

THE PROENGLISH Advocate

Twenty Years of ProEnglish

Twenty years ago ProEnglish was formed under its original name “English Language Advocates.” Our goal, then and now, is to make English the official language for all levels of government and especially for the federal government. We have met both successes and setbacks along the way toward this critical goal. Looking forward, the new Congress may provide us with the opportunity we need to educate them that now is the time to make English the official language of America.

Since the beginning ProEnglish has been vital in helping towns, cities, counties, and states adopt official English language laws (See “ProEnglish’s Success at the State Level” pg. 2). We have also fought in courtrooms across the country to defend these laws. ProEnglish has provided important legal support for English-in-the-workplace policies. We also defend English speakers who are unfairly discriminated against (See “In the Courts: Twenty

Years of Legal Achievements” pg. 5).

For twenty years ProEnglish has actively engaged in the battle against bilingual education and is frequently called upon for expertise in this area.

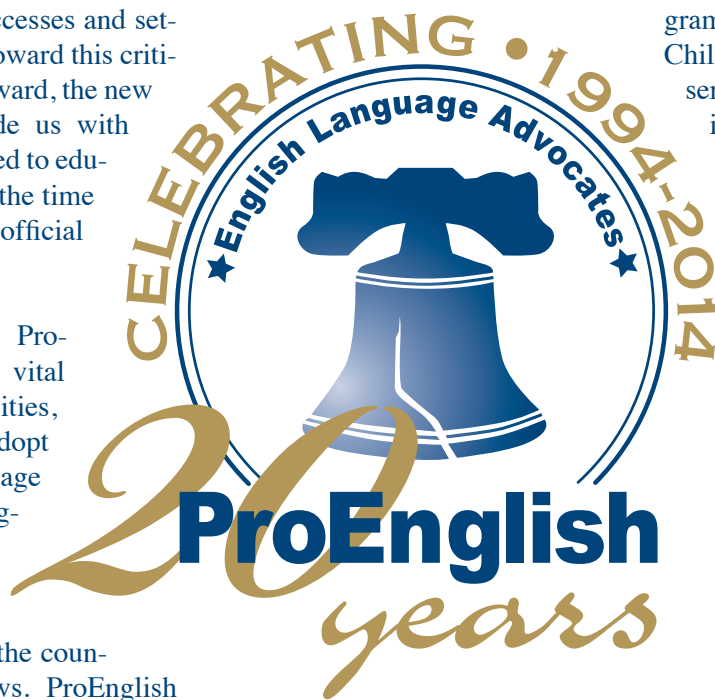
Our current chairman, Dr. Rosalie Pedalino Porter, is one of the nation’s leading scholars on bilingual education and the harmful effect it has on

students when compared to English language immersion programs.

Dr. Porter, along with the help of ProEnglish, was instrumental in educating the public about the importance of repealing bilingual education programs in favor of “English for the Children” immersion programs on a series of state ballot measures: California (1998), Arizona (2000), and Massachusetts (2002). In each of these states, the ballot measures passed with over 60% voter approval.

ProEnglish also educates people on the damaging effect bilingual ballots have on our nation’s civic life. Since naturalized citizens are required to demonstrate a basic knowledge of English, the use of bilingual ballots is unnecessary and leads to fraud, waste, and abuse.

We also inform the public about the problems associated with the Clinton-signed Executive Order 13166 (E.O. 13166). The order requires that any entity that receives federal funds must provide services

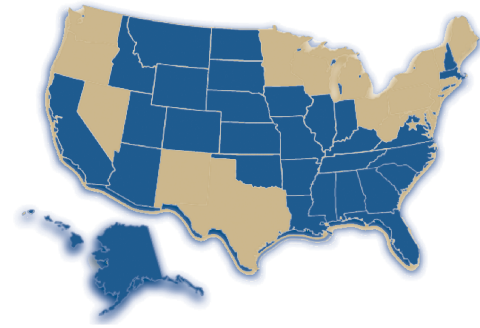


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The following information applies to the enclosed package in its entirety. ProEnglish is a project of U.S. U.S. is a 501(c)(3) tax-exempt organization and as such, can expend only a specific portion of its overall resources on lobbying activities. While your contribution will not be earmarked for a specific campaign, its availability at this time will assist us in meeting all of our goals. A copy of our latest financial report may be obtained from either the Secretary of State of New York, Albany, NY 12231 or from U.S., 445 East Mitchell St., Petoskey, MI 49770-2623. The official registration and financial information of U.S. may be obtained from the Pennsylvania Department of State by calling toll free, within Pennsylvania 1-800-732-0999. Registration does not imply endorsement. West Virginia residents may obtain a summary of the registration and financial documents from the Secretary of State, State Capitol, Charleston, WV 25305.

ProEnglish's Success at the State and County Levels

With Official English Legislation Without Official English Legislation



There are currently 31 states with official English laws on the books, 13 of which have passed English legislation during the 20 years that ProEnglish has been in existence. ProEnglish has been directly involved with the passage of many of these laws, and provides model legislation to any state considering making English official.

The latter half of the 1990s saw a flurry of states passing laws to make English official. In 1995, the year after ProEnglish was founded, Montana, New Hampshire, and South Dakota all made English their official language via legislative statute. South Dakota's law contains a private right of action, which allows an individual to sue the state if it fails to enforce the law. The following year, Georgia and Virginia each passed a second official English law, having initially passed legislation in the 1980s. Wyoming also passed an official English law in 1996. In 1998, vot-

ers in Alaska headed to the polls and passed an official English law by a 69 percent margin. Alaska's law faced several challenges in Superior Court and eventually State Supreme Court, but emerged mostly intact.

In 2000, voters in Utah passed an official English law by a 2-to-1 margin. Shortly thereafter, Utah's Attorney General claimed the law was merely symbolic, and the ACLU filed a lawsuit to overturn the law. In the case, *Anderson v. Utah* (2001), the judge allowed ProEnglish to file a brief in defense of the law. The judge's ruling rejected the ACLU's claims across the board, and drew heavily on ProEnglish's legal arguments in upholding the law (See "In the Courts" for a list of more legal victories on page 4).

In 2002, a bill sponsored by then-State Senator Steve King was passed, making English the official language of Iowa. Rep. King now represents Iowa's Fourth Congressional District in the U.S. House, and is the strongest supporter of official English at the federal level.

Arizona had passed a referendum declaring English its official language in 1986, but it was struck down by a state court ruling. In 2006, voters in Arizona passed Proposition 106, which amended Arizona's constitution to make English official, by a 74% margin. In 2007, both Idaho and Kansas passed laws making English official. ProEnglish testified in support of the Kansas bill before a State House committee.

Most recently, in 2010, residents of Oklahoma voted in favor of a constitutional amendment making English the official language of their state. ProEnglish played a major role both in drafting the legislation and in helping State Representative Randy Terrill get it through the legislature. During the last three years, ProEnglish has enjoyed widespread success getting official English passed at the county level, most notably in Maryland, where Frederick County, Queen Anne County, and Carroll County all passed official English legislation in 2012 and 2013.

The ProEnglish Advocate

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The ProEnglish Advocate is published quarterly by ProEnglish. ProEnglish is a non-profit membership-based organization dedicated to educating the American people about the importance of preserving English as our common language and making it the official language of the U.S. All contributions to ProEnglish are tax-deductible.



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in any foreign language spoken by anyone likely to receive those services.

This means that federal agencies are required to provide translation services in literally hundreds of languages. Not only is this Executive Order costly to the taxpayer, it does nothing to foster assimilation to our country. ProEnglish has sought, and will continue to seek, opportunities to challenge the legality of bilingual ballots and E.O. 13166.

Through the years the issue of Puerto Rican statehood has repeatedly come up. ProEnglish consistently points out the need for Puerto Rico to make English its primary official language as a condition for statehood. Otherwise, we would be admitting the first Spanish-speaking state into the union. That would obviously present us with similar problems to those that Canada has with its French-speaking Quebec province.

"In this country, we have a common language as well. English is, and has always been, our common language."

- Bob Park, first chairman of ProEnglish

In the ongoing debate over amnesty for illegal immigrants, ProEnglish has educated the public and politicians about the lack of meaningful English language requirements under current proposals. Any kind of amnesty without English would strain our ability to assimilate so many people at once and burden the taxpayer with a dramatic increase in government translation costs.

Over the past twenty years ProEnglish has been regarded as an expert on English language issues and is often called to testify before government agencies such as the U.S. Congress, the U.S. Commission on

Civil Rights, and numerous county board and other hearings. We also attend national and regional conferences to educate the public on the importance of these issues such as the Conservative Political Action Conference (CPAC), the National Association of County Officials (NaCO), and the Pennsylvania Leadership Conference among others.

ProEnglish has continually been sought out by national and local media to give important commentary on English language issues. ProEnglish spokesmen have appeared on CNN, Fox News, C-SPAN and other TV outlets. We are frequent guests on national radio shows like Lars Larson, Howie Carr, and NPR. ProEnglish is quoted in major newspapers like the *Baltimore Sun*, the *Los Angeles Times*, the *Boston Herald*, the *Wall Street Journal*, *USA Today*, and the *Washington Times* to name a few.

We highlight polling data which continues to support our positions. A recent Rasmussen poll showed that, for example, 84% of Americans want English to be the official language, and this has been consistent over the years.

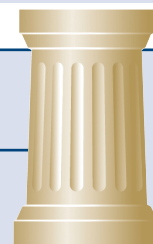
In 2000 we launched the ProEnglish website. Our website and our social media have allowed us to reach and educate a new generation about linguistic unity and the need to make English official. Check out our webpage at www.proenglish.org and sign up for our e-mail alerts if you have not done so already.

We currently have approximately 100,000 activists across the country that subscribe to our e-mail alerts and 69,000 followers of our Facebook page. Be sure to follow us on Facebook and Twitter if you are able.

ProEnglish has grown tremendously since our early days. While we continue to press for official English at the federal level, we can take pride in the gains we have made on the state and local levels, as well as in the courts and in the court of public opinion.

In Congress

ProEnglish Achievements in the U.S. Congress



Rep. Steve King (R-IA) with ProEnglish Chairman Rosalie Porter

While the United States does not have an official language, ProEnglish has made steady progress towards achieving this mission. At least one bill to make English the official language has been introduced during every single Congress since ProEnglish's founding.

The push for official English took a giant leap forward during the summer of 2012. On August 2, the U.S. House Judiciary Subcommittee on the Con-

stitution held a legislative hearing on making English the official language of the United States. The hearing focused on H.R. 997, the English Language Unity Act of 2011, introduced by Rep. King. This legislation garnered 122 bi-partisan co-sponsors during the 112th Congress. ProEnglish Chairman Dr. Rosalie Pedalino Porter gave brilliant testimony in support of Rep. King's bill. Dr. Porter drew heavily upon personal experience, having immigrated to the United States from Italy at age 6. Dr. Porter showed how and why a mastering of English is vital to the success of immigrants in the United States. Dr. Porter's testimony caught the attention of *The New York Times*, where its overall effectiveness was noted.

Throughout the past two decades ProEnglish has helped craft and educate the public on dozens of bills that have been introduced in the United States Congress. ProEnglish has also put its support behind additional bills to repeal multilingual ballots, require driver's license exams to be given in English, end speculation on the cost of multilingual government services, repeal President Clinton's corrosive Executive Order 13166, and countless others. In the most recent Congress, ProEnglish backed Senator Jim Inhofe's S.B. 464, and Congressman Steve King's H.R. 997, both of which would make English the official language of the United States.

In the Courts

20 Years of Legal Achievements



ProEnglish has distinguished itself by its willingness to continually defend our English language in the courts. The very first legal victory ProEnglish achieved went all the way to the U.S. Supreme Court in *Arizonans for Official English v. Arizona* (1997). In this particular case, former ProEnglish Chairman Bob Park defended a 1988 Arizona ballot initiative to make English the state's official language. After a lengthy series of legal twists and turns, the case eventually went before the U.S. Supreme Court

where Chairman Park and official English succeeded. This ruling was important in the upholding of official English laws in other states.

In 2001 ProEnglish filed a legal brief in support of an Alabama official English law in the *Sandoval v. Alexander* case. This case also went before the U.S. Supreme Court, and Alabama's official English law survived legal challenge.

In addition to defending official English laws, ProEnglish has successfully defended English-in-the-workplace policies for many family-run businesses. Overzealous government agencies like the Equal Employment Opportunity Commission (EEOC) and various Human Rights Commissions (HRC's) will often sue small businesses that require English on the job. These government agencies are mistaken in their view that English requirements are discriminatory. ProEnglish has consistently prevailed in these types of lawsuits.

For example ProEnglish provided assistance in 2003 to the Kidman family of Page, Arizona. Their restaurant, RD's Drive-In, was sued by the EEOC for its English-in-the-workplace policies. With our help, they were ultimately able to keep their English rules within their employment policies.

ProEnglish assisted the Lancaster School of Cosmetology when the Pennsylvania HRC sued them over their English-in-the-classroom policy. In 2012, we were successful in helping the school prevail.

In 2006 ProEnglish helped the City of Hazelton, Pennsylvania win after the American Civil Liberties Union (ACLU) sued the city over their official English law. ProEnglish was also instrumental in drafting the law that withstood the ACLU's challenge.

In 2009 ProEnglish filed a lawsuit against the Department of Health and Human Services (HHS) over Executive Order 13166. ProEnglish board member Dr. Cliff Colwell was also a plaintiff in this lawsuit. This executive order requires doctors to provide potentially unlimited translations for patients. Unfortunately, the court ruled that the issues the lawsuit raised were not "justiciable," meaning they could not be decided at that time. We continue to look for ways to bring a legal challenge to this costly and divisive executive order.

On a related note, ProEnglish filed a Freedom of Information Act (FOIA) request in 2014 with HHS to determine the translation costs of the Affordable Care Act, a.k.a. "Obamacare." To date, the agency has stonewalled our request and we have an appeal currently pending.

ProEnglish was heavily involved in the *Horne v. Flores* (2009) case, which emerged out of an Arizona school district. The lawsuit tried to challenge

Arizona's move from bilingual education programs to the more successful English language immersion programs in the public schools. Our current chairman, Dr. Rosalie Porter, was called upon as an expert witness for the state in this case.

The case went all the way to the U.S. Supreme Court. In a 5 to 4 decision, the court ruled that states could determine their own requirements for English language instruction, thereby upholding English immersion programs in the schools.

For over a year and a half, we have been providing legal assistance to Terri Bennett in Tucson, Arizona. Ms. Bennett was a nursing student at Pima Community College (PCC) who requested that her fellow students speak English during class and in labs. For this simple request, Ms. Bennett was branded a "bigot" by school officials and received a nine-month suspension.

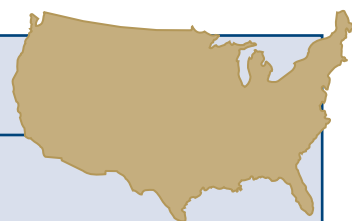
Ms. Bennett turned to ProEnglish for funding help, and a lawsuit was filed on her behalf against the school. Her lawyers argue PCC is in violation of Arizona's state constitution, which requires official English for government agencies (PCC is a state school in Arizona). ProEnglish is confident the law is on Ms. Bennett's side as the case moves forward.

Our legal efforts and victories would not be possible without the strong support for ProEnglish from our activists and donors.



Nursing student Terri Bennett with ProEnglish board member Phil Kent and attorney John Munger

Around the Nation



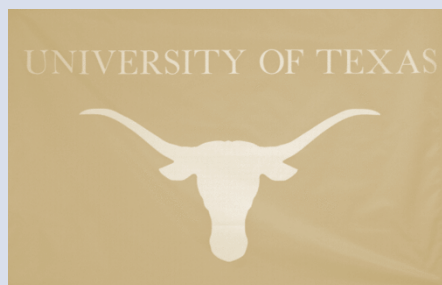
Senator-Elect Joni Ernst of Iowa Supports Official English



Senator-elect Joni Ernst (R-IA) is an official English supporter

Newly-elected Senator Joni Ernst (R-Iowa) came out in support of official English at a campaign event in late October. Ms. Ernst was asked by a ProEnglish supporter if she would support legislation to make English the official language of the United States, and responded by saying: "I think that's good idea... to make sure everybody has a common language and is able to communicate with each other." The new Senator is a staunch critic of Barack Obama's implementation of executive amnesty, and also opposed the bipartisan "Gang of Eight" bill drafted in the Senate in 2013.

Univ. of Texas Gives Admissions Preference to Applicants From Non-English Speaking Homes



Fisher vs. University of Texas, the landmark Supreme Court case on affirmative action, contained within it information about a little-known stipulation that gives a leg up to UT applicants who come from a home where English is not spoken. University of San Diego law professor Gail Heriot points out that this admissions policy could have the deleterious effect of discouraging families from learning English. Also, scholar Stuart Taylor Jr. argues that this sort of preference can act as a proxy for racial discrimination, favoring Hispanics, Asians, and Native Americans over whites and blacks.

Los Angeles School Asks Cafeteria Workers to Speak English

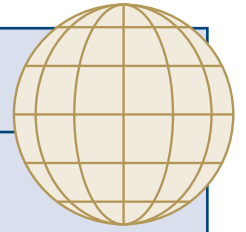
The Los Angeles Unified School District told cafeteria workers at the largely-Hispanic Harvard Elementary School that they must speak English while serving food. The employees didn't take too kindly to the rule, and it wasn't



long before workers' unions became involved in the ensuing tussle.

The unions claim to be standing up for "language rights and multilingualism," but up to this point the school district has not backed away from its position.

Around the World



Vancouver-Area Residents Fighting Back Against Chinese-Only Signs



Richmond storefront signs in only Chinese

Canada's language battles are usually fought in the Quebec province, but a new debate is heating up

in the Vancouver suburbs of Richmond. Residents there are growing weary of seeing store signs displayed only in Chinese. For years, Richmond native Kerry Starchuk has spearheaded the effort to do away with Chinese-only advertisements. Now she is beginning to find some strength in numbers. Just last year, two activists showed up at a Richmond City Council meeting with a 1,000-signature petition aimed at forcing businesses to advertise in English. Then, in October, Richmond directed its lawyers to figure out whether it could begin cracking down on the Chinese-only signs. As it stands now, it looks like there is a decent chance that Richmond will become the first local jurisdiction in Canada where English is mandatory.

Jailed U.S. Marine Was Denied Interpreter by Mexican Authorities



Marine Sgt. Andrew Tahmooressi

Former Marine Sgt. Andrew Tahmooressi made headlines earlier this year after he was detained and charged with the crime of bringing weapons and ammunition into Mexico. Sgt. Tahmooressi's lawyer, Fernando

Benitez, asserted that his client's civil rights were violated when he was not offered a translator to describe why he was being arrested. Mr. Benitez argued that any evidence obtained during the first eight hours after Sgt. Tahmooressi's arrest was technically null and void because of the civil rights violation. Sgt. Tahmooressi ended up being released by a Mexican federal judge on October 31, after a finding by defense and prosecution psychiatrists that he suffered from Post Traumatic Stress Disorder. The former Marine is now back home in Florida.

A Whopping 700,000 Immigrants in the UK Cannot Speak English



A report released in August by the think tank Demos shows that around 700,000 immigrants in the United Kingdom do not speak English, and cannot find professional help to learn the language. The report places much of the blame on budget cuts, and claims that the 700,000 immigrants are now being left voiceless. Only about 150,000 UK immigrants are currently enrolled in English classes. Back in April, the UK government implemented a new requirement that mandates English language training for new welfare seekers.

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.
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.

How to Put ProEnglish in Your Will

ProEnglish is a tax-exempt organization. Thus under IRS rules, any size bequest made to ProEnglish is deductible from the taxable portion of a person's estate. That can reduce a person's estate taxes under certain circumstances. A gift to ProEnglish can be made by simply including the following language in your will, "I hereby give, devise, and bequeath to ProEnglish, a project of US, the sum of _____dollars" [or "I hereby give devise, and bequeath to ProEnglish, a project of US, _____percent of my residual estate"]. Anyone interested making a gift to ProEnglish in their will should first check with their attorney or tax-advisor.

Keep up the good work. Here is my donation:

☐ \$25 ☐ \$50 ☐ \$100 ☐ Other: _____

☐ I would like to become a member of ProEnglish

☐ Please send a \$25 gift membership to:

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