

THE PROENGLISH Advocate

Puerto Rican statehood bill threatens US unity in English



The House Natural Resources Committee passed H.R. 2499 by a 30-8 vote this summer, setting the stage for a vote on the bill in the full House of Representatives as early as this fall. The legislation calls for a two-stage referendum by Puerto Ricans on the issue of whether the Spanish-speaking commonwealth should become a U.S. state.

ProEnglish executive director K.C. McAlpin said, "H.R. 2499 is a deadly threat to English's role as the unifying language of the United States and I urge every one of our supporters to call the Capitol switchboard at (202) 224-3121, ask for their congressman's office, and urge them to vote against this bill." Here are the reasons ProEnglish opposes H.R. 2499:

It has no requirement for the

Spanish-speaking territory to adopt English as its sole official language before it could be admitted as a state and therefore it would transform the U.S. into an officially bilingual country like Canada.

The two-stage referendum H.R. 2499 establishes is rigged to produce a majority vote for statehood.

For the first time Puerto Ricans living in the United States with full voting rights as citizens of the state in which they live, would also be allowed to vote on the issue of Puerto Rican statehood. This double voting power is blatantly unfair to other U.S. citizens.

McAlpin said, "This will be the fourth time that Puerto Ricans have voted on the issue of statehood, having rejected it in 1967, 1993, and 1998. It is clear that a large part of the Puerto Rican public is opposed to the idea of becoming a U.S. state. Admitting a linguistically and culturally distinct territory like Puerto Rico as a state without first making English our sole official language is asking for trouble," he added.

Here is how the referendum process in H.R. 2499 is rigged. Rather than let Puerto Ricans choose among three options – commonwealth, statehood, or full independence – as they have in the past, in the first round of voting they would have only two options to vote for: the "status quo" meaning their current U.S. commonwealth, or "some other status." The idea is that statehood voters will join with the 2-4 percent of the electorate who traditionally vote for full independence and choose "some other status."

If "some other status" wins in round one there will be a second vote in which Puerto Ricans will not have the option of voting to remain a commonwealth. Instead they will have only two options: either statehood or two different forms of independence. As Puerto Rican Senator and pro-Commonwealth leader Juan A. Hernandez-Mayoral puts it, "with the commonwealth option out of the ballot, statehood is finally, albeit crookedly, assured a victory."

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House Democrats want \$billions for health care interpreters

Under health care reform legislation passed by the Democratic majority in the House of Representatives billions of dollars would be added to the cost of Medicare to pay for interpreters for non-English speaking Medicare beneficiaries. Section 1221 (b) of H.R. 3200, says health care beneficiaries that fail to “substantially provide language services to limited English proficient beneficiaries as required by law” face severe fines and penalties.

In addition to the translation mandate H.R. 3200 creates a huge new funding program for a nationwide “demonstration project” of interpreter and translation services at hospitals and clinics around the country – all targeted at providing taxpayer-funded medical translation services for non-English speaking Medicare patients.

ProEnglish board chairman Bob

Park said, “Medicare is already projected to be bankrupt in a few years and according to its trustees’ report has \$38 trillion in unfunded liabilities. Adding billions more in cost to our health care system by forcing providers to make interpreters available to non-English speaking immigrants, is sheer lunacy,” he added.

“It is also very misguided policy because it removes more incentives for immigrants to learn English,” Park continued. “Americans who have paid for their Medicare benefits through payroll deductions their whole lives and are now worried it will soon be insolvent, should ask the House Democratic Leadership why they are so eager to add more cost to an already bankrupt system. As a retiree, I’m outraged.”

A 2003 *Pediatrics Magazine* study found that paid medical translators made at least one

mistake in 53 percent of the cases the magazine surveyed. So an added consequence of making hospitals and doctors provide translation services will be to transfer liability for injuries and deaths attributable to translation errors from patients to providers. That means the already sky high cost of medical malpractice insurance will rise even faster and continue to be a major factor in the high cost of U.S. health care.

“As it stands now, the translation provisions of the health care reform legislation passed by House Democrats amount to little more than payola for favored interest groups and full employment for trial lawyers,” Park said. “If the Democrats want to spend billions of taxpayer dollars on the language problem, why not use it to teach immigrants English so they can stand on their own and won’t need interpreters,” he added.

What, no Klingon? Call the Civil Rights Division!

“To request a translation of this press release in Spanish, Chinese, Vietnamese or Korean, please contact: the Coordination and Review Section of the Department’s Civil Rights Division at (202) 307-2222 or (202) 307-2678 (TDD).”

— last paragraph of a July 20, 2009 U.S. Department of Justice press release

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Around the Nation



Citizens protest all-Spanish billboard ads by Wells Fargo

Angry area residents in the southern California town of Hesperia voiced their displeasure at two all-Spanish billboard ads erected by Wells Fargo Bank during a recent city council meeting. Led by local general contractor and activist Raymond Herrera, the protestors said the all-Spanish ads were an insult to immigrants and natives alike in an English-speaking nation like the U.S.

Herrera said, "The only people who read these signs are illegal aliens who have crept into America." Protestor Corralee Longdin aimed her fire at the bank, "They should have made a better business decision instead of just putting Spanish in. It's an insult to everyone who has [changed] from Spanish to English when they came into this country."

Some of those attending the council meeting defended the bank's actions. Carlos Carreon said, "[If] Mr. Herrera wants to complain about this country being English-only. Then he needs to go stand at the Statue of Liberty with a sign that says 'send them back.'" Hesperia Mayor Thurston Smith pointed out that the council had no power to alter the signs and suggested that citizens who were upset about them being entirely in Spanish should direct their comments to Wells Fargo.

Arizona English learners thrive in immersion classes

A new report from the Arizona Department of Education shows dramatic gains for English language learners (ELLs) since Arizona mandated that such students be immersed in all-English classrooms at least four hours a day beginning in the 2007-2008 school year.

Almost 40,000 ELLs, or 29 percent of the total, passed the English proficiency tests and will move into regular classes this coming school year. That's up from only 17,800 ELLs or 12 percent of the total in the previous year when most were still trapped in "bilingual education" classrooms and receiving only 30-60 minutes of English instruction a day.

Arizona Schools Superintendent Tom Horne who is credited for making the change said, "[Daily English instruction] went from half an hour to an

hour to four hours. That's a radical difference. It's predictable it would affect results. This enables [English learners] to compete with other students on an equal basis," he added.

Ironically, the poor academic performance of English language learners in bilingual education classrooms was a major factor in a lawsuit that sought to compel the Arizona Legislature to spend more money on the education of such students. The controversial lawsuit, *Horne v. Flores*, was recently overturned by the U.S. Supreme Court (see story p. 5).

Bilingual-ed attack on English immersion rebuffed in Wisconsin

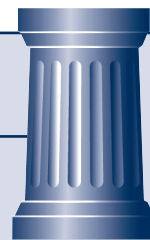
A Wisconsin lawmaker's effort to eliminate English-immersion programs and replace them with bilingual education programs, failed after provoking outrage from teachers and parents this summer.

Democratic Assemblyman Pedro Colon added a last minute rule to the state's budget bill that would have required private schools participating in Wisconsin's voucher program, where at least 10 percent of the students are English learners, to use bilingual education classrooms. In bilingual education students are taught basic subjects and literacy in their native language instead of being taught in English while being given special help learning English on the side, commonly referred to as English as a Second Language or Structured English immersion.

But following widespread protest from parents, teachers, and administrators at affected schools like St. Anthony's School in Milwaukee where most of its 1,000 English learners speak Spanish at home, the rule was removed from the final budget.

ProEnglish board member Dr. Rosalie Porter, one of the nation's leading experts on teaching English learners commented, "Assemblyman Colon probably was unaware that all the research of the last 30 years shows bilingual education is the most costly and ineffective way to help these children succeed in school. The supporters of bilingual education want to turn back the clock to the bad old ways. We're delighted the rule was dropped," she added.

Congress



GAO report hits effectiveness of adult ESL programs

The Government Accountability Office (GAO) released a report this July entitled "Diverse Federal and State Efforts to Support Adult English Language Learning Could Benefit from More Coordination." The report examined enrollment in adult English language programs, the federal role in those programs, and the various ways states fund and support adult English as a Second Language (ESL) classes.

The GAO found that between 2000 and 2007 the number of adults who speak English less than very well grew 22 percent and that almost all state adult education programs report an increased demand for English language instruction. Federal support for adult ESL is spread out across numerous agencies and there is little collection of data or research on the total amount of federal funding.

The GAO report noted that "the speed with which adult English language learners acquire English proficiency not only affects the livelihood of these learners and their children, but also their ability to effectively participate in civic life." That point was underscored by a recent study from the Lexington Institute, a Washington DC area think tank, which estimated the U.S. economy loses a staggering \$65 billion in wages annually due to poor English skills.

In general the GAO criticized the lack of coordination and the failure of various federal agencies to collect and share information that could lead to the more effective use of available funds.

Oklahoma delegation blasts Justice Dept. threat on official English

A U.S. Department of Justice (DOJ) threat to retaliate against the state if the Oklahoma legislature passed an official English bill drew bi-partisan condemnation from Oklahoma's congressional delegation. In a letter to Attorney General Eric Holder this summer both Oklahoma senators and all five congressmen sharply questioned the federal agency's right to interfere in the sovereign affairs of a state.

The action came in response to a letter DOJ sent to Oklahoma Attorney General Drew Edmonson last spring threatening the loss of federal funds if Oklahoma were to adopt a constitutional

amendment making English its official language. The letter, signed by acting assistant attorney general for civil rights, Loretta King, conceded that the bill, H.J. Res. 1042, by State Rep. Randy Terrill putting an official English referendum on the ballot had a specific exception for federal laws. But DOJ was upset that his bill defined 'federal laws' as "the express language of the Constitution of the United States, federal laws, or binding and statutorily authorized federal regulations requiring the use of a language other than English."

That definition of federal laws excluded bureaucratic interpretations of law like Executive Order 13166 (E.O. 13166) that mandates foreign language accommodation and flies in the face of thirty years of court decisions. In tacit recognition of E.O. 13166's illegality, DOJ refuses to go to court to enforce the order for fear it will be struck down.

But the Oklahoma congressional delegation bristled at the fact that DOJ's letter was issued long before the offending language would have become law and instead was issued "at the peak of legislative debate" and therefore clearly timed to influence legislative action on H.J. Res. 1042. Rep. Terrill said, "It is unprecedented for the federal Department of Justice to attempt to preemptively manipulate the outcome of state legislation and a subsequent referendum through the use of bullying, intimidation, and threats."

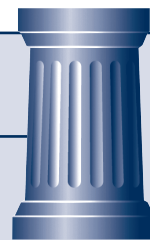
The controversial definition was eventually removed to streamline the bill's language and H.J. Res. 1042 passed overwhelmingly. But Terrill vowed to re-insert the definition in enabling language to take effect if voters approve the referendum in 2010.

Rep. Heller introduces bill to kill bilingual ballots

Despite the fact that English is a requirement for naturalization, local jurisdictions in thirty one states are being forced to print ballots in languages other than English. Congressman Dean Heller (R-NV) wants to end that. He has introduced H.R. 764, the *American Elections Act*, requiring ballots in federal elections to be printed exclusively in English, except in those jurisdictions where translations of Native American or Alaska Native languages are provided under current law.

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Congress Continued



The slide toward multilingual ballots began nearly 50 years ago, when Congress first approved making Spanish language ballots available for Puerto Ricans who have citizenship status when living in the US. Later in 1975, Congress added an amendment to the Voting Rights Act (VRA) that said bilingual ballots had to be provided as a *temporary* measure to help certain language minorities that were presumed to not have had equal access to educational opportunities. The provision has since been renewed and extended *five times*, despite two different General Accounting Office reports that found evidence bilingual ballots are wasteful and hardly ever used.

The VRA's bilingual ballot provision was last renewed in 2006 when then-President Bush teamed with Democrats to pass it over strong Republican

opposition in the House of Representatives led by Iowa Rep. Steve King. Today, the federal mandate to print ballots in foreign languages covers 292 counties. Unless Congress acts, that number is certain to grow dramatically after the 2010 Census.

According to an Aug. 2007 survey by the Winston Group, 74 percent of voters agree with the statement that "All election ballots and other government documents should be printed in English." ProEnglish director of government relations Jayne Cannava said, "Nothing is more indicative of the government's deliberate drift toward linguistic division than the mandate to print bilingual ballots. ProEnglish strongly endorses Rep. Heller's effort to pass H.R. 764."

In the Courts



Supreme Court victory for English immersion!

In a 5-4 decision, the U.S. Supreme Court upheld Arizona public schools' use of English immersion teaching methods as an effective remedy for helping English language learners (ELL) improve their academic performance. The ruling in *Horne v. Flores* overturned a 9th Circuit Court of Appeals decision that tried to ignore the results of immersion teaching methods and test scores in favor of ever increasing levels of state spending on ELL education.

ProEnglish filed an 'amicus curiae' brief with the Supreme Court that played a critical role in the majority's decision. ProEnglish board member Rosalie Pedalino Porter EdD, an acknowledged expert on English as a second language instruction, testified in defense of Arizona's school system in federal district court.

"We were delighted by the Supreme Court decision that recognizes the demonstrated effectiveness of Structured English immersion (SEI) teaching methods for teaching English Language Learners," said Porter. "The majority opinion states, 'Research on ELL instruction indicates there is documented, academic support for the view that SEI is significantly more effective than bilingual education,'" she added.

Porter said SEI has clearly demonstrated its

superiority to bilingual education teaching methods which have proven to be costly and ineffective. She pointed to a new report from the Arizona Department of Education this summer showing improved test scores for ELL students. 40,000 students or 29 percent of ELLs enrolled in SEI classes passed the English fluency exam and are now ready to do regular classroom work in English without further help. In the previous 2006-2007 school year only 17,813 students, or 12 percent of ELLs, passed the English exam.

"This ruling by the Supreme Court is a victory for English language learners and for the State of Arizona which has greatly improved the education of these children. It is a major defeat for the bilingual education industry," Porter said. "To help ELL students become successful in school and productive citizens, schools must give them the crucial English language skills as quickly as possible," she added.

California court upholds testing in English alone

A California appellate court ruled this summer that the state has the right to require all its students to pass achievement tests and high school exit exams written in English, regardless of the student's native language. The decision marked another victory for

Continued ►

In the Courts Continued



English language learners (ELL) and a defeat for the bilingual education industry which wants such students to be tested in their native language.

Nine California school districts that were penalized for poor academic scores under the federal No Child Left Behind Act (NCLB) joined bilingual education advocacy groups to file suit against the English language policy. The NCLB requires states to test all students annually in grades 3-8 and again in grades 10-12 on math, reading, and language arts. Schools that fail to show academic progress face penalties and loss of funds. ELLs are exempt from having to take the tests during their first year in school.

The suit's plaintiffs charged that California's requirement that ELLs take their tests in English after their first year violated the NCLB requirement that English language learning students be tested "in a valid and reliable manner." But in a unanimous 3-0 decision upholding a lower court ruling, the justices said the NCLB neither required or forbid testing students in their native language and left that decision up to the states.

The appellate court also noted the difficulty of testing in native languages in California in which students speak more than forty different languages.

Alabama judge stalls ruling on driver's license tests

Montgomery Alabama Circuit Court Judge Johnny Hardwick is not doing the job he was elected to do.

He appears to be deliberately delaying ruling in a suit brought by Alabama residents that seeks to enforce Alabama's constitutional amendment making English the official language by ending the state's policy of giving driver's license tests in thirteen foreign languages. The languages offered include such languages as Farsi, Arabic, Russian, Korean, and Spanish.

The judge held a hearing and heard oral arguments on the case on Feb. 2, 2009 but has yet to issue a decision. The fact that Judge Hardwick intends to issue a decision in favor of the multilingual policy is a foregone conclusion according to court observers present at the hearing, who reported the judge made little effort to conceal his hostility toward the plaintiffs' case. The five plaintiffs include Alabama State Senator Scott Beason and are being represented by the Atlanta-based Southeastern Legal Foundation.

There is speculation that the judge is applying the well-known maxim that "justice delayed is justice denied," from fear that the plaintiffs suit will succeed on appeal.

This is the second time Alabama's multilingual driver's license test policy has been challenged in court. An earlier lawsuit filed by five Alabama members of ProEnglish lost an appeal on narrow procedural grounds in a 5-4 decision by the Alabama Supreme Court.

ProEnglish News



Lt. Col. Alan Teague USAF (ret) joins ProEnglish advisory board

Retired Air Force Lt. Col. and former university professor Alan J. Teague has joined ProEnglish's national board of advisors. National Advisory Board Chairman, Phil Kent, announced Teague's election to the group this summer.

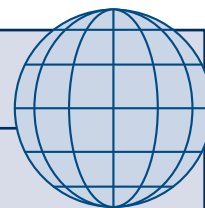
Teague served with the 8th Air Force stationed in England as a B-24 bomber pilot in World War II. Shot down flying a mission over Germany he was taken prisoner and spent 13 months in a prisoner of war camp. After retiring from the Air Force Teague earned a PhD in economics from

Washington University and went on to teach accounting and finance on the faculties of several universities.

Teague now lives in Philadelphia and has journeyed to Washington several times to lobby his congressmen and contact veterans' organizations on behalf of official English.

Kent said, "ProEnglish is delighted to add Lt. Col. Teague to our board of advisors. He typifies the many thousands of committed ProEnglish activists and supporters whose love for their country makes them determined to protect its unity in the English language."

Around the World



UK to immigrants – ‘learn English or leave’

UK Labor Government Home Secretary Alec Johnson announced that beginning in August immigrants joining spouses to live in the UK, would be denied visas with “indefinite leave to remain” unless they learned English. Without the indefinite leave status they will also lose the right to child benefits and welfare.

The announcement was part of a new crackdown on immigrants who are widely seen as taking full advantage of the country’s generous welfare system, yet who refuse to learn English and assimilate. Johnson also announced the government was extending the length of time that foreigners had to work on temporary work permits before being eligible for citizenship, from 5 years to 10 years.

“I will go even further,” Johnson said. “Bad behavior will be penalized and only those with enough points will earn the right to a British passport. No longer will there be an automatic link between temporary work and becoming a permanent UK citizen,” he added. A Tory opposition spokesman denounced the changes as “too little, too late,” and said the Labor government was responsible for letting immigration run out of control for more than a decade.

Taiwan invests in English immersion “villages”

A Taiwan government research agency announced it planned to invest \$18 million over the next three years to increase the nation’s proficiency in English. Part of the money will be used to build English “villages” in which thousands of Taiwanese students will be immersed in an all-English environment until they gain a required level of fluency.

The government plans to spend an additional \$6 million a year for the next four years to help foster an English-friendly environment for English speaking businessmen and expatriates living in the country on temporary permits.

An agency official said, “Schools around the country that have unused or vacated classrooms are welcome to apply to establish an English village,” and added that the door was open to businesses and groups doing the same by taking advantage of government laws encouraging private investors to invest in public infrastructure projects.

Several Asian countries are exploring ways to raise the level of English proficiency in their population, which is widely seen as giving countries a competitive advantage in attracting international trade and investment.

English at 1 million words is world’s largest language

“Obamania,” “defriend,” “misunderestimate,” “slumdog” and “noob” were some of the recently coined English words that boosted the numbers. But according to the Global Language Monitor (GLM) in Austin, Texas, the word that put English over the historic 1 million word mark on June 10, 2009 was “Web 2.0,” a term that refers to next generation Internet services.

GLM estimates English adds one new word to its vocabulary every 98 minutes, the fastest growth for the language since the Elizabethan era when William Shakespeare was writing plays.

Today, English is widely acknowledged as the world’s first global tongue, spoken by 1.53 billion people as either a primary, secondary or business language. Its vocabulary dwarfs other languages. According to GLM the next closest is Mandarin Chinese at around 500,000 words. European languages lag even farther behind: Spanish has 250,000 and French has 100,000 say the vocabulary analysts.

No one really knows how many words English contains because the language and its vocabulary varies so widely depending on the place where it is used. And many thousands of words have fallen into misuse. But there is no question that English has reached a level never seen before in history.

“You’ve got to be kidding...We speak English here.”

— Grandparent Ronda Amick at a California high school orientation conducted in Spanish with English translation. *Bakersfieldnow.com*, 9/17/09.

Ways to help win the battle for official English online

1. Join ProEnglish's online action alert network: Make your voice heard on official English, bilingual ballots, bilingual education and similar issues. Sign up to receive email alerts when things are happening in Congress. You will get up-to-the-minute information on upcoming votes, talking points, and contact information you can use to email or call your congressmen. To sign up, visit <http://capwiz.com/proenglish/mlm/signup/>.

2. Contact your elected representatives: Express your support for laws to make English the official language, stop government sponsored multilingualism, or expand incentives for immigrants to learn English. To send emails to your elected representatives at no cost, visit our Legislative Action Center online at <http://capwiz.com/proenglish>.

3. Help ProEnglish grow: Tell your friends about our fight to preserve English as the unifying language of our nation. Send them a link to our website at www.proenglish.org. Mention ProEnglish in every email you send by adding information about ProEnglish to your email signature. To find out how to add ProEnglish to your email signature, visit us online at www.proenglish.org/howyoucanhelp/emailsignature.html.

4. Write letters to the editor: Write letters in support of making English our official language. Or respond to news stories about English-on-the-job, English in schools, or the use of English by government agencies. For tips on writing effective letters to the editor, visit our tips page online at www.proenglish.org/howyoucanhelp/letterstotheeditor.html.

Flying safety?

In my opinion, [aircraft repair] company owners should all be locked up, because someone's going to die eventually, if it hasn't already happened."

—Anonymous aircraft mechanic talking about companies hiring mechanics who cannot read English, Dallas-Ft. Worth *WFAA Channel 6 News* report May 16, 2009

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