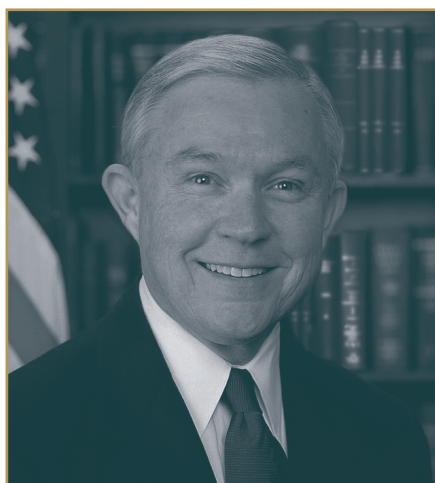


THE PROENGLISH Advocate

Sen. Sessions Grills Social Security Administration on Preferences for Non-English Speakers

On May 1st, Senator Jeff Sessions of Alabama wrote a fact-packed letter to Social Security Administration (SSA) Commissioner Carolyn Colvin in which he highlighted the absurdity of allowing non-English speakers to qualify for disability benefits at a faster pace than others. Sessions, the Ranking Member of the Senate Budget Committee, focused chiefly on the poor standards used by the SSA to determine English proficiency, as well as the skyrocketing number of non-English-speaking workers in the United States. Senator Sessions pointed out that the Social Security system is on a path to insolvency. The number of Americans now receiving disability benefits recently hit a record high of 11 million.

While noting that the Social Security Act allows education (including linguistic limitation) to be considered, Sen. Sessions cited SSA Law Judge Drew A. Swank, who concluded that an inability to communicate in English shouldn't qualify under the general disability definition. Sessions appropriately referenced a case in Puerto Rico where 290 out of 300 former employees at a recently closed plant filed for Social Security Disability Insurance (SSDI). A lack of proficiency in English was doubtless



Senator Jeff Sessions

used as a means to qualify by many, if not all, of the 290 plant workers.

Senator Sessions also highlighted a provision that allows those who allegedly cannot communicate in English to qualify for benefits five years earlier than those who can. This provides a strong incentive for applicants to commit fraud by claiming they do not understand the English language when, in fact, they do. The process is further hindered by the incredibly weak procedure used to determine whether an applicant is English proficient. In this process, there are only two questions asked: "Can you speak and understand English?" and "Can you

read and understand English?" Judge Swank sums the procedure up this way: "There is no burden of proof placed on the individual to demonstrate an inability to communicate in English."

Towards the end of his letter, Senator Sessions asked for answers to nine different questions concerning what, if anything, the SSA is doing to prevent fraud and abuse through the English proficiency factor. Sessions asked the agency to explain, among other things, whether SSDI is limited to U.S. citizens; the SSA's legal interpretation of "communicating in English;" the number of people 45 and older who have applied for SSDI in the past five years; and whether residents of Spanish-speaking Puerto Rico are awarded disability if they are incapable of communicating in English.

Sessions concluded by reiterating that naturalized U.S. citizens are required to be proficient in English. He also stated that the Administration has a duty to ensure that only those who are truly disabled are receiving monetary benefits. He asked for a detailed answer from Commissioner Colvin's staff by June 5th, 2014. As of press time, no response to Senator Sessions' letter has been reported.

Three States Considering Official English

Three states are currently considering official English laws: Pennsylvania, West Virginia, and Wisconsin. If passed and signed into law, they would join the ranks of the 31 other states that already have official English laws (see www.proenglish.org for a map of all these states).

State Representative Darryl Metcalfe (R-Butler County) introduced House Bill 2132 (HB 2132) to make English the official language for the state of Pennsylvania. Rep. Metcalfe is promoting the bill as a way to cut down on unnecessary translation costs for the taxpayer and to encourage greater assimilation in his state.

In West Virginia, State Senator David Sybolt (R-Preston County) introduced Senate Bill 78 (SB 78) to make English the official language of the state. In 2005, official English legislation passed the West Virginia State Senate but stalled in the State House. Hopefully, this time the bill will pass both houses of the state legislature and be signed into law.

In Wisconsin, Assembly Bill 340 (AB 340) would require both the state and local governments to operate in English with a few designated exceptions. AB 340 was introduced by Rep. Andre Jacque (R-2nd District).

"There is widespread agreement that English proficiency is critical to societal integration, future success, and achieving the American dream."

- Rep. Andre Jacque

Rep. Jacque stated, "Despite a broad spectrum of viewpoints on U.S. education or immigration policy, there is widespread agreement that English proficiency is critical to societal integration, future success, and achieving the American Dream."

He added, "It makes a lot of sense. It certainly helps unify the state."

Polk County, Wisconsin, passed official English at the county level earlier this year. We hope the state of Wisconsin will follow Polk County's lead.

ProEnglish applauds all these state legislators for introducing official English bills. If you live in one of these states, let your state legislator know what you think about this important legislation.

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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 Congress

Official English Supporter Elected to House Leadership Post



Rep. Scalise

was first elected to Congress in 2000, became the first Majority Leader in U.S. history to lose his seat in a primary challenge.

Following this political earthquake, an impromptu House Republican leadership election was scheduled after Cantor announced that he would be stepping

down from his post as Majority Leader in the U.S. House effective July 31st. Since current Majority Whip Congressman Kevin McCarthy (R-CA-23rd) was elected to fill Cantor's role as Leader, three candidates—Reps. Peter Roskam (Illinois), Marlin Stutzman (Indiana), and Steve Scalise (Louisiana) stepped forward to run for the open whip position.

In the end, Congressman Scalise, who currently serves as chairman of the Republican Study Committee, a caucus of conservatives in the House, won the coveted role of new House Majority Whip.

Rep. Scalise is a fourth-term Congressman who was first elected in 2006. He has also been an ardent supporter of official English. In fact, Scalise has co-sponsored Rep. Steve King's English Language Unity Act (H.R. 997, to make English the official language of the U.S.) during every term that he has served in Congress.

Guatemalans, Salvadorans, and Hondurans form the largest group of Other Than Mexicans (OTMs) crossing into the U.S. Although it is being suggested that the Obama Administration may be responsible for encouraging the surge, the largest draw for the illegals is a widespread misunderstanding of the program established by President Obama to provide temporary legal status for persons who were brought to the U.S. as children. That program, known as Deferred Action for Childhood Arrivals (DACA), is limited to persons who have lived in the U.S. since June 2007.

Crisis at the Border



A chaotic scene at the border

In June, reports began to emerge that tens of thousands of illegal aliens were flooding the United States' southwestern border with Mexico. The media emphasis has been on the number of "unaccompanied young children" crossing into the U.S., despite the fact that 80% are male and over the age of 14.

According to Guatemalan consul Allan Perez, "They think that if they come here with little children, their little children will get a permit because of the deferred action." On average, about 6,000 minors cross the border into the U.S. each year, but this year, the number is projected to reach 130,000.

Continued on page 4

In Congress

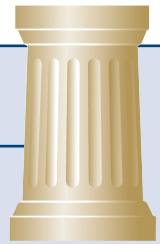
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Of course, with such a spike in the number of illegal crossings into the U.S., the risk to public health and safety increases as illegal aliens are less likely to have been immunized against infectious diseases once eradicated in the U.S, such as tuberculosis (TB), Chagas disease, dengue fever, hepatitis, malaria, and measles.

Healthcare providers are already encountering a rising number of non-English speaking patients. According to the U.S. Census, 26 million Americans are limited-English proficient, a number that is growing rapidly and has increased by 30 percent over the past decade. It's more than triple the growth rate of

the overall U.S. population. Studies continue to show that language barriers are highly associated with repeat visits to the emergency room and an increased likelihood for fatal consequences and medical malpractice lawsuits.

A major problem that hospitals face in providing language services is that they are costly. Some reports estimate that the average U.S. hospital spends nearly \$1 million a year on language services, and trends suggest that these costs will only increase with time. Combining the health hazards with the language barriers at the border, the economic impact of this border surge is set to cost American taxpayers dearly.



ProEnglish News

ProEnglish Pushes Official English at the 2014 Pennsylvania Leadership Conference

In an effort to spread the word about pending official English legislation in the Pennsylvania state legislature (see "Three States Considering Official English" on page 2), ProEnglish attended and sponsored an exhibit booth at the 2014 Pennsylvania Leadership Conference held in Harrisburg, Pennsylvania.

ProEnglish decided to attend the 2-day conference, which attracted an impressive crowd of close to 800 politically active Pennsylvanians, after PA State Rep. Daryl Metcalfe (R-Butler County) introduced legislation to make English the official language of Pennsylvania earlier that week. Rep. Metcalfe also happens to be the chairman of the House State Government Committee to which the bill, HB 2132, has been referred. You may recall that it was Rep. Metcalfe who brought two previous official English bills to a hearing in this

committee in 2011, on which ProEnglish testified in favor.

In addition to educating exhibit hall passersby about the official English movement, the conference presented an excellent opportunity for ProEnglish staff to gain some valuable face time with state legislators, including Rep. Dave Reed, the current PA House Policy Committee Chairman, and Senators Mike Fomer and John Eichelberger, who might be able to help advance the legislation.

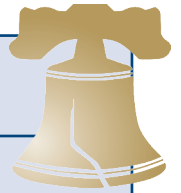


The ProEnglish booth at the Pennsylvania Leadership Conference

The political climate in Pennsylvania this year is ideal to advance official English, as Pennsylvania has a long legislative session that lasts through the end of December. There is plenty of time for Pennsylvania residents to continue to urge their state representatives to make HB 2132 a priority.



ProEnglish News



Travis Rush, the ProEnglish Summer Intern, Reflects on his Experiences at ProEnglish

I have been an intern at ProEnglish since March of this year. I am originally from Savannah, Georgia, and am a graduate student at The George Washington University in Washington D.C. Prior to working at ProEnglish as an intern, I have worked on political campaigns and within the non-profit sector.

Working at ProEnglish has been an invaluable opportunity, in which I have assisted with many projects. For example, I have assisted Suzanne Bibby, ProEnglish's Director of Government Relations, with research projects relating to public policy within the

field of English language legislation at the state and federal level.

My internship has also given me the ability to help ProEnglish Executive Director Robert Vandervoort with researching and drafting articles for ProEnglish's quarterly newsletter. Since becoming an intern, I have learned more about the importance of official English for our nation. Official English is needed to cut down on unnecessary translation costs for the taxpayer and to promote assimilation. It has been a rewarding experience to be here and learn about this issue.

In the Courts



Largest-ever Credit Card Discrimination Case Settled Over Lack of Spanish Translations



Eric Holder, DOJ

recently settled the largest credit card discrimination settlement in history, although it has yet to be approved in federal court.

According to a release from DOJ in mid-June, the settlement revolved around allegations that GE Capital Bank, now known as Synchrony Bank, engaged in "national origin" discrimination by excluding Hispanic borrowers from two of its credit card debt-repayment programs. DOJ claimed that GE Capital excluded borrowers who indicated that they preferred communications to be in Spanish or had a mailing address in Puerto Rico.

"Discrimination has no place in the consumer financial marketplace," said CFPB Director Richard

The Department of Justice (DOJ) and the Consumer Financial Protection Bureau (CFPB), a bureaucracy set up under the provisions of the Dodd-Frank Wall Street Reform and Consumer Protection Act of 2010,

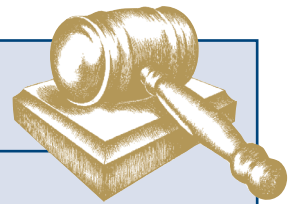
Cordray. "No one should be excluded from credit opportunities simply because of where they live or the language they speak."

The settlement will reward a staggering \$169 million in relief to 108,000 borrowers in the form of payments and debt reduction, and in some cases, a complete waiver of the borrowers' credit card balances.

ProEnglish has long argued against DOJ's flawed interpretation of the 1964 Civil Rights Act that prohibits discrimination on the basis of "national origin." Under DOJ's interpretation, language and national origin are treated interchangeably, but the courts have held differently. While a person can choose which language he or she speaks, national origin can never be altered. For a person who was born in the United States, Spanish may very well be their first language. In that case, failing to provide language translations is certainly not national origin discrimination.

DOJ's announcement about the settlement did not mention whether the borrowers required language translations at the time they applied for the credit cards they could not repay.

In the Courts



FOIA Update on Obamacare



Shortly after the Affordable Care Act (“Obamacare”) was launched in October 2013, Secretary of Health and Human Services (HHS) Kathleen Sebelius announced it would be available in over 150 languages. Pro-English discovered that when dialects were included, HHS is providing Obamacare translations in over 180 languages. HHS even launched an Obamacare website entirely in Spanish.

In response, ProEnglish filed a Freedom of Information Act (FOIA) request with the Obama Administra-

tion to determine the costs of these translations to the taxpayer. In March, ProEnglish also examined publicly available documents and discovered HHS spent more than \$44 million on translation services since Obamacare became law.

There are fourteen contracts for translation services we have identified, however, HHS has released only one of them to us since we filed our FOIA request. As a result, we have filed an administrative appeal with HHS to obtain the release for all of these documents. We will keep you informed on the status of our FOIA request on Obamacare as it continues.

Terri Bennett Lawsuit Update

Last July, ProEnglish provided critical legal support for nursing student Terri Bennett, against Pima Community College (PCC) in Tucson, Arizona. Ms. Bennett was given a nine-month suspension by PCC after she requested her classmates speak English during class.

ProEnglish found local attorneys to help represent Ms. Bennett in court when no one else would. A law-

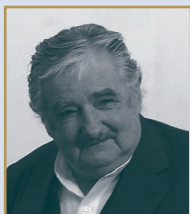
suit was filed on her behalf in the Arizona state court. PCC, a public school, is in clear violation of the Arizona state constitution, which requires English as the official language.

Presently, the case is still in the pre-trial stage. Terri Bennett’s attorneys are requesting documents and witness information from the school. We will keep you posted as this case unfolds.

Around the Nation



President of Uruguay Urges Bilingualism for America



President Jose Mujica

In a visit to the White House in May, Uruguayan President Jose Mujica urged that America become a bilingual country. “You will have to become a bilingual

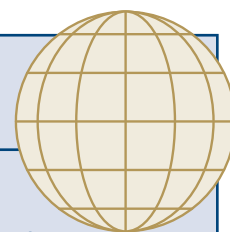
country – yes,” he said to President Obama. Mujica did acknowledge, “that we live in a time where we need to learn English.” ProEnglish notes that Spanish is the official language of Uruguay.

Sacramento Requires Taxicab Drivers to Know English

In May, the city of Sacramento passed regulations that require taxi drivers in Sacramento to have proof of English language skills. The new regulations were introduced after numerous customer complaints. Sacramento City Revenue Manager Brad

Wasson said, “The whole point is from the passenger’s perspective so that they can communicate with the driver and get to where they need to go.” The head of the taxicab union in Sacramento says the new regulations are “discriminatory.”

Around the World



UK's New Culture Minister Says Immigrants Must Learn English



Sajid Javid

Mr. Sajid Javid, Britain's first-ever Asian Secretary of State, recently articulated his belief that immigrants to his country should learn English. "I think it's perfectly reasonable for British people to say, look,

if you're going to settle in Britain and make it your home, you should learn the language of the country," Javid stated. He also pointed to personal experiences with immigrants who have failed to linguistically assimilate: "I know people myself, I have met people who have been in Britain for over 50 years and they still can't speak English."

English Language Dominates in European Parliament Debates

The European Union has 24 official languages on the books, which means that members of the EU Parliament are free to debate in any of those languages. However, data from 2008-2012 show that the English language gets by far the most airtime during the monthly plenary sessions. In 2012, Eng-

lish was spoken for 130 out of 428 total hours. Olga Cosmidou, Director General for Interpretation and Conferences in the European Parliament, claims that the main reason behind English language dominance is that all members of the European Commission speak English.

English Set to Become Language of the Skies in Spain



The Spanish Air Security Agency (AESA) recently signaled that it is supporting a move to eliminate multilingualism in communications between aircraft crews and traffic control in Spain. The Ministry of Development will soon introduce a new law

requiring English to be the only language spoken in Spanish skies. The AESA is already contacting companies in the hope that they will begin making voluntary changes before the law becomes set in stone. Currently, English, Spanish, and French are the three official languages accepted by the International Civil Aviation Organization (ICAO), which operates under the United Nations.

Puerto Rican Group Wants to Break Ties with United States, Reunite with Spain

A Puerto Rican man named Jose Nieves has founded a small group – "The Puerto Rican Unification with Spain Group" – with a mission to break Puerto Rico's ties with the United States, in order to realign the island with Spain. For more than four centuries, up until the late 1800s, Puerto Rico was a colony of Spain, and the island's

residents had full voting rights. "Our priority is to have historic justice done, because Puerto Rico and Spain were forcefully separated," explained Nieves. Mr. Nieves said he plans to register the movement with the Puerto Rico State Department, before eventually contacting the Spanish Consulate and the Spanish government.



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.

"It's that simple. You've got to learn English."

- Arnold Schwarzenegger

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