described

the turning point in his language background when the nuns from his Catholic school visited his parents and encouraged them strongly to switch to speaking English with their children. Rodriguez described the effect of this language switch on the family's interaction at home:

The family's quiet was partly due to the fact that, as we children learned more and more English, we shared fewer and fewer words with our parents. Sentences needed to be spoken slowly when a child addressed his mother or father. (Often the parent wouldn't understand.) The child would need to repeat himself. (Still the parent misunderstood.) The young voice, frustrated, would end up saying, "Never mind"—the subject was closed. Dinners would be noisy with the clinking of knives and forks against the dishes. (p. 23)

As Lambert (1987) pointed out, the psychological consequences can be enormous for members of the linguistic group involved in this subtractive language manipulation because attitudes toward their own group, self, and society are seriously affected. Thus, the subtractive language policies advocated by the English-only movement can have detrimental effects on language-minority children's identification with their groups, their selves, and the U.S. society.

An individual's identification can also influence educational achievement. Kádár-Fulop (1988) showed that the development of *language loyalty*, or the encouragement of positive attitudes toward one's language, is critical for literacy education. In a similar vein, research by Matus-Bianchi (1987) with Mexican-American and Japanese-American students and studies by Trueba (1984) with Mexican-American children demonstrated that cultural identity mediates the process of educational development and motivation in addition to the types of literacy behaviors an individual may decide to engage in (Ferdman, 1990).

The realm most frequently targeted for opposition by English-only policies is the education of linguistic minority students. We turn now to educational considerations.

### **Educational Issues**

Two major issues surround the English-only influence on education: (a) the bilingual education effectiveness controversy, and (b) the relationship between bilingualism and cognition. The first issue is confined largely to language-minority students, and the second issue addresses both language-minority and language-majority students.

Explaining the significant impact of the English-only movement on the education of language-minority students requires a slight demographic digression. Growth trends over the past 20 years have demonstrated that the number of language-minority students increased substantially, with current estimates of between 1.5 and 2.6 million language-minority students (U.S. General Accounting Office, 1987a). The great majority of these students, about 75%, are Hispanic. In addition, it is probably

true that instead of receiving bilingual education, a disproportionate number of language-minority students are tracked inappropriately into special education programs (Baca & Cervantes, 1989).

Nationally, the academic performance of minority students is considerably below majority norms. Reading is critical to student achievement in all subjects, yet a National Assessment of Educational Progress report (1990) for the period 1971-1988 showed that the achievement gap is greatest in reading. In addition, the highest drop-out rates are obtained in schools with large concentrations of Southeast Asian (48%) and Spanish-speaking (46%) students and large concentrations of language-minority students in general (Sue & Padilla, 1986). Although a number of risk factors contribute to school drop out for ethnic- and language-minority students, one of these risk factors is limited English proficiency at school entry. Fluency in English is also one critical factor in achievement. Although many students can acquire the basic communication skills in English necessary to carry on a normal everyday conversation with others, they often have difficulty mastering the academic language required for schooling tasks.

### *Effectiveness of Bilingual Education*

English-only advocates and other opponents of bilingual education have vociferously disparaged the ineffectiveness of bilingual education for language-minority children. This viewpoint received considerable support in 1985 when then Secretary of Education William Bennett (1988) stated in a speech to the Association for a Better New York: "After seventeen years of federal involvement, and after \$1.7 billion of federal funding, we have no evidence that the children whom we sought to help have benefited" (p. 185).

The central issue of the debate on bilingual education has been whether research supports the educational benefit of the program or whether federal money could be better spent on other educational programs. As Crawford (1989) has pointed out, critics of bilingual education have had a decided edge in the controversy over its effectiveness. If evidence is contradictory, the easiest position to defend and the hardest to disprove is that results are inconclusive. The Education Department's request for proof that bilingual education is universally effective with every limited-English-proficient child from every background in every school is a standard that has been set for no other content area.

The strongest arguments against bilingual education came from two employees of the U.S. Department of Education, Keith Baker and Adriane de Kanter (1981, 1983), who reviewed the bilingual education evaluation literature and concluded that bilingual education was not effective in meeting the educational needs of language-minority children. Baker and de Kanter's report "is easily the most quoted federal pronouncement on the education of [limited-English-proficient] children in the 1980s, and probably the most criticized as well" (Crawford, 1989, p. 94).

The most critical reply to Baker and de Kanter's (1981, 1983) reports came from Willig (1985), who used meta-analysis procedures to reanalyze the studies. In her analysis, Willig controlled for 183 variables that Baker and de Kanter had not taken into account, and most important, controlled for the design weaknesses in the studies. The results from the meta-analysis consistently yielded small to moderate differences supporting bilingual education. This pattern of findings was substantiated not only in English tests of reading, language skills, mathematics, and total achievement, but also in Spanish tests of listening comprehension, reading, writing, total language, mathematics, social studies, and attitudes toward school and self. Methodological rigor also influenced the findings, such that higher quality study designs produced more positive effects favoring bilingually educated children over children in comparison groups.

More recently, Willig (1987), in a rebuttal to Baker (1987), elaborated on her earlier study and argued even more convincingly for the soundness of her original conclusion. She also identified the numerous methodological flaws inherent in Baker and de Kanter's (1981, 1983) reviews of literature that contributed to their erroneous conclusions. Although the policy questions that drove Baker and de Kanter's studies are now quite moot, as Secada (1987) has so eloquently stated, the English-only movement has seriously eroded confidence in bilingual education as a promising educational program for language-minority students.

In evaluation studies comparing bilingual education with English immersion and English-as-a-second-language programs, these alternatives certainly fare far worse than bilingual education. In a \$5.2 million study comparing transitional bilingual education, or *early-exit* (the most common bilingual education model, designed to move students as quickly as possible to the English mainstream), with *late-exit* (maintenance of native language while developing English for several years), and with English immersion approaches, the large-scale, methodologically rigorous study clearly showed that the immersion students scored lowest in almost every academic subject and the late-exit bilingual students score highest, even when all groups were tested in English (Crawford, 1989). Although the study was begun in 1983 and completed in 1988, the results of this very expensive and well designed study have not been officially released by the U.S. Department of Education. In early October of 1990, the Department of Education submitted the report to the National Academy of Sciences (NAS) with the request that the NAS convene a panel of experts to review the methodology of this very controversial study (Miller, 1990). The delay in releasing the full report is regrettable because the study provides strong support for the effectiveness of late-exit bilingual education.

Because of the generally low achievement and high drop-out rates of language-minority students, it is imperative that the programmatic research with language minority children be examined. Research has shown clearly that high-quality bilingual education programs can

promote higher levels of academic achievement and language proficiency in both languages, and promote more positive psychosocial outcomes (Holm & Holm, 1990). Similarly, the sink-or-swim English immersion approach, advocated by English-only supporters, results in lower levels of achievement and English language proficiency, as well as a decrement in psychosocial competence (Hakuta & Gould, 1987). These views are consistent with the U.S. General Accounting Office's (1987b) own independent review of the findings of bilingual education research in light of the Department of Education policy statements.

### *Relationship Between Bilingualism and Cognition*

At the core of the controversy regarding the effectiveness of bilingual education are some theoretical issues regarding the relationship between bilingualism and cognition. One controversial issue is whether there are positive or negative influences of bilingualism on cognitive ability. Considerable research on this point has demonstrated that balanced bilinguals (i.e., those who develop full competency in both languages) enjoy some cognitive advantages over monolinguals in areas such as cognitive flexibility, metalinguistic awareness, concept formation, and creativity. As Hakuta and Garcia (1989) pointed out, "Causal relationships have been difficult to establish, but in general, positive outcomes have been noted, particularly in situations where bilingualism is not a socially stigmatized trait but rather a symbol of membership in a social elite" (p. 375). From this perspective, it is easy to understand why parents of a language-majority child as well as language-minority parents would want the option of enrolling their child in an enrichment bilingual program that promotes both languages. However, in the goals of English-only advocates, this type of language enrichment would not be possible in the public schools because it would serve to strengthen proficiency in non-English languages. Interestingly, this contrasts sharply with recent concern for foreign language education and the need to create a language-competent society that is able to compete effectively with other nations in English and in the languages of its competitors.

A second controversial issue is the conception of the mind as a limited-capacity container. The assumption that only a limited amount of information can be processed by a child at any particular time easily leads to the tempting conclusion that bilingualism overloads the cognitive circuits. However, empirical research has shown that the native language does not interfere in any negative way with the development of a second language (Hakuta & Garcia, 1989). In fact, second-language learning and native-language development share common underlying principles of acquisition (McLaughlin, 1987). Furthermore, the proficiency level of the native language can influence the rate of acquisition as well as the level of proficiency attained in the second language, which suggests that the two capacities share and build on a common underlying base rather than compete for limited resources

(Cummins, 1986; Hakuta & Garcia, 1989; Lindholm, in press; Padilla & Sung, 1990).

Thus, psychological and educational research suggests that policies aimed at promoting English at the expense of other languages are misguided on at least three counts. First, there is considerable basic, applied, and evaluation research showing that bilingual education can promote achievement, dual language proficiency, and psychosocial competence, whereas English immersion approaches may lead to lower levels of achievement, English proficiency, and psychosocial development. Second, there is no evidence that bilingualism causes any type of cognitive overload. Third, bilingualism may lead to higher levels of cognitive development, a finding that should lend support for enrichment bilingual models rather than immersion English-only approaches, for both language-minority and language-majority students.

In summary, the arguments against bilingual education by English-only advocates (e.g., Imhoff, 1990) are inaccurate. Bilingual education when properly implemented can be a very effective pedagogical technique for both assisting in the smooth transition to English and in an orderly educational preparation of students from non-English homes. In fact, this may be the best way to achieve participatory democracy, as the beneficiaries of bilingual education are both proficient in English and well equipped educationally to contribute to society.

### **Testing of Cognitive Abilities and School Achievement**

Cognitive ability and intelligence testing of language-minority persons has a long and controversial history (Diaz, 1983; Hakuta, 1986; Padilla, 1988). Studies before 1962 found that persons with bilingual backgrounds performed poorly on English-language tests and on some nonverbal tests. Peal and Lambert (1962), in their seminal research, were among the first to show that bilinguals outperformed monolinguals on some kinds of cognitive tasks after controlling for the effects of background differences on task performance. Their work called attention to the inherent shortcomings of studies drawing conclusions about test-score differences between bilingual and monolingual groups without considering other mitigating factors that may affect test scores. The research cited in the previous section of this paper has taken such factors into account and has contributed to a better scientific basis for assessing bilinguals' cognitive abilities.

The use of intelligence and achievement instruments continues to play an important role in special education identification and placement, and there is ongoing policy and scientific debate about the validity of intelligence tests for bilingual background children (Oakland, 1987; Sattler, 1982). There is a strong consensus among school psychologists and special education practitioners that language-minority children's schooling aptitude may be seriously underestimated if testing is conducted only in the English language (Olmedo, 1981). Indeed, existing national special education policy under the provisions of Public Law (PL) 94-142, known as the Education for All

Handicapped Children Act, requires that ability testing be done in a manner that is sensitive to the linguistic and cultural background characteristics of students. Although federal law and most state special education policies promote use of non-English and bilingual ability testing and culturally sensitive test interpretation where indicated, in reality testing practices do not meet these criteria very well. Prominent criticisms beyond the failure to consider non-English testing or bilingual testing include inappropriate construction and equation of translated tests, lack of reliability and validity studies, failure to develop testing performance norms for the language-minority student populations in question, and failure to use test administrators familiar with the language and cultural characteristics of children (Figueroa, 1980; Oakland, 1987).

Although these concerns have arisen within the special education field, they aptly summarize the key provisions and principles for testing of language-minority students at any educational level established in the current *Standards for Educational and Psychological Testing* developed by the American Psychological Association, the American Educational Research Association, and the National Council on Measurement in Education (APA, 1985). It is clear that special education policies and professional standards for conduct of testing at all educational levels are inconsistent with views emanating from the English-only perspective. According to these policies and standards, familiarity with a non-English language is a resource that contributes to children's cognitive and academic functioning and that must be assessed in facilitating children's schooling accomplishments (Durán, 1989a).

Educational research at high school and precollege levels has provided additional research supporting this argument. Research by Nielson and Fernandez (1981) conducted on the national High School and Beyond Longitudinal Survey revealed that proficiency in two languages can contribute positively to prediction of school achievement test scores in English among Hispanic students. The research found that high self-ratings of Spanish proficiency significantly improved prediction of English-language achievement test scores beyond levels made possible by considering the influence of self-ratings of English proficiency, preference for oral use of Spanish and English, family income, and Hispanic subgroup membership.

Evidence exists that the college admissions test performances of Hispanics from non-English-speaking backgrounds is lower and may not predict college grades as accurately as the test performances of students from English-only backgrounds (Durán, 1983; Durán, Enright, & Rock, 1985). Related work by Alderman (1982) found that the college aptitude of Puerto Rican students is not assessed accurately in English by the SAT if the students have limited English proficiency. As students' English language proficiency rose so did their SAT test scores and the correlation of these test scores with performance on a Spanish college aptitude test known as the *Prueba de Aptitud Académica*. These studies demonstrated the im-

portant policy implication that college admissions decisions need to consider the native language verbal ability and college aptitude of students from schooling backgrounds that emphasize use of a non-English language (Pennock-Roman, 1986, 1990). As with testing at earlier schooling levels, the English-only perspective is inconsistent with research findings and policy recommendations for language-minority students at the college level.

Recent advances in educational research, cognitive psychology, and assessment have raised new challenges for improved assessment practices for language-minority students. Cummins (1986), for example, questioned the appropriateness of existing teaching and assessment practices provided for low-achieving language-minority students. He cited the emergence of new testing paradigms such as *dynamic assessment* (Lidz, 1987) which might be used to simultaneously assess and train the cognitive skills of students. Analysis of the language and communication skills of language-minority students and how they might affect dynamic assessment is a new topic. Existing sociolinguistic and ethnography-of-communication classroom research and research on neo-Vygotskian approaches to cognitive assessment instruction suggest that such approaches will benefit critically by drawing on students' full range of language and communication skills (Durán, 1989b; Sharp & Gallimore, 1988). The English-only position violates the notion that teaching and learning should depend on students' capacity to use language and communication skills in two languages.

At this point we will turn to another important theme that pertains to the delivery of health and social services to individuals with limited English proficiency. Specifically, we are concerned here with the adequacy of diagnostic assessment and treatment issues.

### **Health Services: Assessment, Diagnosis, and Treatment**

One of the concerns regarding an English-only policy is its possible effects on the provision of services to limited-English-speaking clients. This issue is significant because there is an underrepresentation of ethnic-minority health care providers and providers with bilingual skills. As a consequence, any measure favoring an English-only policy might reduce even further the delivery of extremely limited general medical, mental health, and other social services to many Americans not proficient in English who may not be aware of either social services or their right to seek such services (Piatt, 1990).

In this section, we will summarize some of the problems that have been noted in the delivery of health services to limited-English-speaking clients. How these clients in need of health services actually receive treatment is a question that is not easy to answer. Community studies have not yet provided good estimates of the language background of the care providers seen and institutions visited by limited-English-proficient persons. Ideally, a profile should be developed of a health care delivery system that serves ethnic-minority clients. The number and types of bilingual health practitioners and their distri-



bution and mode of practice need to be analyzed in relation to the size and characteristics of the ethnolinguistic populations they serve. Similarly, the languages spoken naturally by clients versus service providers needs to be ascertained. In addition, estimates of the need for and adequacy of coverage of health services also requires some information about the quality of care received.

That language does make a difference in the delivery of health has been noted by Shapiro and Saltzer (1981), who examined English- and Spanish-speaking patients' patterns of communication with monolingual White physicians. Shapiro and Saltzer found that physicians established significantly better rapport with English-speaking patients than with Spanish-speaking patients. The English-speaking patients were given a better explanation of their therapeutic regimen than were Spanish-speaking patients, and physicians were able to elicit patient feedback significantly better from the English-speaking patients than from the Spanish-speaking patients. In a related study, Manson (1988) examined the effects of language concordance between the physician and patient as a determinant of patient compliance. The findings indicated that the language-discordant group was more likely than the language-concordant group to be noncompliant with their medications. Moreover, patients in the language-discordant group were more likely to miss an appointment and more likely to make an emergency room visit.

In a recent study, Seijo, Gomez, & Freidenberg (1990) showed that language differences between physicians and patients can affect the doctor-patient encounter and the patient recall of information provided by the physician. In this study elderly Hispanic patients in routine medical visits were seen by either a monolingual English-speaking physician or a bilingual physician. The session was observed for questions asked by the patient and for total information provided by the physician. Immediately following the doctor-patient session, the patient was interviewed in Spanish to assess recall. The results demonstrated that Hispanic patients seen by bilingual physicians had better recall and asked more questions than Hispanic patients seen by monolingual physicians. These findings suggest that when physician and patient communicate in the same language, the patient understands the information given by the doctor better and participates more actively in the interaction.

There have also long been warnings of the cognitive and psychological liability that could result when minority clients are compelled to speak only English (Del Castillo, 1970; Sabin, 1975). For example, Marcos and his associates (Marcos, 1976; Marcos, Alpert, Urcuyo, & Kesselman, 1973; Marcos, Urcuyo, Kesselman, & Alpert, 1973) have shown that Hispanic schizophrenics can actually appear more compromised and disturbed when interviewed in English. In a New York hospital, 10 schizophrenic patients were interviewed in English and Spanish. Four psychiatrists rated the patients' degree of pathology. Bilingual patients were judged to be more pathological when speaking in English. Surprisingly, these results oc-

curred even if the patient's vocabulary was greater in English than in Spanish (Marcos, Alpert, Urcuyo, & Kesselman, 1973). The patients expressed themselves more slowly, paused more frequently, and exhibited speech disturbances more often when speaking English than when speaking Spanish (Marcos, Urcuyo, Kesselman, & Alpert, 1973).

However, the matter of language of interview and degree of psychopathology is by no means settled. In a follow-up study, Price and Cuellar (1981) found that when bilingual Hispanic clinicians evaluated both English and Spanish interviews, the results contradicted Marcos and his associates' findings and showed that greater psychopathology was rated as occurring in Spanish. A similar finding was also reported in an independent study by Vasquez in 1981. Thus, it is apparent that very little is known about the way in which psychopathology manifests itself in the home language of the person and in English when interviewed by either a monolingual or bilingual therapist.

In another study, Poma (1983) showed that the utilization of mental health facilities and gratitude from patients improved when they were able to use their maternal language to communicate their problems. Atkinson, Morten, and Sue (1989) showed that language has been a major barrier in attempts to provide effective psychological services to newly arrived Asian immigrants. Efforts to use young Vietnamese students to interpret for Vietnamese adults has not been as effective as initially hoped because of the important cultural differences between the younger and older generations of Vietnamese immigrants (Bich, 1979, reported in Chen, 1989).

Thus the knowledge base is still very restricted in understanding how language use affects the counseling process when a limited-English-proficient client is forced, because of the absence of bilingual services, to communicate deep-seated emotions and feelings in English. However, to presume that absence of proficiency in English is not a problem in therapy is to deny the obvious. This does not imply that many clinicians are not already sensitive to the issues of language in psychological assessment, diagnosis, and treatment, but it does mean that if a widespread English-only policy were adopted, it could be seen as justification to lessen concern for the needs of linguistic-minority clients. It could also send a signal to graduate training programs that issues of language and culture are not important and that training in cross-cultural techniques in therapy need not be emphasized.

## Conclusions

In this article we began with a brief historical background of the movement to legislate English-only language policies at the local, state, and federal level. On the basis of a review of the scientific literature, we see no basis for the claims made to justify an English-only position. For instance, research on language shift has shown that all ethnolinguistic groups in the United States demonstrate a change in their expressed language preference from the home language to English; this includes Hispanics, who

are frequently the targets of claims by English-only proponents that they are more oriented toward separatism than to assimilation into U.S. culture and language. In fact, opponents of English-only policies have always strongly argued that English-language proficiency is essential, and that this can be achieved without denial of the heritage language.

We show that the leadership of the English-only movement promotes racist and anti-immigration sentiments and that most likely these elements motivate, at least in part, supporters of English-only initiatives. We provide evidence that intergroup cooperation can be developed in an atmosphere that fosters linguistic pluralism. Furthermore, it is shown that positive self and ethnic identification occurs when children are allowed access to both their heritage language and English.

Another charge made in support of English-only policies is that bilingual education is an ineffective method of instruction and that it maintains language-minority students in a position in which they neither learn English nor aspire toward educational or social integration. A careful review of the major current studies in the area of bilingual education indicates that bilingual education is an effective educational technique for bridging the gap between a non-English home language and English in the school. Moreover, when bilingual education is implemented in a context that fosters an attitude of additive bilingualism, then marked changes in school achievement, self-esteem, and intergroup cooperation are observed.

In a review of the literature and policy provisions stemming from the assessment of cognitive abilities and school achievement, we argued that it is clear that special education policies as expressed in PL 94-142 and in professional standards for testing at all levels as stated in the *Standards for Educational and Psychological Testing* (APA, 1985) are inconsistent with views emanating from the English-only perspective. Unlike the English-only perspective, these policies view as essential testing of linguistic minority individuals in ways that are sensitive to the strengths of the non-English language background of the person. In addition, it is generally acknowledged today by psycholinguists that proficiency in two languages contributes to children's cognitive and academic functioning. Strategies that assess the facilitating role of bilingualism to children's schooling accomplishments are called for in our reevaluation of the testing of linguistic minority children.

Finally, we show that language considerations are important in the delivery of health and mental health services. There is ample evidence, for example, that shows that diagnosis, treatment, and patient compliance can all be affected by whether the health care provider is able to communicate with a patient in the patient's native language. Accordingly, there are practical considerations that merit our increased attention to the service delivery needs of linguistic-minority clients rather than to policies for curtailing such services.

In conclusion, we have endeavored to provide substantive scientific evidence in support of the Resolution

Against English Only. Throughout this discussion, we have examined some of the misconceptions applied by English-only advocates in social psychological, educational, testing, and health-service delivery arenas. On the basis of this evidence, we believe that there is no support for English-only initiatives. We take the position that the English-only movement can have negative consequences for the delivery of psychological, educational, psychometric, and health services for many American citizens and residents who, through no fault of their own, are not proficient in English. Finally, we assert that the public interest is best served by affirming a position in opposition to English-only initiatives. We hold that the English-only movement is socially divisive and poses a threat to the human welfare that psychologists espouse in the *Ethical Principles of Psychologists* (APA, 1981).

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TESTIMONY

1. My name is Ahmadullah Ahmadullah, I am US citizen by naturalization. I live on Route one, Box 129-B, County of Barton, Great Bend, Kansas 67530. My Telephone number is (316)-793-9128.

2. Originally I am from Afghanistan, where I have worked in different positions in the Government, such as Governor of different Provinces, cabinet member, in the posts of Minister of Public Works and Minister Interior.

3. My family and I came to US as refugees, in 1980.

4. The people of Afghanistan, speak different languages, such as Pashtoo, Farsi, Uzbek, Turkman, Nooristani and other.

5. I, as a Governor, had too many problems with the different languages used in schools, providing teachers, text-books and etc.

6. Five years ago the Russians pulled out of Afghanistan, the people got divided in different groups and Factions, by the languages they spoke, and they are fighting with each other for power. Thousands people have been killed. Even the Afghan immigrants in US has been grouped by languages and the fight each other.

7. A society consist of different people with different color and faith. It is a conglomerate mixture, which needs a binder for conglomeration, and that binder is **THE COMMON LANGUAGE**

8. The majority of people in US speak English. Though other languages are spoken, but the official language should be **ENGLISH**. No other language should be allowed to become official because it will create problems in education and other administrative work. Different languages can cause disputes, animosity and even in session.

9. The immigrant who come to this country, should accept and obey the laws of the United States. In all public schools and all administrative places, they should speak **ENGLISH**. They should not be deprived from their own languages, if they speak at home or each other.

10. Other countries such as Estonia, require strong English to be admitted in Medical College. ( Dr. Flix Tarm of Hutchinson, who has come to US as refugee, from Estonia )

Further  
11. I have nothing to say.

Post-It® Fax Note	7671	Date	3-7-97	# of pages	▶
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Co./Dept			Co.		
Phone #			Phone #		
Fax #	913-296-6718		Fax #		

*A. Ahmadullah*  
Ahmadullah Ahmadullah

Sen. Federal & State Affairs Comm  
Date: 3-7-97  
Attachment: # 7

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 we testify on the subject of English Only, reminds me of the time Abraham Lincoln gave his House divided speech that "A union can not stand half slave and half free." We are now in our second year of attempts of passing a bill that serves to discriminate against certain kinds of people.

The public's mind have rested in the belief that this bill is well in its course of ultimate extinction, not knowing that its advocates or lobbyist continue to push forward till it becomes a law in all states, in the states of old as well as new, north as well as south.

When Abraham Lincoln wrote his letter on August 24, 1855, he was concern with Kansas, concerned that it could have voted herself in as a slave state. And as any decent Christian or slave owner they would have rejoiced in it. But the fact of reality came to be that they never voted that way.

A in a private letter, or conversation you will express your preference that Kansas shall be free, you would vote for no man for congress who would say the same thing public. No such man could be elected from any district in a slave state.

Sen. Federal & State Affairs Comm  
Date: 3-7-97  
Attachment: #8

The slave-breeder and slave traders (lobbyist) are a small, odious and detested class among hem and yet in politics they dictate the course of all of you. I am not a Know - nothing, that is certain how I could be? How can any one who abhors the oppression of Negro be in favor of degrading classes of white people? Our progress in degeneracy appears to me to be pretty rapid. As a nation we began by declaring that "All man are created equal," we now practically read it "all men are created equal except Negroes," when the Know - Nothing get control today it will come to read that "All men are created equal except Negroes, Mexicans, foreigners and Catholics when it comes to this, maybe I shall prefer to emigrate to some country where they make no pretense of loving Liberty. With Russia, for instance, where depotism can be taken a pure and with out the base alloy hypocrisy.

In one of many of high praise of the Declaration of independence. Abraham Lincoln hit upon the chief reason why it is possible for anyone form anywhere to become an American, while it is nearly unthinkable for an émigré (immigrant) to become a Frenchman or a German: one become an American by adopting its principles, especially the principles of equal rights expounded in the Declaration of Independence.

The United States of America is not a nation in the old fashion sense of the word. Nationhood traditionally implies a common nationality - that the nation's citizen were some how of common birth. But as American, we cannot even pretend on a common decent: we Hail from every corner of the Globe; we

exhibit every Human feature; we come in every shade; and the naturalized are no less fully our fellow citizens than those born within the fold.

When citizens of this country sometimes speak of the nation's founding fathers, they do so by analogy; they do not trace their genetic or biological lineage to Benjamin Franklin, George Washington, John Adams, Thomas Jefferson and the like.

If our nation's progenitors fathered a people, they did so by fathering an Idea. This is not a nation of Blood and so. It is a nation of Principle. As a people, we stand or fall by our adherence to the understanding of Justice enshrined within the Declaration of Independence, and reiterated in Abraham Lincoln's Gettysburg Address. We are less an imagined community of blood than a genuine, if contentious, community of faith.

That fact poses a problem for immigrants. They have to cross a great cultural divide separating the world that understands nationality in terms of birth and the world that understands it in terms of adherence to common first principles. The paradox of America is that we have built a history and tradition. A national culture on the defiance of history and tradition.

From William Penn who would not take off his hat, Rosa Parks, who would not give up her seat, to Jose Ramirez who would not give up his language. We teach our children stories of stiff-necked heroes, we make them read Romeo and Juliet, lest they over ancient Feuds were not a by the Book Country.



This culture has political consequences', you can read about them in the first few paragraphs of the Declaration of Independence.

Sincerely,

Harold Orosco  
2206 Mohawk Drive  
Garden City, KS 67846

**Testimony  
Senate Committee on Federal and State Affairs**

**Pete Tavares, Jr.  
Topeka City Council  
2nd District**

**Senate Bills 179 and 219**

**Estimadat Presidenta de la Meza y Honorables miembros del Comité', mi nombre es Pete Tavares, Jr, representante del Council de Topeka, District Numero Dos.**

**Agradesco la oportunidad de dirigirme a ustedes representando mi Distrito y dar nuestra opinion en oposicion a cerca de Bil propuesto a numeros 179 y 219.**

**Madame Chair and Honorable members of the committee. My name is Pete Tavares, Jr., Topeka City Council District Two.**

**I wish to thank you for the opportunity to address you representing my District and convey our opposition to proposed Senate Bills 179 and 219.**

**When I opened my Testimony, I opened in Spanish, not an everyday occurrence, I can tell you that while serving on the Topeka City Council nearly two years, that has never occurred to us. Has it occurred to you before? Is there such a problem that merits the valuable time of our elected State Officials?**

**With 99% of our State's population that speaks English, according to the latest Census reports, with the majority of households speaking English, and even in the homes with other than English spoken at home, over 75% spoke English very well to well, with programs that encourage the learning of English filled to capacity, is there a problem?**

**With the world ever shrinking, with our great State encouraging growth not only in this country, but in other countries, with our State in competition not only with other States in our country, but in competition with other States of other countries, is this the solution?**

**Is restriction in any form the desired message?**

**I believe not. Our country was founded on diversity, on inclusion, not exclusion.**

**I ask that this and all other issues that on the surface appear benign, be well thought out, no matter how well meaning they may seem.**

Sen. Federal & State Affairs Comm  
Date: 3-7-97  
Attachment: #9

**I am attaching a copy of a resolution unanimously adopted by the Topeka City Council in opposition to the proposed bills.**

**Please consider all aspects of the impact to all citizens of our great State, a State rich in culture and diversity.**

**Respectfully submitted,**

**Pete Tavares, Jr.  
Topeka City Council  
2nd District**

RESOLUTION NO. 6728

A RESOLUTION introduced by Councilmember Pete Tavares, Jr. relating to English as the official language of the State of Kansas (Senate bills 179 and 219)

WHEREAS, the Kansas Legislature has introduced Senate bills 179 and 219 which designate English as the official language of the State of Kansas, and

WHEREAS, English is the primary language of the City of Topeka, the State of Kansas, and the United States, and all members of our society recognize the importance of English to the national life and individual accomplishment, and

WHEREAS, this City, State, and Nation was founded on a commitment to democratic principles, and not on racial, ethnic, or religious homogeneity, and has drawn strength from a diversity of language and cultures and from a respect for individual liberties, and

WHEREAS, multilingualism, or the ability to speak languages in addition to English, is a tremendous resource to the City of Topeka, State of Kansas, and the United States, because such ability enhances American competitiveness in global markets by improved communication and cross-cultural understanding.

NOW THEREFORE BE IT RESOLVED that the City of Topeka states its opposition to "English-only" and any bill which seeks to establish English as the official language of Kansas.

BE IT FURTHER RESOLVED that the City of Topeka encourages all residents of this City, State and Nation to become proficient in English by expanding educational opportunities.

1 BE IT FURTHER RESOLVED that the City of Topeka supports "English Plus"  
2 legislation which will conserve and develop the City's, State's, and Nation's linguistic  
3 resources by encouraging all residents of this city to learn and maintain skills in a  
4 language other than English.

5 BE IT FURTHER RESOLVED that a certified copy of this resolution be  
6 transmitted to the Governor of the State of Kansas, and to the members of the 1997  
7 Kansas Legislature.

8 ADOPTED and APPROVED by City Council FEB 25 1997.



*Harry Felker*  
\_\_\_\_\_  
Harry Felker, Mayor

ATTEST:

*Iris E. Walker*  
\_\_\_\_\_  
Iris E. Walker, City Clerk

APPROVED AS TO FORM AND LEGALITY  
DATE 2/20/97 BY *EW*

POSITION OF OPPOSITION TO SENATE BILL 179  
by the Prairie Band Potawatomi Tribe

*Official English legislation is a dangerous act of repression, mindful of past governmental policies, leaving severely eroded familial values in their wake.*

Predating written history, the Potawatomi Nation began its early existence centuries before the first wave of immigrants set foot on the shores of this country, now known as the United States of America. As early as the 1500's legends told of the coming of the white man and his diseases. By this time, the tribe had settled in the Great Lakes area, and by 1634, the first documented intrusion into the lives of the Potawatomi People saw the arrival of the Long Beards, and with them, the foreboding arrival of the white man's so called 'civilization'.

The Civilization Fund Act of 1819, "*an act making provision for the civilization of the Indian tribes adjoining the frontier settlements..and for introducing them the habits and arts of civilization..*". Congress appropriated tens of thousands of dollars to the Jesuits for carrying into effect provisions of this act. The Indian Removal Act of 1830 followed closely, under which the Potawatomi tribe ceded its lands around the southern Great Lakes. By 1861, the Prairie Band of Potawatomi finally saw the end of a long dark journey of forced removals and ended up in Kansas Territory. The Band who thought they were signing a final and last treaty with the United States government were not aware that the treaty was amended in a closed session U.S. Senate in 1867, depriving the Band of at least 2/3 of the original 30 mile square reservation. The bulk of the land went to the railroad and the tenacious Jesuits received a handsome pay-off.

During this darkest of times for the Band, wagon loads of Potawatomi children were transported to nearby St. Mary's Mission, Baptist Mission and Haskell Institute and to other already flourishing federally funded boarding schools where these institutions continued to enforce governmental policy of *English only!* Children as young as (3) years old were removed from their families to learn to *assimilate* at a early age. Military type disciplinary methods were used when children were caught speaking Potawatomi. Children who died through abuse or neglect were buried on site, either because their families were not told of their deaths or because they could not afford to bring them back to the tribe for proper burial.

Today, there are many Potawatomi elders who can relate stories of the physical abuse they took at the hands of priests, nuns and school dormitory staff.

No other special group or race of people have been so severely affected by federal policy than have Indian tribes. And it is beyond the scope of this position paper to list the hundreds of cannons, treaties, laws, rules and regulations made by government that have affected our very existence, beginning with the very early papal cannons issued by the Holy Vatican, pondering the provocative question of whether 'the Indian savages have souls'?

- ~ English Only legislation appears to be based on a fear of the ever growing numbers of immigrants arriving daily into this country, yet the authors of this proposed bill can trace their descendency to the very first boat people who arrived on these shores, when they were greeted by the *true* first Americans. Or can they?
- ~ The assimilated educational system of this country teaches that the foundation of the United States Constitution was built on the premise, "*for the people, by the people.*" Does this country, this state, not have as its natural born citizens - people of all races, colors, creeds and belief systems?

The Prairie Band Potawatomi Tribe opposes this intrusion by the government in its latest attempt to assimilate and homogenize people of many diverse cultures into an all-purpose, one-size-fits-all mold. Offering empowerment to immigrants by encouraging them to speak, write, and test in English only, under the guise of this bill is dangerous!

Respectfully submitted,



Juanita Jessepe, Secretary  
Prairie Band Potawatomi Tribe

PRAIRIE BAND OF POTAWATOMI INDIANS  
TRIBAL COUNCIL  
RESOLUTION  
PBP-97-20

WHEREAS: the Prairie Band of Potawatomi Indians is a duly organized Tribe with a Constitution and By-Laws approved by the Secretary of the Interior on February 19, 1976, and amended on August 28, 1985; and

WHEREAS: pursuant to Article V of the Prairie Band Potawatomi Constitution, the Tribal Council has enumerated powers of authority to act and serve in the best interest of the Tribe; and

WHEREAS: the Potawatomi language holds all things sacred that make Potawatomis unique in the eyes of the Creator; and

WHEREAS: the Kansas Legislature has introduced Senate bills 179 and 219 designating English as the official language of the State of Kansas; and

WHEREAS: the State and the Nation was founded on a commitment to democratic principles, based on the freedom of religion and free speech; and

WHEREAS: historically, native people have been persecuted by enactment of State and Federal laws, causing severe fragmentation of familial values by forcing them to speak English only as a governmental mandate.

NOW, THEREFORE, BE IT RESOLVED that the Prairie Band Potawatomi People states its opposition the English-only and any bill which seeks to establish English as the official language of Kansas.

BE IT FURTHER RESOLVED that a certified copy of this resolution be forwarded to the Governor of the State of Kansas, and to members of the 1997 Kansas Legislature.

CERTIFICATION

The foregoing resolution was duly adopted on this 3rd day of March, 1997, at a Special Meeting of the Prairie Band Potawatomi Tribal Council, during which (7) members were present, constituting a quorum, by a vote of (6) for, (0) opposed, and the Chairwoman not voting.



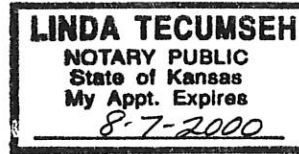
ATTEST:

*Mamie Rupnicki*  
Mamie Rupnicki, Chairwoman

*Juanita Jessepe*  
Juanita Jessepe, Secretary

SUBSCRIBED AND SWORN BEFORE ME ON THIS 3RD DAY OF MARCH, 1997.

*Linda Tecumseh*  
Notary Public



Ladies and Gentlemen of the Kansas House and Senate:

You are our lawmakers. The people of Kansas elected you because we believed you would do your best to represent us - all of us. Now, some of you are failing that task.

Many, many Kansas find Bill 179 and 219 to be senseless and unnecessary pieces of legislation. Plainly, we are asking you to kill Bill 179 and 219 now. Let me explain the impact of these bills, as we see it.

All of us in this room want the best possible life for our children. We want to see them succeed, whatever our definition of success may be. In order for them to succeed, we have the responsibility to teach them. One of the most important things we can teach them is respect. Respect for themselves, respect for others. Our children caught up in gang life are no different - they too are looking for recognition, and respect.

We continually hear that our children need every opportunity to succeed, and yet reports show that drop-out rates among Native Americans, Hispanics, and Vietnamese are often linked to language and cultural discontinuity. We recognize the importance of retaining and respecting ones' culture by way of language. This bill that says "English only" is truly reminiscent of a period in our history where we saw signs that said "whites only". This is not respect.

In Bill 219 you exempt Native American tribal languages. This was a smart move on the authors part, because how do you tell the Native people of this land that they are the ones speaking a foreign language. Nice try, but this feels like a political ploy - and it will not work.

Tell me, why, in a state that is 98% English speaking, do we need a bill that says we are?

Why is it, that you argue the cost of translating written materials when that budget was not even spent entirely? When the cost of this procedure is one-one-thousandth of the entire state budget your argument really begins to lose ground.

How do Kansans step into the 21<sup>st</sup> century, prepared to compete in a global market if they speak "English only". English is not the most commonly spoken language in this world. What is the future for Kansas if we do not prepare our children for a multi-cultural, multi-languaged world and marketplace?

Please see this bill for what it really is. It is hindering, it is disrespectful, it is racist, and it is an insult.

When the newcomers first came to this land they could not speak our language. But we communicated. It was not english only then, but we communicated.

Let me remind you that in World War II it was not "English only" that saved the United States, and changed the course events for our nation. You know that I am referring to the "Code Talkers" - those Native American men who offered their

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own tribal language as the only code unbreakable by our country's enemy. English only did not save us then, and it will not save us anything now. My own native people have been insulted by this government long enough. I am asking you from my heart, please do not insult anyone else.

Respectfully submitted by:  
Ms. Nakita Vance  
830 W. Munnell  
Wichita, KS 67213

Madame Chair & Members of the Committee:

On behalf of Buena Gente, a coalition of Good People dedicated to community service, we urge you to **oppose Senate Bill No. 179, Senate Bill No. 219 & any legislation making English our "official language"**. "A civilization can be judged by the way it treats its minorities," says Mehatma Ghandi. Although we agree that English proficiency is essential for success and full participation in American Society, such legislation is **unnecessary, unconstitutional, censorship, egregious, un-American, counterproductive, divisive, racist, repugnant, politically motivated, mean spirited, ridiculous, full of exemptions, impossible to enforce, discriminatory, illegal, anti-immigrant, xenophobic, negative, essentially a form of thought control, disregards constitutional rights, another inappropriate burden placed on teachers and schools, and threatens the health and well-being of many Americans. These bills do nothing to actually facilitate the acquisition of English by a single person.** What benefits are being derived?

In a climate where both citizens and government officials are supporting a call to reduce **governmental intrusion** this bill will create an added bureaucracy to monitor language use. **It is bad policy.** Therefore, I urge and encourage you to focus your time, energy, and efforts on improving the health, education, and self-sufficiency of Limited English Proficient citizens of Kansas. The truth is, we are not yet free.

There is no need to designate English as the "official language" because English is in no danger of losing its place as our national tongue. According to the 1990 Census, 97% of the population above the age of four speaks English "well" or "very well". The overwhelming evidence proves immigrants do not need government coercion to learn english. Rather, they know learning English is a critical first step to full participation in American society. Besides, commerce has recognized that **the most important language is that of the consumer.**

*These unnecessary bills have serious and harmful consequences. If enacted these measures would:*

- Threaten the health and safety of individuals by prohibiting the availability of emergency health services for tragedies and natural disasters in languages other than English;
- Hamper law-enforcement efforts and deal a crippling blow to the "war on drugs";
- Bind the entire telecommunications industry from use of foreign language broadcasts;
- Promote frivolous litigation and increase the burden and cost to government;
- Deprive language minority litigants of their due process by denying them the right to have court interpreters available for judicial proceedings;
- Effectively disenfranchise non-English speakers by repealing Section 203 of the Voting Rights Act which requires bilingual assistance in the voting process;
- Fail our students in terms of dropout rates and unemployment or underemployment;
- Interfere with the effective operation of government programs by prohibiting government workers--such as KACHA, IRS auditors, agricultural and meat inspectors, public health workers, census takers, prison guards, teachers, etc., from using languages other than English in the performance of their duties;
- Prohibit the use of American Sign language and Braille;
- Effectively, cut off the island of Puerto Rico, with 3,6 million Spanish-speaking U.S. citizens, from the U.S. government;
- Eliminate the availability of transitional bilingual education services for limited English proficient (LEP) children despite the most definitive comparative study to date (commissioned by the Department of Education and validated by the National Academy of Science) found students who are products of LEP programs perform better in English and other content areas than those who are products of English immersion programs.

To deflect criticism of the English-only bill, **various exceptions** are enumerated, making it unclear what in fact would change. There are still a number of areas where the government would be impeded by the English-only legislation.

• **0 recognized Indian tribes** have signed treaties as sovereign nations, with 72 tribes in Wichita alone which **are not exempted**. It would be politically incorrect to continue to violate treaties with Native Americans.

• **Our country's currency is not exempted** and contains Latin phrases such as; Annuis Coeptis, Novus Ondo Seclorum, E Pluribus Unum. The U.S. Marine Corps official motto is the Semper Fidelis and the University fraternities and sororities also have Latin mottos and philosophies. **Will you outlaw the almighty dollar?** Anyone feeling "violated" by the use of these phrases could sue for compensations.

• **U.S.-hosted international events are not exempted.** The use of foreign languages would be restricted when the U.S. hosts its next Olympic Games or the Governor host a Russian or Chinese delegation of businessmen. Athletes and visitors alike would face language barriers that goes against the spirit of competition, respect, and understanding that the Olympic Games and our constitution embody.

• **Arts and Cultural Programs are not exempted** in this legislation. The Smithsonian or the Kansas Museum of History would be prohibited from publishing materials in other languages for its non-English-speaking visitors or from mounting exhibits which commemorate other languages and cultures such as exhibits featuring Native American tribes. Public television shows such as "Sesame Street", which has for years sought to teach all children some Spanish, French and other languages, could be restricted from doing so. The National Endowment for the Arts, National Endowment for the Humanities and its Kansas affiliates will be prohibited from funding non-English writers even those writing in Native American languages. This legislation could even have the absurd result of proscribing English-only works in opera houses.

**English-only puts schools in a difficult situation**--given that they **teach the values of tolerance and respect for differences**. Teachers already are required to act as counselors, nurses, and social workers--in addition to teaching. Adding the role of "language police" stretches them even further and detracts from their more critical work of instruction.

An English-only law makes it difficult for schools to **prepare students for jobs of the future**. Diversity in languages is a key element to the U.S.'s ability to compete in a global economy. Such a law is counter productive to the interests of business or private enterprise. **Teachers, parents, and schools working together on a local level are best qualified to determine how learning should take place.**


Rather than consideration of misguided efforts that will feed an already dangerous atmosphere of resentment it is time to take action and we urge instead that:

- **english competence programs receive strong support** both for students in schools and for adults through community-based instructional programs;
- **bilingual programs be competently run and adequately supported** to avail students to maintain their education levels while they learn English; and
- **eliminate racism and hunger and encourage respect** for every human being.

**The government has neither a substantial interest nor a constitutional right to regulate the speech of its people.** Our founding fathers declined to name an official language ; there is no reason for Kansas to do so now. English Only legislation targets individuals for discriminatory treatment based solely on their language minority status. In **a nation of immigrants**, there are always people making the transition from their native language to English and refusing to serve these individuals until they learn English Only builds artificial walls, rather than fostering unity. I submit to you that such a law is **intrusive to the sanctity and privacy of the home, where prayer, dreams and family love are expressed in one's native language.**

For these reasons, we **strongly urge you to oppose all English Only or official English legislation.** I am willing to respond to any questions.

*Sinceramente,*



Raúl R. Guevara

**Buena Gente**

STATE OF KANSAS  
**DEPARTMENT OF HUMAN RESOURCES**



Bill Graves, Governor

Wayne L. Franklin, Secretary

**KANSAS ADVISORY COMMITTEE ON HISPANIC AFFAIRS**

117 S.W. 10th Avenue, Topeka, KS 66612-2201  
PHONE..... 913-296-3465 • FAX ..... 913-296-8118

Testimony before the  
Senate Committee on Federal and State Affairs  
March 6, 1997

by

Tina DeLaRosa

Executive Director, Kansas Advisory Committee on Hispanic Affairs

Ladies and Gentlemen, Madam Chair, thank you for allowing me to testify before your Committee. My name is Tina DeLaRosa. I am the Executive Director of the Kansas Advisory Committee on Hispanic Affairs.

KACHA is charged broadly with gathering and disseminating information on Hispanics, and serving as a liaison between the Hispanic public, the legislature and other areas of state government. KACHA coordinates with other public and private organizations to serve Hispanics throughout the state of Kansas.

In regards to SB 179 and SB 219, I am here to represent the concerns expressed by our constituents. Although KACHA is not primarily or foremost an advocacy group we are statutorily charged by KSA 74-6504 (f) with a responsibility to evaluate existing programs and proposed legislation affecting the Hispanic community. In carrying out this responsibility we are here to share the views of this office and those we represent.

We believe English is already the official language in the State of Kansas and that this bill is unnecessary. It brings with it many negative connotations and weakens efforts made to help those with limited English speaking abilities to feel included and valued. SB 179 and SB 219 state that no public document or records should be printed in any language other than English. We believe this is already the current practice with very few exceptions.

As a native Kansan and having been raised in a very traditional Mexican-American home I grew up knowing the importance of speaking both languages. English became my dominant language as I entered school. Spanish was always spoken at

**Governor's Committee**

William Araiza  
Overland Park

Edmee Fernandez  
Emporia

C. Albert Herdoiza  
Kansas City

Rogelio Lasso  
Topeka

Delores Loreda  
Wichita

Mary Navarro  
Wichita

Israel Padilla  
Dodge City

Sen. Federal & State Affairs Comm.

Date: 3-7-97

Attachment: #13

home among my parents, but my siblings and I chose to speak our dominant language English, the language we were being taught to read and write in at school. We were never told we could not speak either language or made to feel that our second language was not valued. Legislation such as this only sends messages that question the validity of our culture and its value as perceived by others. In comparison to other states, Kansas, I feel is still in a stage of growth that allows us to work at improving our strengths and minimizing our weaknesses. With so many other racial issues at hand I feel this action would only stall the progress Kansas has made. *“El respeto al derecho ajeno es la paz”*, Respect for the rights of others is peace. Once again thank you so much for your time.

Respectfully,



Tina DeLaRosa  
Executive Director

## I AM OPPOSED TO THE PASSING OF ENGLISH ONLY

If the official language should be English Only, then all Latin, German, Spanish, Gaelic, French, Italian, Polish, and Hungarian, should be eliminated. English as is was spoken before the conquistadores should be the official language, and a pure English language should be decided upon because it has been in a state of constant flux since 1066 in the battle of Hastings.

So, is this what we are asking? For the English Chaucers Cataberry Tales shouldn't we strip it of all impurities from the richness that it has obtained from the adoption of other cultures. Or perhaps, the English of King James Bible. Or are we adopting the English as we now have it that contains terrible words, demeaning words and words of inferior content. Like "rancho, taco, charro, rodeo, tortilla, amigo, patio, paz, burro, senior, senora, chica, margarita, pina colada, nachos, salsa, picante, bravo, brazos, amistad, companero, salud, nino, nina, cafe" and of course, we would have to change the names of our cities . . . Los Angeles would be changed to City of Angles, Santa Rosa to Saint Rose, Colorado would be changed to Red, Salina would be changed to little salt, Amarillo, Texas would be Yellow, Texas, El Dorado would be called Burnt, Kansas, which brings us back to the real reason for this legislation and that is to prohibit what is never been mandated, to prevent what has never been compelled, to reject what has never been accepted, and that is that additions to English from any foreign source corrupts and demeans the English language and its culture because Germans are not as good as Englishmen, French are not as good as Englishmen, Mexicans are not as good as Americans. Where does that bring us? It brings us to superiority, pride and ultimately hatred for other people. The problem that faces this legislation is its failure to define which English are we talking about. Are we talking about an English stripped of all the cultural contributions that have been made by other languages, other cultures? Then finally, has America ceased to be a melting pot? And if it has, when was the lid put on the pot and who did it?

By: Rebecca Escalante

Sen. Federal & State Affairs Comm.  
Date: 3-7-97  
Attachment: #14



# MANA

## de Topeka

### UNA CORRIDA, A MEXICAN AMERICAN STORY

by Esperanza Lara and Earnest A. Lehman

3517 SW Avalon Lane, Topeka 66604

(913) 271-5529

Once upon a time Roberto Dolares came to America. He was looking for whatever work he could find to send money home to his family in Mexico. He spoke Spanish but learned English as well. He found work in the meat packing plants and later was hired by Sante Fe Railroad. When World War II needed more men to fight, Roberto was proud to help a country that had done so much for him and his family. During the war he was wounded on his right arm and he was helped by the American G.I. Forum to get his Veteran's medical care. Roberto learned to write with his left hand and always offered his left hand to shake hands. After the war he returned to Kansas to work at Sante Fe Railroad and started a family. He was very proud of his new life, his family and friends. One day when he knew he was dying, he spoke to his children. Now your duty to me is finished and you will have to work for yourselves, your God and your country. Roberto said he had no money to leave them but he wanted to leave a legacy. He spoke of how hard it had been for him in America and wanted a better life for them. He turned to his youngest daughter and said, "Delia, you will be a teacher and teach Spanish to all the children. He then turned to his second son, "David, you will have a travel agency business and use your Spanish and English to take and bring people to Kansas. At last he turned to his favorite son and said, "Roberto Jr., you will become a politician and help people understand the laws of the country. The burden is now yours my children, but with it goes my spirit to guide you so you will not be alone. People are afraid of your power and you will make it easier for the next generations. Speaking Spanish is as much a part of you as your music, your history and the color of your skin. Roberto Jr. remembered his father's words and for many years he never gave up his father's legacy. Roberto kept most of his Mexican traditions but he later wanted to be truly American and changed his name. People would see him and shout, "Viva, Roberto Dole!"

Some final thoughts: A corrido is a Mexican story with an obvious hidden agenda or moral. The fun of the story is not only in finding it but in discussing it. Is the story true? Yes and No. No it's only a story and yes, it may have happened to many people.

Sen. Federal & State Affairs Comm.

Date: 3-7-97

Attachment: #15

TESTIMONY BEFORE SENATE COMMITTEE

March 7, 1997 - Topeka, Kansas

7,

My name is Ascension Hernandez, I live in Shawnee. I am a member of the Kansas League of United Latin American Citizens (LULAC). LULAC is a civic and a civil rights organization, founded in Corpus Christi, Texas in 1927 and in Topeka, Kansas in 1970. I would like to thank the Senate Committee on Federal and State Affairs for the opportunity to comment on your English Only legislation. During the 1996 Kansas Legislative session, legislators had the wisdom to "kill in committee" the House and the Senate versions of English as the common language -- legislation. Again, please defeat this discriminatory and racist legislation. The 1997 version is virtually the same bill only this time, the double-barrel shotgun approach is being used, Senate Bills 179 and S.B. 219.

LULAC is again, still strongly opposed to English as the official language of the State. Pure and simple the bills are unconstitutional, discriminatory and not necessary. Even the U.S. Supreme Court decided this week against hearing the appeal case on the English Only Arizona Amendment. Under English Only, the free speech guarantee of Spanish speaking Americans would be lost. - It would be unfair to Mexican Americans, Latinos and other foreign born non-English speaking persons. The end results would be greater government inefficiency.

To support English Only, the legislation for government elections, for public education, for government services would deny non-English speaking people their rights. The Voting Right<sup>s</sup> Act of 1965, as amended provides that language minorities receive adequate bilingual assistance through bilingual registration forms, ballots, printed elections materials and publicity. To not do so as SB179 and SB219 suggests, undermines the voting rights of non-English speaking citizens and effectively excludes some otherwise qualified voters from participating in elections and in the political process. Is this what the Kansas Senate wants to do?

To support English Only legislation means you are opposing bilingual education. Bilingual education is an effective teaching method "sometimes" used in Kansas classrooms to help non-English speaking student<sup>s</sup> learn English and classroom subject matter, quicker. However many school districts are using ESL for language minorities and creating a larger problem of segregated classes. Brown VS Topeka School Board, again.

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Date: 3-7-97  
Attachment: #16

Thus you will have educational equity problems subject to civil rights laws violations through the State of Kansas.

It is interesting that on this date, March 6, in 1836, marks the Fall of the Alamo; 187 defenders including Davy Crockett and some Tejanos were killed by the Mexican Army of General Santana. A short time later, the Texas Republic received reinforcements from the East and defeated the Mexican Army at San Jacinto. The "Remember the Alamo" mentality of the Texas Rangers and some Anglo Americans has caused negative race relations and racial discrimination towards Mexican-Americans, Mexicans and other Latinos ever since, In every facet of American Life, in every State in the Union. Mexicans have received worse treatment than Blacks in the deep South. Lynchings, Tejanos shot and left to rot in the brush and bayous. The only thing missing is that Hispanics have not thoroughly documented the atrocities of the Rangers, the INS and other law enforcement agencies.

I submit to this Senate Committee, that English Only is an another chapter of discrimination that capitalizes on the anti-immigration posture of the new congressional reforms that are discriminatory. These two Kansas Bills must be killed!!

Some research reveals that U.S. English is a high powered Washington lobby, complete with a political action committee, that has spent over \$18 million dollars since 1983 to promote English as the Official Language of the U.S. in more than forty states, including Kansas. I called up McGill and Associates to see if they were hired by the U.S. English Campaign. The answer was yes, but this well-known Kansas lobby was not at liberty to say how much they were paid to push for what appears to be "copy cat" legislation in Kansas.

In closing . . . . I feel like David going against a Goliath. My slingshot -- I'm a proud Mexican, with testimony, 20 copies from Office Depot, a Kansas turnpike receipt, a 84 Chevy pickup with 200,000 miles, took vacation leave to be here and couldn't find a close parking space.

Meanwhile, Goliath takes a giant step South from the West 8th street offices and he's here at work and getting paid.

I need your help!!! I ask for your integrity and courage as you deliberate on Senate Bills 179 and 219. I request that they be killed in committee because they are not constitutional and are discriminatory. I ask for your help in creating a just society.

To Whom It May Concern:

My name is Troy G. Scroggins ( Retired), a tax payer\ citizen of the great state of Kansas for more then 60 years.

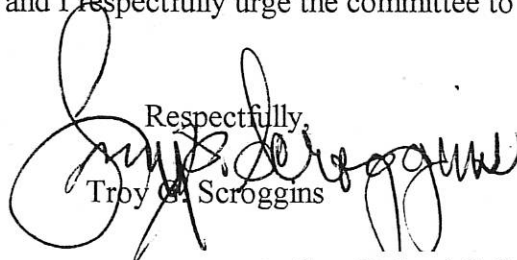
I take this means to advice you of my opposition to senate bills 179 and 219, both of which, address the issue of English only as the official language of Kansas and the United States of America. This is the third consecutive year that I have been aware of the efforts of proponents to propose and pass these measures into state law. For the third time in as many years I have yet to see, or hear, any demonstrable evidence or rational of any utility by those who sponsored or supported such legislation.

The proposition advanced by proponents of the bill submit that and English only law could further the cause of national unity, patriotism, and fiscal conservation is a very thin veil of deception. Hispanic people, living in Kansas, to the best of my knowledge and belief, have not in the past, nor presently, experienced any appreciable problems fitting into the matrix of American lifestyle by reason of preserving and speaking their native tongue - Spanish. It is inconceivable to me that there are law makers who subscribe to the proposition there should be a state statue mandating the use of English only as the official language of Kansas. The English Language is spoken by approximately 99/44/100% of the population in Kansas. I think that is pervasive and is a mandate itself.

It is incredulous that this august legislative body of state politicians would devote any more resources of precious time, energy, and taxpayers dollars to an issue of such seemingly trivial importance. The potential magnitude of this measure being passed into law and effectuating any significant change in the social, racial, cultural, or political order in this state are very remote. Therefore, why are state law makers continuing to pursue this red herring?

The proponents of this bill appear to be inexorable in their position to make English the official state language. Again, their reasons and rational escape my comprehension. Since I have not personally discussed or confronted the sponsors of this bill, it would be unfair for me to speculate or suspicion their intent further. Therefore, I would be pleased to entertain in statements or comments they may wish to make in support of senate bills 179 and 219.

In closing, I wish to reiterate my position on these bills. I do not believe these proposed measures serve any useful purpose in furthing the cause of unity, goodwill, patriotism, and/ or fiscal conservation in Kansas and I respectfully urge the committee to vote the against there passage.

Respectfully,  
  
Troy G. Scroggins

Sen. Federal & State Affairs Comm.  
Date: 3-7-97  
Attachment: #17

Date: Friday, March 7, 1997 8:16:18 AM  
Subj: No Subject

18

# ACLU

American Civil Liberties Union

Wendy McFarland - Lobbyist  
(913) 575-5749

TESTIMONY IN OPPOSITION TO SB 219 AND SB 179  
DELIVERED MARCH 7, 1997

You are being asked to consider one of two bills that would, in effect, exclude many non-English speakers from many of the benefits of citizenship in the United States. The legislation would bar the government, and its branches, from using any language other than English, with few exceptions. This legislation would make English the official language of the state of Kansas. We encourage you to oppose this legislation.

English Only bills are legislation in search of a problem that does not exist. According to census data, approximately 3% of the population is not proficient in English. The bills falsely presume that today's immigrants are not learning English and thus threaten the primacy of English as our common language. Nothing could be further from the truth. Studies show that immigrants today are striving to learn English as quickly as possible, as did immigrants in prior decades. Classes in English as a second language are grossly over-subscribed and have lengthy waiting lists. Immigrants do not need a patronizing proclamation declaring English the official language. If anything, Congress should consider funding efforts to teach English as a second language, instead of punitive bills that would in effect bar non-English speakers from receiving many services to which they are entitled.

English Only bills are unnecessary. For all practical purposes, English is already the common language in the United States. A GAO study released on September 20 reveals that fewer than .06% of over 400,000 federal documents sampled were in a language other than English. Most of those documents were issued by agencies of the federal government -- such as HHS, FDA, NIH, and SSA -- which must reach people in the United States regardless of their proficiency in English. It is simply bad policy to prevent, for example, SSA from communicating with non-English speakers in Puerto Rico who are entitled to the benefits of programs administered by SSA. Likewise, it is absurd to require the Immigration and Naturalization Service to speak only in English to people who might not be able to understand it.

English Only bills would infringe upon important constitutional rights and legitimize and encourage discrimination against language-minority residents. Such bills could interfere with the right to vote by banning bilingual ballots, or with the education of the nation's children by restricting instruction in a language that immigrant children can understand. In addition, legislation that mandates court and administrative proceedings in English only would severely jeopardize the ability of non-English speakers to understand the proceedings. The impact on our elderly citizens, many of whom need not learn English as a condition of citizenship and for whom acquisition of English language proficiency is not a real possibility, cannot be overstated. We urge you to oppose English Only legislation.

Sen. Federal & State Affairs Comm  
Date: 3-7-97  
Attachment: #18

TESTIMONY  
ON  
SENATE BILLS 179 AND 219

GIVEN BY  
MICHAEL L MARTINEZ  
A REPRESENTATIVE OF

*THE LEAGUE OF  
UNITED LATIN AMERICAN  
CITIZENS*

TO THE  
*STATE OF KANSAS  
FEDERAL AND STATE AFFAIRS  
COMMITTEE*

LANA OLEEN  
CHAIRPERSON

MARCH 6, 1997

Sen. Federal & State Affairs Comm.  
Date: *3-7-97*  
Attachment: *#19*

MADAME CHAIRMAN, SENATORS, I WANT TO THANK YOU FOR ALLOWING ME THE OPPORTUNITY TO EXPRESS MY OPPOSITION TO SENATE BILLS 179 AND 219, WHICH WOULD ESTABLISH ENGLISH AS THE OFFICIAL LANGUAGE OF THE STATE OF KANSAS. MY NAME IS MICHAEL MARTINEZ, AND TODAY I WOULD LIKE TO SPEAK ON BEHALF OF THE LEAGUE OF UNITED LATIN AMERICAN CITIZENS (LULAC). I AM THE VICE-PRESIDENT OF THE TOPEKA LULAC COUNCIL, BOARD PRESIDENT OF THE TOPEKA LULAC SENIOR CENTER, BOARD SECRETARY OF LA COLONIA. LA COLONIA IS A LOW INCOME ELDERLY HOUSING DEVELOPMENT LOCATED IN THE OAKLAND COMMUNITY OF TOPEKA AND IS A JOINT VENTURE BETWEEN THE AMERICAN GI FORUM AND LULAC. I AM ALSO AN ACTIVE MEMBER OF THE AMERICAN GI FORUM AND THE VIETNAM VETERANS OF AMERICA.

I AM A LIFE LONG RESIDENT OF THE STATE OF KANSAS. MY PARENTS BOTH MIGRATED TO THIS PART OF THE COUNTRY FROM MEXICO IN THE EARLY 1900'S. MY PARENTS MET, FELL IN LOVE, MARRIED AND BROUGHT LIFE TO TWENTY FIRST GENERATION AMERICANS, BECAUSE OF THE HARSH CIRCUMSTANCES OF THE TIMES, SOME DID NOT MAKE IT PAST CHILDBIRTH, SOME DID NOT MAKE IT PAST INFANCY, AND ONE DID NOT MAKE IT INTO ADULTHOOD. I DID HAVE THE PLEASURE OF BEING RAISED WITH 14 SIBLINGS.

I GRADUATED FROM HIGH SCHOOL IN 1967, AND JOINED THE MARINE CORPS. I SPENT THREE YEARS ACTIVE DUTY IN THE UNITED STATES MARINE CORPS, AND TWENTY YEARS IN THE KANSAS NATIONAL GUARD. AFTER TWENTY-THREE YEARS OF MILITARY SERVICE, I RETIRED WITH NO LESS THAN TWENTY-SIX AWARDS AND DECORATIONS. ONE OF THOSE AWARDS INCLUDES THE KANSAS STATE EMERGENCY ACTIVE DUTY, FOR ASSISTANCE DURING THE FLOODING IN NORTHEAST KANSAS IN 1993. AFTER HAVING SERVED MY COUNTRY WELL AND HONORABLY, I FELT IT WAS TIME TO SERVE MY COMMUNITY, HENCE MY REASON FOR JOINING THE VARIOUS ORGANIZATIONS I MENTIONED EARLIER.

I JOINED THE MARINE CORPS KNOWING THAT I WOULD BE GOING TO VIETNAM, KNOWING THAT VIETNAM WAS AN UNPOPULAR WAR, KNOWING THAT I COULD HAVE SOUGHT AN EDUCATIONAL DEFERMENT, AND KNOWING THAT I COULD HAVE ABANDONED MY COUNTRY ALTOGETHER! I FEEL NOW AS I DID THEN, THAT MY COUNTRY NEEDED ME, AND SO I JOINED THE MILITARY. I VOLUNTEERED TO SERVE MY COUNTRY THINKING THAT I WAS

MAKING THE WORLD SAFE FOR DEMOCRACY, NOT INTENDING TO MAKE THE WORLD SAFE FOR ENGLISH ONLY! I FOUGHT FOR MY LIFE IN THE JUNGLES OF VIETNAM, NOT KNOWING THAT I WOULD RETURN TO MY HOMELAND ONLY TO FIGHT FOR MY RESPECT.

I WOULD LIKE TO POINT OUT TWO MAJOR AREAS OF CONCERN IN DESIGNATING ENGLISH AS THE OFFICIAL LANGUAGE OF THE STATE, MY FIRST CONCERN IS WITH THE SENATE BILLS 179 AND 219, AND MY SECOND CONCERN IS WITH THE PROPONENT AND SPONSOR OF THESE BILLS. SENATE BILL 179 SECTION 2(C) AND SENATE BILL 219 SECTION 3, BOTH DIRECT AN AGENCY TO DELINEATE AS A SEPARATE BUDGET LINE ITEM, ALL COSTS RELATED TO PROVIDING INFORMATION IN LANGUAGES OTHER THAN ENGLISH. I BELIEVE THIS IS WHAT IS TERMED AS AN UNFUNDED MANDATE, AND I DON'T HAVE TO REMIND YOU OF HOW POPULAR UNFUNDED MANDATES ARE.

IF EITHER OF THESE BILLS WERE PASSED, THE FIRST QUESTION WOULD BE, WHICH OF THE STATE EMPLOYEES WILL BE ASSIGNED THE ADDITIONAL DUTIES OF TRANSLATING? WILL THESE ADDITIONAL DUTIES AND SKILLS ENTAIL ADDITIONAL COMPENSATION? THE FEDERAL BUREAU OF INVESTIGATION ARGUED UNSUCCESSFULLY IN COURT AGAINST A PAY DIFFERENTIAL FOR ITS BILINGUAL AGENTS. U.S. CUSTOMS SERVICE INSPECTORS IN FLORIDA, NEW YORK, AND CALIFORNIA REFUSED TO SPEAK A FOREIGN LANGUAGE UNLESS THE TREASURY DEPARTMENT PAID THEM MORE. THE TREASURY DEPARTMENT FINALLY AGREED TO PAY A PREMIUM OF UP TO 5% OF THEIR BASE PAY. THAT INCIDENT WAS WATCHED CLOSELY BY THE ASSOCIATION OF FEDERAL, STATE, COUNTY, AND MUNICIPAL EMPLOYEES.

THE UNITED STATES AIR FORCE ENCOURAGES ITS MEMBERS TO LEARN AND TO BECOME PROFICIENT IN LANGUAGES OTHER THAN ENGLISH. DEPENDING ON THE LANGUAGE AND THE PROFICIENCY LEVEL, THE AIR FORCE WILL PROVIDE INCENTIVE PAY STARTING AT \$100.00 PER MONTH. WILL THE STATE COMPENSATE ITS EMPLOYEES IN A LIKE MANNER, EITHER WILLINGLY OR NOT? AND IF THESE TRANSLATIONS ARE NOT ASSIGNED TO A STATE EMPLOYEE, WILL THE STATE AGENCIES BE REQUIRED TO CONTRACT THOSE SERVICES TO OUTSIDE SOURCES?

BUT UNFUNDED MANDATES ARE NOT THE REAL BURDEN HERE, THE MORE SERIOUS PROBLEM IS TYING THESE COST TO A SEPARATE BUDGET LINE ITEM. THE GOVERNOR OF THE STATE OF KANSAS HAS A LINE ITEM VETO AUTHORITY. THE GOVERNOR HAS



ALSO ATTEMPTED TO ABOLISH THE KANSAS ADVISORY COMMITTEE ON HISPANIC AFFAIRS. IT WAS ONLY THROUGH THE GOOD NATURE OF THE LEGISLATURE, THAT HIS EXECUTIVE ORDER WAS OVERTURNED. BY MAKING THESE COSTS A SEPARATE BUDGET LINE ITEM, THOSE WHO SPEAK OTHER THAN ENGLISH WOULD BE CAST TO THE POLITICAL WINDS AND WHIMS. THOSE WHO SPEAK OTHER THAN ENGLISH WOULD THEN BE HELD AS HOSTAGES BY POWERFUL POLITICAL LOBBYIST. AND THAT BRINGS ME TO MY SECOND AREA OF CONCERN.

U.S. ENGLISH, IS THE MAJOR PROPONENT OF BOTH SENATE BILLS 179 AND 219. I WANT TO POINT OUT WHAT I PERCEIVE AS DECEPTION AND DECEIT ON THE PART OF THIS WASHINGTON D.C. BASED ORGANIZATION. U.S. ENGLISH CLAIMS THAT TWENTY-THREE STATES HAVE PASSED LEGISLATION TO MAKE ENGLISH THE OFFICIAL LANGUAGE, AND THIS IS TRUE. WHAT U.S. ENGLISH DOESN'T TELL THE CITIZENS OF KANSAS, WHAT U.S. ENGLISH WON'T TELL THIS COMMITTEE, IS THE CONTROVERSY AND COSTLY LITIGATION LEFT IN THE WAKE OF PASSING AN ENGLISH ONLY LAW.

THERE IS NO MENTION OF THE ANIMOSITY AND PROBLEMS CREATED IN STATES LIKE CALIFORNIA AND ARIZONA. THE ARIZONA LAW HAS BEEN OVERTURNED BY THE NINTH CIRCUIT COURT OF APPEALS, AND IS NOW BEFORE THE UNITED STATES SUPREME COURT. AFTER A PROTRACTED AND COSTLY BATTLE, THE CALIFORNIA COURTS HAVE COME TO TERMS WITH IT'S ENGLISH ONLY LAWS. U.S. ENGLISH HAS NOT STEPPED FORWARD AS A PROPONENT IN ANY OF THE TWENTY-THREE STATES TO HELP OFFSET THE COST OF A STATE COURT BATTLE. OH NO, THEN IT BECOMES A MATTER FOR THE STATES! IF AN ENGLISH ONLY BILL IS PASSED IN KANSAS, U.S. ENGLISH WOULD ABANDON OUR CITIZENS, AND LEAVE THEM BURDENED WITH A COSTLY COURT BATTLE.

U.S. ENGLISH CLAIMS THAT AN ENGLISH ONLY LAW WOULD SERVE TO UNITE OUR CITIZENS, BUT IN FACT THIS BILL WOULD HAMPER THOSE WHO ARE DESPERATELY TRYING TO ASSIMILATE INTO MAINSTREAM AMERICA. OVER THE YEARS, PEOPLE THROUGHOUT THE WORLD HAVE RISKED THEIR LIVES TO BECOME A PART OF THE AMERICAN DREAM, FLEEING THE RELIGIOUS PERSECUTION OF EUROPE, FLEEING THE POTATO FAMINE OF IRELAND, FLEEING THE DEATH CAMPS OF NAZI GERMANY. COMING TO US FROM THE STORM TOSSED SEAS OFF THE COAST OF VIETNAM AND CUBA, AND YES, CROSSING THE HEAVILY PATROLLED BORDERS TO THE SOUTH. ENGLISH ONLY WOULD ONLY RIDICULE THESE PEOPLE, AND FOSTER RACISM.

LET ME CLOSE BY RELATING THE STORY OF MY FAMILY'S BRUSH WITH RACISM. AS I MENTIONED EARLIER, ONE OF MY SIBLINGS DID NOT MAKE IT INTO ADULTHOOD. IT WAS A VERY HOT AUGUST DAY HERE IN KANSAS IN 1945. BECAUSE THE COLOR OF MY SISTERS SKIN WAS BROWN, BECAUSE OF HER SURNAME, SHE WAS DISCOURAGED FROM USING THE CITY'S SWIMMING POOL. SHE DID NOT KNOW HOW TO SWIM, ALL SHE WANTED TO DO WAS DANGLE HER LEGS IN THE COOL REFRESHING WATER. TO ESCAPE THE STIFLING HEAT, SHE WADED IN THE WATERS OF THE WAKARUSA RIVER. AND AT THE TENDER AGE OF 15, SHE DROWNED. I WOULD HATE TO SEE ANYONE ELSE LOSE A LOVED ONE TO RACISM, AND SO I AM HERE TODAY TO URGE THE MEMBERS OF THIS COMMITTEE TO DEFEAT SENATE BILLS 179 AND 219.

THANK YOU.



THE AMERICAN GI FORUM  
OF THE STATE OF KANSAS

TESTIMONY IN OPPOSITION  
TO SENATE BILL NO. 179  
AND 219

Chairperson, Members of the committee:

I'm Chad Lopez, Executive Secretary of the American GI Forum of Kansas, speaking on the behalf of Jose' M. Olivas, State Commander of AGIF of Kansas.

I appear before you today to voice my opposition to Senate Bill No. 179 and 219, which would designates English as the common language of the State of Kansas and requiring its use as the language of public record and public meetings. I am proud to exercise the freedom of speech before you and gratified that I am bestowed that right. I am able to communicate my opposition in English, not because of a law which requires communication in the English language when appearing before this venerable tribunal, but because such is the custom in this industry. Thus, a law in not necessary to designate English as the common language of this State.

On the face these Bills appears to affect only official public documents, records, or meetings. Currently, public documents, records and meetings are all transcribed or documented in English.

Though the text of this Bill appears benign and the need for the Bill may be rationalized to merely codify what is de facto the spirit of our State, it, nonetheless demeans a vast majority of learned individuals who realize that in this precious and culturally diverse state some constituents are not all English-only speaking individuals. Legislation such as this demoralizes the very fabric of our cultural wealth. This noble State does not need this type of legislation to function. Balanced against the deep-seated harm to the passions

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of the State's non-English speaking taxpayers and electorate, the rationale to rank English as a superior language is just too great a risk to take.

Legislation such as this opens the door to more intrusive means of segregation. The worst scenario illustrates that once this legislation is enacted, it is only a matter of time before the exceptions delineated in Section 3 of the Bill are eroded under the guise of Legislative power. Because the language of the Bill is superfluous it invites interpretation. In the malevolent hands of individuals awaiting the opportunity to close the gates of cultural diversity, this Bill will wreak havoc. I appeal to your intellect in asking that you oppose this Bill.

STATE OF KANSAS



PROCLAMATION  
BY THE  
GOVERNOR

TO THE PEOPLE OF KANSAS, GREETINGS:

WHEREAS, The month of September 16 through October 15, 1996, has been proclaimed as National Hispanic Heritage Month; and

WHEREAS, Hispanic men and women play a vital role in the progress and productivity of the United States, building communities which share strong democratic ideals; and

WHEREAS, Historically, Hispanic men and women explored new frontiers and established missions and settlements which were the forerunners of important and thriving metropolitan and cultural centers; and

WHEREAS, This month has been set aside to honor the Hispanic people, their accomplishments, and their contributions to society:

NOW, THEREFORE, I BILL GRAVES, GOVERNOR OF THE STATE OF KANSAS, do hereby proclaim September 16 through October 15, 1996, as

*Hispanic Heritage Month*  
*"A Proud History...Enhancing America's Future"*

in Kansas and urge every citizen of the state to join in the salute to the rich Hispanic heritage of our nation.

DONE

At the Capitol in Topeka  
under the Great Seal of  
the State this 30th day of  
September, A.D. 1996



BY THE GOVERNOR:

*Bill Graves*  
\_\_\_\_\_  
*Ken Sawyer*  
\_\_\_\_\_  
Secretary of State

Assistant Secretary of State

WILLIAM M. ARAIZA  
9918 METCALF LANE  
OVERLAND PARK, KANSAS 66212  
913-599-1424

**Testimony before the  
Senate Committee on Federal and State Affairs  
March 6, 1997  
by  
William M. Araiza  
Chair of Board of Advisors, Kansas Advisory Committee on Hispanic Affairs  
(KACHA)**

Madam Chair, Distinguished Senators, thank you for the opportunity to testify before you *today*.

Other testimony presented today has been, or will be, by individual organizations and concerned Kansas citizens and voters. They have, or will, state facts and render their opinions. I have no doubt you will listen carefully and in the end try to do the right thing. Your presence here, away from your family, jobs and friends is evidence you are all dedicated public servants.

Among the significant responsibilities stipulated in KSA 74-6504 the Advisory Board is directed, per KSA 74-6504A, to "Gather and disseminate information on problems and programs concerning the Hispanic community.". This legislative mandate obligates KACHA board members to inform and, when appropriate, make recommendations to the Kansas Executive and Legislative branches of Government on the impact of proposed or enacted policies, laws and regulations. The task of the KACHA Board of Advisors, to satisfy this obligation, is to discern the consensus of Kansas constituents state wide.

*After talking to an overwhelming number of community organizations and individual voters from Garden City, Ulysses, Dodge City, Goodland, Salina, Hutchinson, Wichita and Emporia in addition to Topeka and Kansas City/Overland Park/Lenexa the KACHA board members have directed me to communicate their **unanimous opposition** to both Senate Bills 219 and 179. The undeniable consensus is that both Senate Bills are bad law for at least three universally cited reasons.*

First, these bills appear to be a non-essential government intrusion during a time when government is supposed to be decreasing its unnecessary control of our daily lives. English is the primary language of 99.9% of Kansas Citizens. Why is a law necessary to control Kansas citizens to do that which they are already doing?

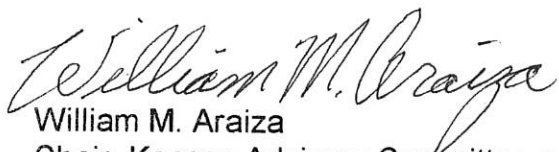
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Attachment: # 21

Second, the proposed legislation will result in the inhibition or denial of some legal rights and benefits available to all Kansans.

Finally, they are bad law because perceptions fostered by them are of exclusion, segregation, condescension and isolation.

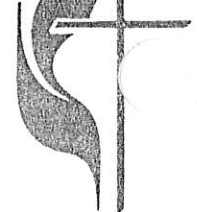
Honorable Senators, the citizens of Kansas want you to kill Senate Bills 219 and 179 now. They are clearly not necessary and will make bad law.

Respectfully,

A handwritten signature in cursive script that reads "William M. Araiza". The signature is written in dark ink and is positioned above the printed name and title.

William M. Araiza  
Chair, Kansas Advisory Committee on Hispanic Affairs

March 05, 1997



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English as the official language of the state of Kansas by force of law is unnecessary. English is, and has been, the common language of the U.S. for over 200 hundred years, and all Americans recognize the importance of English to national life.

English is probably the most useful language, today it is spoken by more people than any other language.

Because of its voluminous vocabulary and flexible grammar, English allows us to express ourselves in extremely fine shades of meaning.

In short, English is unchallenged as a world language, and not challenged at all as the official language of the state of Kansas. Why then introduce bill SB 179 and 219 to designate English as the official language of the state of Kansas?

Official English sends a negative message to speakers of other languages. Many American citizens have native language other than English.

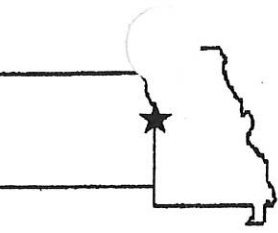
The languages and cultures of many people have contributed and continue to contribute to the richness and variety of English expressions.

Dora Falcon  
Community Developer



United Way





# COHO

COALITION OF HISPANIC ORGANIZATIONS

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MEMBERS

- ABOT WESTSIDE CLINIC
- L CENTRO, INC.
- GUADALUPE CENTER, INC.
- HEART OF AMERICA FAMILY SERVICES
- HISPANIC AIDS COALITION
- HISPANIC BAR ASSOCIATION OF KANSAS CITY
- HISPANIC CHAMBER OF COMMERCE OF GREATER KANSAS CITY
- HISPANIC ECONOMIC DEVELOPMENT CORPORATION
- HISPANIC HERITAGE COMMITTEE
- HISPANIC MEDIA ASSOCIATION
- HISPANIC MINISTRIES CATHOLIC DIOCESE KANSAS CITY - ST. JOSEPH
- HISPANIC PRODUCTIONS
- UNION OF GREATER KANSAS CITY
- KANSAS CITY HISPANIC ASSOCIATION OF CONTRACTOR ENTERPRISES
- LA RAZA POLITICAL CLUB
- LABOR COUNCIL FOR LATIN AMERICAN ADVANCEMENT
- LAOAC COUNCIL #9602
- LAOAC NATIONAL EDUCATION SERVICE CENTER
- LAOAC OF KANSAS CITY
- MATTIE RHODES COUNSELING AND ARTS CENTER
- MARY LADY OF GUADALUPE CHURCH
- MEXICAN CULTURAL MEXICANA
- WESTSIDE HOUSING ORGANIZATION
- WESTSIDE NEIGHBORHOOD ASSOCIATION

To whom it may concern:

The Coalition of Hispanic Organizations (COHO) at its monthly meeting in Kansas City, Missouri on March 7, 1997 offers the following resolution in response to Senate Bills No. 179 & No. 219 of the Kansas General Assembly regarding English-Only:

*Be it resolved that the members of the Coalition of Hispanic Organizations are in direct opposition to Senate Bills No. 179 & No. 219 filed in the 89th General Assembly of Kansas.*

*Both bills seek to designate English as the official language of the State of Missouri and as the designated language of official public documents and records and official public meetings.*

*English is already the common language of the United States and the State of Missouri -- 97% of the residents of this country and 99% of residents of this state speak English, according to the 1990 Census. Legislating English as our official language would only serve to disconnect Missouri residents from their government and give rise to discriminatory treatment to those who look or sound "foreign".*

*By ignoring the asset of knowing a second language, and by penalizing those who have this ability, we are losing an opportunity to improve our economic and political stature in the growing global economy. Furthermore, we are ignoring the valueable contributions that speakers of multiple languages can make to our society.*

*The Coalition encourages our individual members, participating organizations and corporate sponsors to communicate their opposition to the bill to their state legislators.*

It is the belief of the Coalition that we should be preserving our ability to speak multiple languages, rather than discouraging individuals from learning and maintaining other languages. Multilingualism is a strength. We urge that you strongly oppose these English-only bills.

Sincerely,

Rita Botello  
COHO Civil Rights Committee, Chair

Sen. Federal & State Affairs Comm  
Date: 3-7-97  
Attachment: #23

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