



THE PROENGLISH Advocate

Landslide election victory for official English in Missouri

Missouri voters exceeded all expectations and passed an official English amendment to their state constitution by a 6-1 margin (86.3 percent) in the Nov. 4th general election. ProEnglish endorsed and campaigned for the measure's passage.

The landslide vote was especially meaningful because it took place in a battleground state that split its vote almost evenly between John McCain and Barack Obama in the presidential election. A post election poll and analysis of the vote by the Zogby polling organization found the measure won support across the political spectrum including 57 percent of

Democrats, 96 percent of Republicans, and 66 percent of self-described Independents.

"This landslide vote in Missouri confirms national polls by a number of polling organizations which all show that the vast majority of Americans – Democrat, Republican and Independent – reject costly and confusing multilingualism and support English as our nation's official language," said ProEnglish Chairman Bob Park.

Unfortunately, news of the Missouri blow-out in favor of official English was largely ignored by the national media which focused its attention on covering ballot issues in other states.

Park pledged that ProEnglish would nonetheless make sure the Missouri vote is brought to the attention of every member of Congress as well as policy makers in other states.

Missouri's vote comes on the heels of a similar victory in Arizona which voted 74 percent in favor of an official English amendment to its state constitution in the 2006 general election. Missouri and Arizona are two of eight states with official English in their constitutions and two of thirty states to date that have made English their official language.

The advantages of mono-lingualism . . .

"Every time I thought I was getting somewhere, they'd start speaking Spanish"

— House Ways & Means Committee Chairman Rep. Charles Rangel (D-NY) explaining why he failed to discover and report \$75,000 in taxable income from his beach house in the Dominican Republic, in *The New York Times*, Sept. 11, 2008.

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Rep. Steve King selected to receive TR American Unity Award

Iowa Rep. Steve King (R) was selected to receive the Theodore Roosevelt American Unity Award for the 110th Congress by ProEnglish's board of directors.

The award is given once every two years to recognize a member of Congress that ProEnglish's

board feels has shown outstanding leadership in the battle to make English our official language.

"Even before being elected to Congress, Rep. King demonstrated his leadership on the language issue by almost single-handedly persuading his home state to adopt official English when he served in the state senate," said ProEnglish Chairman Bob Park. "And since arriving on Capitol Hill Rep. King has been unwavering in fighting to



Rep. Steve King (center) with ProEnglish's Jayne Cannava & KC McAlpin.

support of 153 co-sponsors, more than one third of the entire House of Representatives.

"Besides his work for official English," Park said, "Congressman King has been a leader on all the issues that threaten the role of English as the common unifying language of our

country by fighting such things as bilingual ballots and the multilingual mandate known as Executive Order 13166. He truly earned this recognition."

The award is named in honor of the 26th President of the United States who was outspoken in his commitment to the need for new immigrants to learn English to assume their rightful place in society and fully assimilate to the American 'melting pot.'

make English the official language of our nation. We could hardly have chosen a member of Congress more deserving of this honor," Park added. In 2002, 2004, and 2006, Representative King introduced his flagship bill, H.R. 997, and by hard work and one-on-one lobbying backed and assisted by ProEnglish, succeeded in recruiting the bipartisan support of more than 100 co-sponsors. In this Congress for instance, H.R. 997 enjoys the

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The ProEnglish Advocate

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On Capitol Hill



Election Day takes heavy toll of official English supporters

November 4th was a challenging day for many official English supporters on Capitol Hill.

In the House of Representatives, a number of stalwart advocates for official English lost their bids for reelection. They included Representatives Thelma Drake (R-VA), Virgil Goode (R-VA), Marilyn Musgrave (R-CO), Steve Chabot (R-OH), Tim Walberg (R-MI), and Robin Hayes (R-NC). These House members were all co-sponsors of Rep. Steve King's H.R. 997, the *English Language Unity Act of 2007* to make English the official language of the United States. Most were also co-sponsors of H.R. 4464, the *Protecting English in the Workplace Act* to protect employers with English on-the-job policies and H.R. 5971, the *American Elections Act* to kill bilingual ballots.

Even before the election the official English movement had lost some key House supporters with the retirements of Representatives John Doolittle (R-CA), Dave Weldon (R-FL), and Tom Tancredo (R-CO). Both Tancredo and Doolittle had introduced constitutional amendments to make English the official language during their time on Capitol Hill.

On the Senate side the major setback was North Carolina Sen. Elizabeth Dole's failure to win reelection. Sen. Dole was the author of S.2719 to repeal Executive Order 13166, the un-funded federal mandate to provide multilingual government services.

The good news is that voters reelected 120 co-sponsors of official English legislation in the House including Rep. Steve King (R-IA). That provides a solid base for building support for official English in the new 111th Congress. There are also many newly elected members – Democrats and Republicans – that ProEnglish plans to recruit to our cause.

"Although we deeply regret losing so many friends and supporters of official English, ProEnglish is looking forward to working with the new members of Congress," said Legislative Director Jayne Cannava. "As Missouri voters demonstrated by their 86 percent landslide vote for putting an official English amendment in their state constitution, regardless of

political party affiliation, Americans overwhelmingly want to make English the official language of government operations," she added. "Our job is to make that known on Capitol Hill."

Political ads in Spanish turn-off many Hispanic voters

The recent election set a record for campaigning in Spanish language media in the United States. Both Barack Obama and John McCain spent heavily on Spanish language TV, radio, and newspaper ads.

But who were the candidates addressing? According to the Pew Hispanic Center, 84 percent of Hispanic voters speak English well or very well and more than a quarter speak no Spanish at all. The fact is Hispanic citizens are often offended by Spanish language political ads. As League of Latin American Citizens (LULAC) Executive Director Brent Wilkes observes, "They don't like to have people assume they speak Spanish, not English."

The problem extends beyond the political realm to every day life. Many times store clerks and others assume someone speaks Spanish simply because they appear to be Hispanic. Often the person is not Hispanic or else does not speak a word of Spanish. Even when the assumption turns out to be correct it can be annoying and insulting to someone who has mastered English and understands and speaks it fluently.

Americans who live abroad and speak a second language fluently are familiar with the problem because they often encounter the same thing.

The federal mandate to provide bilingual voting materials and ballots in many locations is especially galling because immigrants have to demonstrate proficiency in English in order to naturalize and become citizens.

"What the push to provide voting materials and ballots, and produce political ads in Spanish really reveals is the patronizing attitude and insensitivity of the politically correct elites in this country," said ProEnglish Executive Director K.C. McAlpin.

In the Courts



New driver's license challenge filed in Alabama

The Atlanta-based Southeastern Legal Foundation has filed a new lawsuit challenging Alabama's policy of giving driver's license exams in multiple languages – in violation of the Alabama Constitution's official English provision. The suit was filed in Montgomery County Circuit Court on behalf of five plaintiffs including Alabama State Senator Scott Beason.

The lawsuit asks the court to issue an injunction against the State barring it from giving driver's license exams in any language other than English. Currently, written driver's license exams are given in 12 other languages, including Chinese, Arabic, Russian, and Farsi.

The suit follows a closely divided 5-4 decision by the Alabama Supreme Court in 2007 against a previous lawsuit brought by five Alabama members of ProEnglish. That decision upheld a lower court ruling that state officials were not violating the state constitution by giving driver's license examinations in foreign languages. But the decision turned on a technical argument that plaintiffs had failed to provide evidence to rebut the state's claim that contrary to all common sense, its multilingual driver's test policy actually promoted immigrants' learning English and therefore conformed to the state constitution.

Alabama added the official English amendment to its state constitution after voters approved it by a 9-1 landslide in a 1990 ballot referendum.

Ninth Circuit stalls ruling on ProEnglish appeal

There is an old saying that "justice delayed is justice denied."

Over four years ago on August 31, 2004, ProEnglish filed suit in U.S. District Court in the Southern District of California on behalf of itself and thousands of physicians challenging the U.S. Department of Health and Human Services' (HHS) implementation of the multilingual mandate known as Executive Order 13166.

That order requires physicians as well as other health care providers who receive Medicare or Medicaid reimbursement to pay for translations and interpreters for their non-English speaking patients. Doctors who fail to comply can face loss of federal funds, civil rights lawsuits, fines, and even jail time. The Pacific Legal Foundation is representing the plaintiffs in the lawsuit.

U.S. District Court Judge Barry Moskowitz dismissed the lawsuit in March 2005 ruling that neither ProEnglish nor its physician co-plaintiffs had legal standing to challenge HHS in court. ProEnglish appealed the ruling to the 9th Circuit Court of Appeals arguing that the judge had ignored precedents that clearly established the plaintiffs' standing to sue.

On February 13, 2007, a three-judge panel of the 9th Circuit Court of Appeals heard the appeal. Since that date more than *twenty months* has elapsed but no decision has been released by the court. ProEnglish Legislative Director Jayne Cannava said, "We know that federal courts are overburdened with work. But we doubt that advocates for multilingual government like the American Civil Liberties Union would have to wait this long simply for the 9th Circuit to issue an opinion. Remember this is just a decision on whether we and our co-plaintiffs can seek legal redress. It has nothing to do with the merits of the case," she added.

Job security

"If I know English and I get laid off, I can find other work. I am prepared for anything."

— construction site safety worker Antonia Diaz talking about the value of English to immigrants like her, *The Washington Post*, Aug. 9, 2008

Administration



Obama Administration certain to oppose official English

There is little doubt the Obama Administration will oppose any attempt to pass official English in the 111th Congress. The real question in the minds of observers is how far the new administration will go to appease ethnic separatist groups by pursuing a policy aimed at undermining assimilation and America's melting pot society.

As the junior Senator from Illinois, president-elect Barack Obama voted against amendments declaring English our national language on four occasions, voting instead for meaningless Democratic alternatives declaring English the nation's "common language." And on the campaign trail, candidate Obama famously told a crowd of supporters, "Understand this: Instead of worrying about whether immigrants can learn English...you need to make sure your child learns Spanish."

President elect Obama doesn't speak it. And it remains to be seen if he will follow the example of his predecessor President Bush, and try to learn Spanish while serving in the White House.

Optimists in the official English movement hope that as President Obama, he will side with the overwhelming majority of his countryman as illustrated by the 86 percent landslide vote for official English in Missouri. And although it is too much to expect him to support official English, he could choose to restrain anti-English zealots intent on pursuing a policy of multilingualism that are likely to dominate his administration.

That may be wishful thinking. But whatever course he chooses, the new president has to be mindful of national polls showing Americans are justifiably alarmed at the trend toward linguistic and cultural balkanization and overwhelmingly opposed to it regardless of party affiliation or ethnic background. If presented with legislation making English our official language, a President Obama might be hard pressed not to sign it.

Civil Rights Commission to hold hearing on EEOC Anti-English policies

ProEnglish is among several witnesses invited to testify at a U.S. Commission on Civil Rights hearing on English in the workplace regulations in Washington D.C. on Dec. 12. The hearing is being held to review Equal Employment Opportunity Commission (EEOC) policies that wrongly assume employer English-on-the-job policies violate civil rights laws.

For years the EEOC has been investigating and filing complaints against employers with English language workplace rules alleging such policies constituted illegal "national origin" discrimination, even though that formulation has been consistently rejected by the courts. On the rare occasions when employers have fought the EEOC in court, employers have won. In the most famous case, *EEOC vs. Spun Steak*, the 9th Circuit Court of Appeals found that the EEOC was acting illegally in bringing these lawsuits.

But the agency continues to defy the courts and abuse its authority by filing such complaints. The most recent example is a suit the EEOC filed in 2007 charging the Salvation Army with discrimination. Despite their illegality the EEOC often wins these cases because few employers are willing to stand up to the agency's public relations attacks branding them "discriminators," or spend huge amounts of money to defend themselves in court.

Instead they settle the EEOC complaints out of court by agreeing to rescind their policies and making cash payments to the plaintiffs. This allows the EEOC to claim victory and encourages more such spurious actions against employers.

"The EEOC has been abusing its authority for years and violating the civil rights of employers to pursue an ideologically driven anti-English policy," said ProEnglish Executive Director K.C. McAlpin. "We are delighted that U.S. Commission on Civil Rights is finally going to investigate this flagrant abuse of power."

Around the Nation



Nashville to hold Jan. vote on official English

A two-year battle to make English the official language of Nashville, Tennessee will be settled in a special election Jan. 22 when voters vote on a referendum to make English the city's official language. If it passes Nashville will be the largest city in the country with English as its official language.

Just getting the measure before the voters was a big victory for Nashville City Councilman Eric Crafton who led the effort to qualify the measure for the ballot. Crafton and his volunteers were forced to mount a second initiative signature gathering campaign after opponents used a technicality to stop the original initiative from making it to the Nov. 4 general election ballot.

"We worked hard, we didn't quit and this deserves to be on the ballot," Crafton said, who received financial help from ProEnglish for his initiative campaigns.

Crafton was criticized by Nashville Mayor Karl Dean and others for forcing a special election that will cost the city an estimated \$350,000. But Crafton pointed out that it was the mayor and official English opponents who had taken extreme steps to stop the measure from being on the Nov. general election ballot, which would have cost the city nothing.

Despite the enormous popularity of official English laws, Crafton's group faces an uphill battle to win voter approval. A coalition of special interests including the Nashville Chamber of Commerce, multicultural groups, mainstream churches, and ethnic separatist organizations vow to raise a record amount of money to fund a media campaign to defeat the measure at the polls.

Oregon referendum curbing bilingual-education fails to pass

A referendum in Oregon that would have limited the time non-English speaking school children could be kept in bilingual classrooms and taught in their native language instead of

English to two years, failed to win voter approval.

The vote on Ballot Measure #58 was 44 percent in favor and 56 percent opposed. Supporters attributed the defeat to a record \$20 million advertising campaign mounted against it and several other ballot measures by well heeled teachers and public employees unions. In stark contrast "English for the Children—Oregon," the main organization backing the measure – had only \$5,000 to spend trying to pass it.

The defeat follows victories at the polls for English immersion teaching in three states – California, Massachusetts, and Arizona – which had much longer and more widespread experience with failed bilingual education programs. The Oregon measure was hurt by the fact that the opponents' media campaign succeeded in linking it in many voters' minds with controversial ballot measures that lost by far greater margins. It also tried to reform instead of replacing bilingual education with something better.

"This is a sad day for Oregon's English language learners who will continue to be trapped in bilingual education classrooms and denied the opportunity to learn English quickly," said ProEnglish board member Dr. Rosalie Pedalino Porter. An acknowledged expert in the field of English as a second language education and author of several books on the subject, Porter spent a week in Oregon campaigning for the measure.

Workforce English skills rising in falling economy

The economic downturn is having at least one beneficial impact. According to an article in *USA Today* fast food chains report it is getting easier to find and recruit employees that speak fluent English, making it more likely customers will get what they order.

Not getting what they ordered is a leading cause of customer dissatisfaction in the fast food business and a growing source of customer complaints in recent years. In 2004

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Around the Nation Continued



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former Maryland Governor William Donald Schaeffer said he would boycott McDonalds after trying to place an order with an employee who did not understand English.

Sharply rising unemployment and the scarcity of jobs has led to a fast growing pool of well qualified applicants with solid English skills. CKE Restaurants CEO Andy Puzder, owner of Hardees & Carl's Jr.'s fast food stores, was quoted in the *USA Today* article, "Hiring people who are fluent in English has always been something we've wanted to do. Now we can."

ProEnglish Executive Director K.C. McAlpin commented, "We all want the economy to recover soon. But if our economic problems are increasing incentives workers have to learn English or improve their English skills, then it is having at least one positive effect that will give us a stronger, more productive economy in the long run."

Linguistic ghettos a major hindrance to immigrant success

A new book published this year, *Generations of Exclusion: Mexican Americans, Assimilation, and Race*, by sociologists Edward E. Telles and Vilma Ortiz report that by the 3rd and 4th generations the progress of Mexican American immigrants in terms of educational attainment, income, and assimilation often stalls and even reverses. The alarming decline follows rapid gains that typically occur in the 1st and 2nd generations.

Telles and Ortiz based their study on interviews with descendents of 1,576 individuals of Mexican descent who were living in Los Angeles and San Antonio, Texas in 1965 when they were interviewed by UCLA researchers in the first major study of Mexicans in the United States.

One of the factors behind their failure to make progress according to Telles and Ortiz is that Mexican Americans often live in sprawling, Spanish-speaking ghettos. "The children of the original respondents lived in neighborhoods that were even more Hispanic than the ones they grew up in," they write.

"Assimilation in terms of social exposure is so slow that even in the fourth generation most Mexican-Americans continue to have Mexican-origin spouses, live in mostly Mexican neighborhoods, and have mostly Mexican-origin friends," they report.

Meanwhile continuing high levels of immigration coupled with government multi-lingual policies are making the problem worse. Forty-three percent of California residents, more than in any other state, now speak a language other than English at home according to the Census Bureau's latest population survey.

The trends are raising red flags. "It's time to go back to the melting pot, control the borders and let assimilation, integration and intermarriage work," says Hoover Institution senior fellow and California resident Victor Davis Hanson.

Study says English not education key to immigrant success

A newly released study by the Washington-based Migration Policy Institute identified the inability to speak English as the primary cause preventing highly educated immigrants from reaching their potential in the U.S., thus depriving the U.S. economy of their skills and earning potential.

Some 1.3 million college educated immigrants are estimated to be either unemployed or working in low skilled jobs in industries like the fast food industry, according to the study. Although anecdotal evidence of the problem abounds, the study is the first of its kind to look at the broad problem from an academic perspective.

It found that 44 percent of college educated Latin American immigrants speak little or no English compared to 32 percent of Europeans and 23 percent of Asians.

One question left unexamined by the study was the extent to which government efforts to accommodate the native languages of immigrants by providing services in foreign languages removes incentives for immigrants to learn English and acts as a quiet but effective barrier to their success.

Ways to help win the battle for official English online

1. Join ProEnglish's online action alert network: to make your voice heard on critical issues like official English, bilingual ballots, English-on-the-job, and bilingual education. Sign up to receive email alerts when important things are going on 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 state and federal representatives: to 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 by telling your friends about our work to preserve English as the unifying language of our nation. Send them a link to our website at www.proenglish.org, or 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 of your local newspaper in support of making English our official language. Or write letters in response to local 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.

<p>Keep up the good work. Here is my donation:</p> <p><input type="checkbox"/> \$25 <input type="checkbox"/> \$50 <input type="checkbox"/> \$100 <input type="checkbox"/> Other: _____</p> <p><input type="checkbox"/> I would like to become a member of ProEnglish</p> <p><input type="checkbox"/> Please send a \$25 gift membership to:</p> <p>_____</p> <p>Name</p> <p>_____</p> <p>Street</p> <p>_____</p> <p>City State ZIP</p> <p>_____</p> <p>Email</p> <p>_____</p>	<p>IMPORTANT:</p> <p>If this is a gift membership, please print your name here:</p> <p>_____</p> <p><input type="checkbox"/> Check <input type="checkbox"/> AMEX</p> <p><input type="checkbox"/> MasterCard <input type="checkbox"/> Visa</p> <p>_____</p> <p>Card No Exp. Date</p> <p>_____</p> <p>Authorization Signature</p> <p>Send to: ProEnglish • A Project of US 1601 N. Kent #1100, Arlington, VA 22209</p> <p>All contributions are tax deductible.</p>
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