

October 26, 1995

NOTE TO JEREMY BEN-AMI

FROM: GAYNOR McCOWN

SUBJECT: BILINGUAL EDUCATION / ENGLISH ONLY

I asked Jose Lehrer to do some research on the issue of Bilingual Education and English Only. Below is an annotated bibliography of articles reflecting the Administration's position on this issue. I have all of these documents and will be happy to give them to you but I thought this may be a useful first step.

Anderson, Curt. **"Bills Seek to Make English Official Government Language; House Opens Hearings as Critics Rip Version to Ban Bilingual Education."** Associated Press (Rocky Mountain News). 10/19/95.

Outlines arguments made in support of and against official English, at Republican hearings. Among supporting arguments are that the bill would only affect the language of government, not federal bilingual education programs; the bill would exempt emergency, health, and legal services; and that legislators will have allowed a new type of welfare, "linguistic welfare," to become institutionalized if the issue is not addressed. Secretary Riley's opposition is stated.

Anderson, Curt. **"Hearing Opens on Bills Making English Official Government Language."** Associated Press. 10/18/95.

Discusses views of some Republican congressmen supporting the issue, and concerns voiced by Secretary Riley and Rep. Ed Pastor. Republican arguments include that the bill will not affect people's right to speak any language at home, and that the bill exempts emergency, legal, health, and other essential services. Statements were made at House Republican hearings.

U.S. Department of Education. Office of Bilingual Education and Minority Languages Affairs. **"Funding Title VII - Bilingual Education."**

Chart provides financial statistics on instructional and support services and professional development since FY 1994.

U.S. Department of Education. Office of Bilingual Education and Minority Languages Affairs. **"Letter to the Field."** 8/1/95.

Articulates the importance of retaining bilingual education, and costs of funding cuts. It states that the President supports bilingual education, and that his budget supports it through the year 2002. It outlines misinformation fueling the bilingual education debate, and elements in the overall legislative package in education that affect linguistically and culturally diverse students.

U.S. Department of Education. Office of Bilingual Education and Minority Languages Affairs. **"Meeting the Needs of Linguistically and Culturally Diverse Students."**

Outlines the program, curriculum, and parent involvement means in the present generic consensus model of a bilingual education program, as well as questions relating to language, culture, parents, and professional development which must be addressed by all bilingual education programs.

U.S. Department of Education. Office of Bilingual Education and Minority Languages. **"Title VII - Bilingual Education, Language Enhancement, and Language Acquisition Programs."**

Discusses elements of the reauthorized Title VII, which strengthens the State administrative role, improves research and evaluation, and emphasizes professional development.

U.S. Department of Education. Office of Bilingual Education and Minority Languages Affairs. **"Title VII - Bilingual Education; Revitalization in a New Direction."**

Outlines the foundational principles providing a new course for bilingual education. The new, less prescriptive programmatic structure of Title VII is discussed, as well as its improved research agenda, investment in the professional development of the educational workforce, and overall flexibility.

U. S. Department of Education. Office of Bilingual Education and Minority Languages Affairs. **"Talking Points - Why to Keep the Bilingual Education Act Intact."** 6/22/95.

Provides the California perspective, and reasons to maintain the competitive grant structure of Title VII.

U.S. Department of Education. Office of the Secretary. **"Statement by U.S. Secretary of Education Richard Riley regarding Oct. 18 congressional hearing on H.R. 739, the "Declaration of Official Language Act" and H.R. 123/S. 356, the Language of Government Act."** 10/18/95.

The Secretary speaks strongly against the elimination of bilingual education and programs that teach English as a second language. He states that future costs for directly affected individuals as well as the nation as a whole would be great. He states that elimination of these programs sends the message to young students and people trying to learn English that we are not concerned with their success.

Department of Education, Office of the Secretary. **"Additional Information for Questions About English as the Official Language."** 9/8/95.

States that the Administration has not yet taken a stand on making English the official national language. Policy implications of the issue movement and the importance placed by the Secretary on allowing everyone in America to learn English are discussed. It provides an overview of the legal standards governing the Dept. of Ed.'s policy on the education of limited-English proficient students, and a chronology of main events affecting ED's policy regarding language minority students.

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Discusses legal cases involving English-only rules in the workplace, and possible ramifications of such rules. It is stated that the Administration urged the Supreme Court to hear a case filed in opposition to English-only workplace regulations, and to settle the debate over their legality. The Administration has asked the Court to uphold the 1980 Equal Employment Opportunity Guideline of the Civil Rights Act of 1984.

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Discusses Clinton's visit with an ethnically diverse group of eighth graders at a middle school. Presidential press secretary Michael McCurry says the trip was partly in answer to Sen. Dole's call to end bilingual education. He also notes that many students learn better when taught in their own language.

"Phony Solution in Search of an Imaginary Problem." USA Today.

Holds that the official-English campaign represents a simple, feel-good answer to the non-problem of American culture being threatened by non-English speakers. Nothing of value would come of official English, or of termination of support for bilingual education.

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Discusses Supreme Court decisions to allow English-only rules and state taxation of multinational corporations, as well as response to these. It is stated that the Clinton Administration urged the Court to make it harder for employers to impose rules such as requiring employees to speak English at work.

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Recchi, Ray. **"Trivial Non-Issue Distracts Attention."** Sun-Sentinel (Fort Lauderdale). 10/19/95.

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Relevant portion: "And I just want to say a word in that context about bilingual education. Of course, English is the language of the United States. Of course, it is. That is not the issue. The issue is whether children who come here, while they are learning English, should also be

able to learn other things. The issue is whether American citizens who work hard and pay taxes and are older and haven't mastered English yet should be able to vote like other citizens. The issue, in short, is not whether English is our language, it is. The issue is whether or not we're going to value the culture, the traditions of everybody and also recognize that we have a solemn obligation every day in every way to let these children live up to the fullest of their God-given capacities. That's what this is about."

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Discusses the Supreme Court's decision. It is stated that the Clinton Administration urged the Court to reverse a lower court decision which allowed requirement of workers to speak English at work. A brief history on the English-only issue is given, and various legal issues are outlined.

Shogren, Elizabeth. **"White House Studies Shift of School Program Funds."** Los Angeles Times. 12/11/93.

States that the Administration is eliminating several programs that provide money to local school systems for special projects, and that bilingual vocational courses are among those to be cut. Other funding topics are discussed.

White, Kerry A. **"More Than One Lingo?; Move to Declare English Official Language Gains."** The Sun (Baltimore). 10/15/95.

Gives legal and social perspectives on the official-English campaign. It is stated that Pres. Clinton opposed making English the national language in a 9/28/95 address to the Congressional Hispanic Caucus. It is stated that Clinton said he "probably shouldn't have signed" an Arkansas bill making English the state's official language. He signed the bill only after ensuring that bilingual education, which he strongly supports, wouldn't be affected. Pro and con opinions of various educators are delineated.

Annotated Bibliography

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LEVEL 1 - 1 OF 17 STORIES

Copyright 1995 Denver Publishing Company
Rocky Mountain News

October 19, 1995, Thursday

SECTION: NEWS/NATIONAL/INTERNATIONAL; Ed. R; Pg. 41A

LENGTH: 440 words

HEADLINE: Bills seek to make English official government language
House opens hearings as critics rip version to ban bilingual education

BYLINE: Curt Anderson; Associated Press

DATELINE: WASHINGTON

BODY:

House Republicans opened hearings Wednesday on legislation to make English the nation's official language amid charges from opponents that some of the measures would harm children who speak another language.

Education Secretary Richard Riley told a House education subcommittee it would be ''sheer folly'' to eliminate bilingual programs for children who don't speak English, as a version sponsored by Rep. Peter King, R-N.Y., would do.

''Passing these bills is saying to children, and those who are struggling to learn English, that we don't care if they fall behind and fail,'' Riley said in a statement.

Supporters of the bill with the most co-sponsors, introduced by Rep. Bill Emerson and Sen. Richard Shelby, say that measure would only affect the language of government, not federal bilingual education programs.

Emerson, R-Mo., said their bill would exempt essential services - such as those dealing with emergencies, health and the justice system - from the official English mandate on the federal government. But it would ensure that most government forms and documents would be printed only in English.

A recent General Accounting Office report found that only a tiny fraction of the federal government's documents were in other languages, but Emerson nevertheless said it was wasteful to print items in, for example, Cambodian and Romanian.

''If we do not address this issue . . . then we will be guilty of having allowed a new type of welfare to be institutionalized: linguistic welfare,'' Emerson said.

Shelby, R-Ala., said the bill would have no impact on a person's right to speak any language at home, at work or elsewhere.

''The bottom line is that English is the language of opportunity,'' Shelby said.



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Rocky Mountain News, October 19, 1995

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LANGUAGE: English

LOAD-DATE: October 20, 1995



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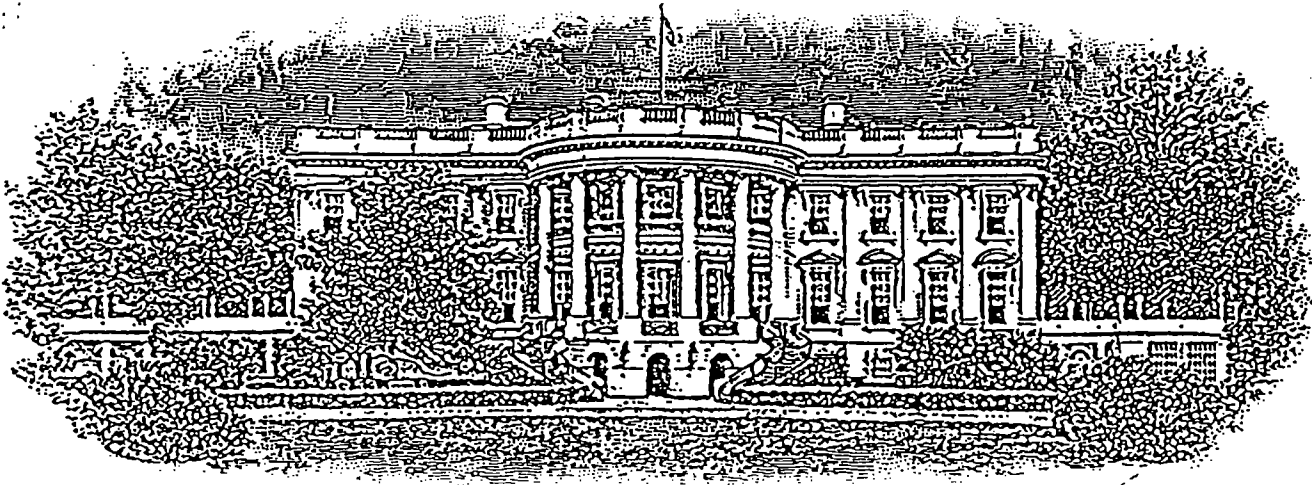


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The White House



DOMESTIC POLICY

FACSIMILE TRANSMISSION COVER SHEET

TO: Terry Peterson

FAX NUMBER: 205.5377

TELEPHONE NUMBER: _____

FROM: Gina McCon

TELEPHONE NUMBER: _____

PAGES (INCLUDING COVER): _____

COMMENTS: Terry-

Per our discussion, here is the Q and A.
These issues are going to continue being raised so it may
be useful to ~~to~~ expand upon this and have an ongoing
set of Q and A. Mandy thanks for your help.
Gina

EDUCATION VOUCHERS/CHOICE Q/AsDomestic Policy Council: Gaynor McCown, 65575

Updated 9/13/95

Q: Mr. President, many people, including New York Mayor Rudolph Guiliani, have said that Catholic schools have provided a model for how young people in this country should receive their education. As President, you have made education a priority and have indicated that you want to see to it that every child in this country gets the quality education they need and deserve. Yet, your policies do not allow vouchers for parents who want to send their children to Catholic schools instead of Public schools. Please explain what seems to me to be a blatant contradiction.

A: Well, let me just begin by saying that education is a priority of mine and I do care deeply about ensuring that every individual in this country has the opportunity to receive the quality education they need and deserve. I also believe strongly in private education and the right of parents to choose that option for their children. And, for the most part, I think all educators, whether they are from a Catholic school or a public school have a common purpose and concern which is for children and families. However, it is my belief that using public funds for private education has three fundamental problems:

- . (1) At a time when enrollment is at an all-time high and we need public schools the most, I don't think we should be taking funds away. A good, strong public school system is essential to our Democracy and in order to improve and maintain the quality of education in this country, we must keep available funds in the system.
- . (2) Equally important, part of the beauty of our system is that private schools, because they don't all receive general education funds from the government, do not have to be regulated as strictly. Public funds would require a great deal of oversight that, in effect, would destroy the very nature of private and parochial schools.
- . (3) Finally, the federal government does not provide general funds for k-12 education. Vouchers would require that the federal government play a new and increased role at the very time that most Americans are pushing for less federal involvement. Providing vouchers for k-12 education is simply not a role that the federal government should play.

Q: Mr. President, you have talked a lot about the need for parents to have an opportunity to help their children choose what school they want to go to. Yet, the public school system today, rarely allows that to happen. Young people who live in a certain

district are often forced to go to schools in that same district unless their parent are savvy enough to break the rules. What are you doing to prevent this trend from continuing.

A: Let me begin by saying that I believe strongly in public school choice. That is, if a student lives in one part of the city and wants to go to school in another part of the city simply because that schools meets his / her needs and the parents are amenable, that student should be free to go wherever he / she wants. I think a little bit of competition among public schools is not only acceptable, it is healthy. Increasingly school districts around the country are allowing opportunities for the students and parents to make choices about their own education. I also believe in and our new legislation supports charter schools, magnet schools and other alternative approaches to education that meet the needs of different populations.

Q: Mr. President, Catholic schools in this country are slowly becoming a thing of the past largely due to lack of funding. How do you feel about Catholic or any other religious education and what is your Administration doing to prevent the demise of these institutions that have served so many children for so long?

A: While some Catholic schools are struggling, statistics show that, on average, the number of students in Catholic schools is rising. Even if Catholic and other parochial schools got the same amount of federal funding that other elementary and secondary schools receive, it would not be enough. You have to remember that the federal role in elementary and secondary education is limited to less than 10%. As my Education Secretary Dick Riley so often and eloquently says: "Education is a national priority, a state responsibility and a local function." We don't provide for general support of elementary and secondary education.

Now, having said that, I also want to let you in on a little known fact. Approximately three percent of students who receive title one services, attend private schools. But, it still is not enough. The federal government will never be able, and I don't think it should be responsible for supporting or saving public or parochial schools. Does that mean, I want them to fail, no...but, general funding for K-12 education comes from state and local government and support from the federal government is not the answer.

Q: Mr. President, for years the federal government has been subsidizing loans for young people to attend private colleges. The objective here is to provide an opportunity for an individual to make choices about their own education. However, your policies do not allow parents and children to make choices about where they go to elementary and secondary schools. Why is it more important for an individual to make a choice for higher education than it is for elementary and secondary education?

A: Let me again emphasize that for the k-12 levels, state and local governments – not the federal government – provide general financial support. The federal government's

support goes primarily toward needy populations and helps out with special needs. For this, parochial and private schools also benefit. On the other hand, at the post-secondary level, the federal government provides over half of the funding for students to attend college.

Another important point here is that college age students are no longer minors and college is not mandatory. In choosing to go to a particular college, whether it is private or public, they can make their own decisions about religious affiliation. A key factor in elementary and secondary education is that students don't leave their religion at the school house door and they must be allowed to have their religious freedom. But, because they are minors, the state cannot dictate a particular religious belief. This is why I recently directed Secretary Riley to work with the principles of allowable religious expression in public schools to help find a common ground when it comes to issues of religious expression or the establishment of religion in a public setting.

LEVEL 1 - 1 OF 1 STORY

The Associated Press

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October 18, 1995, Wednesday, AM cycle

SECTION: Washington Dateline

LENGTH: 439 words

HEADLINE: Hearing Opens on Bills Making English Official Government Language

BYLINE: By CURT ANDERSON, Associated Press Writer

DATELINE: WASHINGTON

BODY:

House Republicans opened hearings Wednesday on legislation to make English the nation's official language amid charges from opponents that some of the measures would harm children who speak another language.

Education Secretary Richard Riley told a House education subcommittee it would be "sheer folly" to eliminate bilingual programs for children who don't speak English, as a version sponsored by Rep. Peter King, R-N.Y., would do.

"Passing these bills is saying to children, and those who are struggling to learn English, that we don't care if they fall behind and fail," Riley said in a written statement.

Supporters of the bill with the most co-sponsors, introduced by Rep. Bill Emerson and Sen. Richard Shelby, say that measure would only affect the language of government and would do nothing to federal bilingual education programs.

Emerson, R-Mo., said their bill would exempt essential services - such as those dealing with emergencies, health and the justice system - from the official English mandate on the federal government. But it would ensure that most government forms and documents would be printed only in English.

A recent General Accounting Office report found that only a tiny fraction of the federal government's documents were in other languages, but Emerson nevertheless said it was wasteful to print items in, for example, Cambodian, Romanian, Portuguese and Ukrainian.

"If we do not address this issue in a rational, forward-thinking manner, then we will be guilty of having allowed a new type of welfare to be institutionalized: linguistic welfare," Emerson said.

Shelby, R-Ala., said the bill would have no impact on a person's right to speak any language at home, at work or elsewhere. But he said government should lead by example in encouraging people to learn English.

"The bottom line is that English is the language of opportunity," Shelby said.

The Associated Press, October 18, 1995

Rep. Ed Pastor, an Arizona Democrat who chairs the Congressional Hispanic Caucus, said generations of immigrants have understood that learning English is vital to succeed. Pastor noted that more than 95 percent of Americans speak English, and said the issue appeared driven by political concerns.

"I cannot help but feel that we are not looking at a real issue here but perhaps one that has been artificially created to divide our country and promote a short-term political gain," Pastor said.

The subcommittee's chairman, Rep. Randy Cunningham, R-Calif., said there would probably be more hearings before the panel begins seriously considering any of the three bills and one proposed constitutional amendment currently before it.

LANGUAGE: ENGLISH

LOAD-DATE: October 18, 1995



UNITED STATES DEPARTMENT OF EDUCATION
OFFICE OF BILINGUAL EDUCATION AND
MINORITY LANGUAGES AFFAIRS

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Gaynor:

Per your request Please call if you
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Title VII--Bilingual Education Revitalization in a New Direction

A NEW DIRECTION IN POLICY

Moving away from the deficiency model of bilingual education, Title VII is the legislative tool to implement a new direction in bilingual education. This new direction is conceptualized in a set of principles that include:

- 1) All children can learn to high standards.
- 2) Linguistically and culturally diverse children and youth must be provided with an equal opportunity to learn the challenging content and high level skills that school reform efforts advocate for all students.
- 3) Proficiency in two or more languages should be promoted for all students. Bilingualism enhances cognitive and social growth and develops the nation's human resources potential in ways that improve our competitiveness in the global market.

A NEW DIRECTION IN IMPLEMENTATION

Title VII also moves away from its previous highly prescriptive programmatic structure to one that (1) recognizes the existing knowledge in the field and (2) promotes capacity building in the local educational agencies to meet the needs of linguistically and culturally diverse students.

- Title VII provides leadership in the development of programs that serve limited English proficient (LEP) children and youth in a comprehensive manner. The legislation promotes and emphasizes the development of new and enhancement of existing programs into comprehensive instructional programs for LEP students.
- Title VII places a new emphasis on bilingual education programs that are comprehensive and that embrace the concept of systemic reform and high standards for LEP children and youth through four types of discretionary funding:

(1) Development and Implementation grants--3 year grants designed to assist local educational agencies develop and implement bilingual education programs;

(2) Enhancement grants--2 year grants to assist local education agencies to improve, expand, or refine existing bilingual education programs;

(3) Comprehensive School grants--5 year grants to assist LEAs in their reform efforts to restructure and upgrade all the elements of a school's program to fulfill the educational needs of all of a school's LEP students.

(4) Systemwide Improvement grants--5 year grants to assist LEAs to improve, reform and upgrade relevant programs throughout the entire K-12 learning experience to fulfill the educational needs of LEP students. The emphasis is not on administrative boundaries but on comprehensive educational systems that create strong linkages between all of the educational stages of children and youth.

IMPROVED RESEARCH AND EVALUATION

Title VII calls for an unprecedented coherent research agenda for bilingual education that includes requiring the Department of Education to collect and integrate into its data systems, reliable data on language-minority and LEP students.

Research. The research agenda will result in reliable research findings and in practical knowledge to be applied in the field to lead to substantive improvement in meeting educational needs of cultural and linguistically diverse students. Title VII includes several provisions to move forward this agenda:

- funding for research activities, including field-initiated research
- Academic Excellence Awards for dissemination
- State educational agency grants to assist in the data collection and evaluation
- National Clearinghouse for Bilingual Education for collecting, analyzing and disseminating information
- Technical Assistance Centers, as currently existing, through FY 1996; Per Title XIII to be integrated into a network of Comprehensive Regional Assistance Centers.

Title VII--Bilingual Education Revitalization in a New Direction

Evaluation Methods and Practice. These must be reliable and must facilitate program accountability for the academic progress of students. Title VII requires that assessment be linked to instruction in order to accurately measure the progress of linguistically and culturally diverse students and hold Title VII funded programs accountable.

STRENGTHENED PROFESSIONAL DEVELOPMENT

Title VII, as ES/EA in general, makes a major investment of educational resources into the professional development of the educational workforce. Two important tenets underlie Title VII's emphasis on professional development: the field of bilingual education is mature and educational personnel--especially teachers--will be the ultimate implementors of reform. Four types of grants are provided to systematically improve both the quality and quantity of training available to education personnel:

- 1) **Training for All Teachers Program**--up to 5-year grants to a variety of educational institutions to foster the incorporation of courses and curricula on appropriate and effective instructional and assessment strategies specific to the education of LEP students;
- 2) **Bilingual Education Teachers and Personnel Grants**--up to 5 year grants to Institutions of Higher Education in consortia with SEAs or LEAs to develop and expand postsecondary programs to train bilingual education personnel to high professional standards; grants to LEAs and SEAs are also authorized to provide inservice professional development;
- 3) **Bilingual Education Career Ladder Program**--up to 5 year grants to institutions of higher education in consortia with LEAs or SEA to upgrade qualifications and skills of non-certified educational personnel; and
- 4) **Graduate Fellowships in Bilingual Education Program**--Fellowships for masters, doctoral, and post-doctoral study related to instruction of children and youth of limited English proficiency.

OVERALL FLEXIBILITY WITHIN SYSTEMIC REFORM

The new Title VII provides needed flexibility for the field to develop and implement the best approaches to serve the educational needs of their particular universe of linguistically and culturally diverse students. The flexibility is guided by a framework of systemic educational reform and a knowledge base of bilingual education to render programs that move *all* students towards achieving high standards. In sum, Title VII provides three cornerstones to move bilingual education into a new phase of excellence for our linguistically and culturally diverse children:

- (1) A redefined model that builds upon the strengths of culturally and linguistically diverse students to assist them in achieving to high standards;
- (2) Resources and programmatic flexibility guided by the Department's funding priorities to foster the development of bilingual education programs that will leverage state and local funds to help LEAs build their own capacity; and
- (3) A re-focused research agenda, guidelines for assessment and performance measurement to evaluate the implementation of Title VII programs and students' progress towards achieving high standard goals. In addition, the development of comprehensive technical assistance centers to assist in the educational reform efforts in general and in particular, to ensure that linguistically and culturally diverse children benefit from these reform efforts.

Title VII, as reauthorized also includes the Foreign Language Assistance Program and the Emergency Immigrant Education Program which are not explained here.

To receive further information, please call the National Clearinghouse for Bilingual Education at 1-800-321-NCBE to sign-up for the FAX-Newsletter issued by the Office of Bilingual Education and Minority Languages Affairs.

MEETING THE NEEDS OF LINGUISTICALLY AND CULTURALLY DIVERSE STUDENTS

The present generic consensus model would be something like this:

- **The program** is bilingual/bicultural and places emphasis on primary (home) language development but with attention to English learning. Instructional activities are always cognizant of language development issues. Wherever possible, students learn math, literature, science, and other content initially in the primary language. There is a strong multicultural component to the program. Not only are artifacts from different cultures featured, but in addition, teachers interact with students and set up classroom structures that are suited to children's cultural characteristics.
- **The curriculum** is experiential and cognitively oriented; it is "developmentally appropriate." The program encourages exploration, discovery, and the development of academic and social skills and positive self-concept. Positive self-concept is partly accomplished through featuring the child's culture in the classroom.
- **Parent involvement** and participation is encouraged by making parents feel welcome to the center and in all classrooms. Signs and printed matter are in English and the parents' home language. Center staff are fluent in the parents' home language; staff are also culturally aware, informed, and responsive. Parents classes are held to address numerous topics requested by parents themselves. Topics include obtaining a GED, improving English oral and written skills, improving home discipline, how to help your child at school, etc. Parents are strongly encouraged--and assisted--to take a leadership role in setting policy.

Some questions which need to be addressed by all programs:

Language

- how should home language and English be used?
- what are the goals of the program, what are the instructional standards/expectations for students?
- is instruction aligned with goals, standards, curriculum and student assessments.
- is there danger of language loss, disruption of family communication?
- what if parents want English emphasized, even to the exclusion of home language?

Culture

- What about cultural matches/mismatches, e.g. differences in sociolinguistics, participation patters? which matter and need accommodation?
- if the program's curricular emphasis (exploration, discovery) is different from socialization patters, teaching styles at home (direct teaching/telling and modeling for learning), will this create a problem for children?

Parents

- how is parent involvement promoted, particularly for working parents and parents with young children at home?
- what role do parents' educational values and beliefs and their educational practices at home play in promoting children's successful adaptation to school?

Professional Development

- Do teachers and other educational personnel have appropriate expertise and credentials?
- Does the program include a long-term plan for enhancing the expertise and credentials of ALL staff?



UNITED STATES DEPARTMENT OF EDUCATION

OFFICE OF BILINGUAL EDUCATION AND
MINORITY LANGUAGES AFFAIRS

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Total pages including cover sheet:

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COMMENTS

Graynor:

Per your request. Please call if you
have any questions. Thanks!

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LETTER TO THE FIELD

Office of Bilingual Education and Minority Languages Affairs

FY1995

August 1, 1995

Dear Colleagues,

It is a pleasure to write to you at this important time regarding the education of our linguistically and culturally diverse students. Your critical leadership has led to new developments not only in your locale but throughout the nation. Your efforts are landmarks in recognizing a new direction for bilingual education and those efforts will bring together educators, local, state and federal educational agencies, and others of the bilingual education community to expand our knowledge base and renew our commitment to all learners. ***This new direction builds upon the understanding that a child's "roots" are important and implores us to build upon the strengths of diversity for all students and ensure that they achieve to high standards--the "wings" they will need for the future.***

Your leadership is even more important in the days, weeks, and months to come. As many of you have witnessed, the linguistic and cultural diversity in America's schools has increased dramatically over the past decade, yet the Congress has proposed drastic cuts in the future funding of Title VII. Today,

- 1 in 3 children nationwide is from an ethnic or racial minority group, and
- 1 in 7 children speak a language other than English at home.

PRESIDENT CLINTON'S BUDGET SUPPORTS BILINGUAL EDUCATION THROUGH 2002

Educating children from diverse family backgrounds is—and should be—a major concern of school systems across the nation because

for many of these children American education has not been a

• Title VII has received a \$38.5 million rescission for 1995, all of

which is applied to new funded projects. Therefore, projected funding of new Title VII will be reduced by close to 50% this year. ***Awards for these new projects should be completed by September 15 but no later than September 30.***

On Thursday, August 3, 1995, by a vote of 219-208, the House passed H.R. 2127, the FY96 Labor-HHS-ED appropriations bill that cuts education by \$3.9 billion. A total of \$103 million is provided for both

Figure 1 Secretary Riley's Statement

Excerpts from the Statement of Richard W. Riley—U.S. Secretary of Education

On Passage by the House of the Appropriations Bill
Friday, August 4, 1995

The House action is a giant step backward for our nation. It undermines the economic well-being of every American. It shatters the hopes and dreams of middle class and working families and it sets our children on the road to second-rate futures.

It is only a matter of time before these cuts begin to erode the quality of education in every school and community in this nation.

There is simply no rational reason why we would want to cut support for education. It is the one thing that, more than anything else, creates the training and economic growth that will help us succeed individually and as a nation and ultimately close the budget gap.

successful experience. We are urged to do something different in our national reform efforts; but more importantly, all educators need to think differently about these students. These students must be perceived as national resources, not as a national problem. The mission of Title VII is to ensure that these students learn English and acquire academic competence. Budget proposals by the President agree with this important mission by funding bilingual education through the year 2002.

104TH CONGRESS RETREATS ON COMMITMENT TO BILINGUAL EDUCATION

Unlike the President, the new Congress does not agree with the mission of bilingual education to help linguistically diverse children:

bilingual education and immigrant education for 1996. The \$50 million appropriation for immigrant education maintains level funding from FY95 post-rescission. For bilingual education the proposed FY96 funding level (a \$64 million cut) is a 55% reduction from the already reduced budget for FY95.

OVER 400,000 LESS CHILDREN WILL BE SERVED BY TITLE VII

The \$38.5 million rescission of FY95 will deprive 175,000 limited English proficient (LEP) students from receiving Title VII-funded educational services. The additional reduction in funds for the FY96 further reduces the number served by 240,000. ***In only two years, approximately 400,000 less students will be served by Title VII funded programs.***

In addition to reducing direct services to children and youth, the FY96 House Appropriation would result in the following:

- 53 State Educational Agencies that currently receive grants would cease to receive the funding to support their data collection and technical assistance activities;

- 137 professional development projects at colleges and universities would not receive the funding to support their educational programs for new and existing teachers;

- 370 graduate students would not receive fellowships to assist them in obtaining their advanced degrees in the field of education and related to educating linguistically and culturally diverse children;

- 15 Title VII-Technical Assistance Centers would be eliminated as well as funding for the 15 Comprehensive Centers.

These are massive cuts with serious implications.

For many of you, these real and proposed cuts are disheartening given the new directions and the bipartisan support demonstrated last year for linguistically and culturally diverse students. In these times, your continued exemplary commitment to ensure

that all students have a successful educational experience will help other educators and community members embrace the challenge of diversity. For educators and other community members who may be unfamiliar with our students' diversity this can be a daunting

Figure 2 Bilingual Ed. FY96 Budget

PROGRAM	FY94	POST-RESCISS'N FY95	FY96 PRESIDENT'S REQST	FY96 HOUSE APPROPS
Instructional Services (Grants to LEAs)	\$152,728	\$117,180	\$155,690	\$53,000
Support Services (NCBE, Research, Academic Excellence)-a	\$10,218	\$14,330	\$15,330	\$0
Professional Develop. (Grants to LEAs, IHEs)	\$24,867	\$25,180	\$28,980	\$0
GRAND TOTAL Bilingual Ed.	\$187,813	\$156,700	\$200,000	\$53,000
Estimated Students Served by Bil. Ed.	300,000 students	425,000 students	700,000 students	200,000 students

(dollar amounts in thousands)

a-Excludes Technical Assistance Centers

personal and professional challenge of adapting, in adulthood, to a degree of diversity that did not exist during their own childhood or educational experiences.

THE DEMAND FOR TITLE VII FUNDING IS HIGH

The field has shown a high level of interest in accessing Title VII to help serve linguistically diverse children:

- The Department held a satellite conference on February 27, 1995, allowing interested local and state officials to down link the conference in their local areas. Over 500 downlink sites participated in this session—between 10,000 to 15,000

educators and parents in the audience. These numbers set a new record for such an activity by the Department. The express purpose of the satellite conference was to broadcast widely the availability and specific details related to Title VII funding.

- The FY95 competition announcement produced approximately 1,500 grant applications representing over 1000 school districts in almost every state and U.S. Territory. We will be able to fund less than 15% of these requests. The interest in the teleconference and the number of applications received are indications of the national need for Title VII funds and support for school districts to meet the educational challenges of today's diverse students.

TITLE VII— BILINGUAL EDUCATION DEBATE IS FUELED BY MISINFORMATION

Much opposition to Bilingual Education is expressed by arguments that perpetuate several myths about the objectives and results of bilingual education:

Myth # 1: Federal assistance to local and state educational agencies do not require nor promote English language competency. Nothing could be further from the truth. The explicit mission of all Title VII funded programs is the development of English and academic competence. No Title VII program has been funded that does not include the explicit goal of English language development.

Myth #2: Federal Bilingual Education funding requires local schools to utilize and develop a student's native language. There is no federal mandate for bilingual education. No educational agency receives these resources "automatically." They are requested through a competitive grant process. No requirements are placed on any grantee to develop the native language. Less than 25% of programs presently funded use the native language as a tool for achievement of English language competency and academic achievement.

Myth #3: Title VII promotes multicultural education and minimizes social assimilation. On one side of this issue, some opponents of Title VII insist that by allowing the utilization of the native language, Title VII promotes multiculturalism and thwarts cultural assimilation. On the other side of this issue, promoters of multiculturalism contend that Title VII's insistence on the development of English language competency undermines the goals of multiculturalism and leads to rapid assimilation and cultural loss. Both positions are inaccurate. Title VII seeks to assist local and state educational agencies in their efforts to meet their own English language development and academic achievement goals for Limited English Proficient students. Assimilation or non-assimilation is in the hands of parents and students and not the purview of Title VII.

Myth #4: Title VII programs are ineffective, duplicative and no longer necessary. National, state-wide and local studies of Title VII effectiveness demonstrate that Title VII programs can successfully fulfill their missions of English language development and academic success for Limited English Proficient students. They do so in urban and rural locals, in large and

small school districts, and with students who speak a variety of languages. Is there any "one-way" that works? No, local variety in methodology is the rule in these effective programs.

Myth #5: There is no national need for Title VII. Could such programs best be developed and paid for at the local level? Limited English Proficient students are growing at an estimated 10% per year nationally, and the educational challenge of that growth is felt nationwide. These students continue to significantly lag behind their peers in academic achievement. Yet, every public school district in the U.S. is required by a Supreme Court mandate to serve these students in ways that allow them to receive an equal educational opportunity. Achieving equal educational opportunity is also an important mission of the U.S. Department of Education. Therefore, Title VII is key to this mission as it provides leadership and support in the development of instructional programs for linguistically and culturally diverse children.

Figure 3 A Call for Success Stories

Title I & VII Working Together:

Do you have a successful story to tell about how Title I and VII work together to serve linguistically and culturally diverse students? We would like to include these in the Department's Policy Guidance for Title I. Please send us a short summary and a contact person.

Success Stories

Title VII funded programs have helped many students succeed. If you have a particularly interesting story about a student, please send us a 250-word story with fictitious names.

Send your faxes to: OBEMLA @ 202/205-8737. Attn: Gabriela Uro.

TITLE VII COMMUNITY—PART OF A GREATER WHOLE

As we move ahead to secure the new mission of Title VII, the Improving America's School Act (IASA) embodies a new beginning in the education of our children where all resources are available to address the multiple educational needs of students in a comprehensive manner and where all children are expected to achieve to high standards. The entire legislative package in education which includes Goals 2000, School-to-Work, and IASA calls for the integration of educational services to meet the needs of today's students. This change is both a resource and challenge for all educators to find creative ways to implement reforms that will address the needs of students. For linguistically and culturally diverse students, some of the most critical elements are:

- Title I, for the first time, must include LEP students who are poor in educational services supported by the \$6-7 billion investment of federal dollars. Thus, Title I becomes a major source of continuing support for programs developed with Title VII funds.

- Title I requires high academic standards of *all* children and youth, including those who may have limited English proficiency. Please be on the look-out for new Title I guidance which makes clear Title I's responsibility to serve LEP students;

- Assessment of student achievement in Goals 2000, Title I and Title VII requires that it be valid and reliable. Close interaction between Title I and Title VII on research, technical assistance, evaluation, and dissemination activities is encouraged for purposes of improving the quality and use of assessment. With this

in mind, I have requested that present Title VII Multifunctional Resource Centers work closely with other categorical programs (Title I, Migrant Ed., Indian Ed.) to provide more integrated and comprehensive technical assistance. Moreover, I have requested the two Title VII Evaluation Assistance Centers to provide guidance with respect to these new demands on student assessment and opportunity-to-learn standards/strategies;

- Title I and Title VII promote schoolwide programs—schools will be able to combine their Title VII funds with their Title I funds for comprehensive reform in schoolwide programs. This coordination enables schoolwide approaches to ensure that linguistically and culturally diverse students have access to the full mainstream curriculum;

- Parent involvement is a major component in both Title I and Title VII. Schools are expected to effectively communicate with and include the participation of parents of linguistically and culturally diverse students; and

- In order to improve the quality of instruction, Title I and Title VII provide strengthened professional development programs for individuals engaged in education. Title II funding is provided for professional development that is guided by challenging state content standards and is integrated to systemic educational reform efforts. Title VII makes a greater investment in professional development through four types of grants which allow for the training of new and existing educators to serve linguistically and culturally diverse children and youth.



Figure 4 NCBE's IDEA Book

NCBE's newest publications:
An IDEA Book: Forming new Partnerships for Educating all Students to High Standards; and
Compendium of Research on Bilingual Education provide a more comprehensive treatment of important issues in Federal efforts for serving linguistically and culturally diverse students.

FAX orders to NCBE @ 1-800-531-9347.

YOU—THE CRITICAL LINK TO LOCAL EDUCATION COMMUNITIES

Within the framework of Goals 2000, the Improving America's Schools Act provides programmatic support to help schools build their capacity to implement reform that will allow them to ensure that *all* their students achieve to high standards.

As the Department continues to seek ways to support you in your important work, your input will continue to be essential. As the field moves to implement reform efforts, your leadership and commitment will be vital. Allow me to ask of you five things:

- 1) Take on the new educational challenge with resolve, commitment and "ganas";
- 2) Be up-to-date on the new knowledge base;
- 3) Share the knowledge with the education community;
- 4) Accept the challenges of leadership and teamwork to effect reform; and
- 5) Care and be an advocate for our culturally diverse children and families by nurturing, celebrating and challenging them.

CONCLUSION

This last request is particularly important as local, state and federal funding for education in general, and Bilingual Education in particular, come under attack. Several "English Only" bills (HR 123 and HR 1005) call for the elimination of bilingual education and the climate for acceptance of this action has never been more receptive here in Washington. Together, we can ensure that our linguistically and culturally diverse students, like all students, reap the benefits of educational reform—reform which recognizes and nurtures their linguistic and cultural roots and provides educational wings. A commitment of time and resources together with our creative spirit and leadership can enable the future for our linguistically and culturally diverse society.

Sincerely,

Eugene E. Garcia, Ph.D.
 Director

Figure 5 FAX-Newsletter

In order to keep you abreast of the developments of Title VII, we send out our FAX-Newsletter on a regular basis.

To receive this FAX-Newsletter, call the National Clearinghouse for Bilingual Education or send a fax with your name, address, phone and FAX number.

Call NCBE @ 1-800-321-NCBE or FAX NCBE @ 1-800-531-9347.

TITLE VII - BILINGUAL EDUCATION, LANGUAGE ENHANCEMENT, AND LANGUAGE ACQUISITION PROGRAMS

Title VII is a program to increase the capacity of LEAs and SEAs to provide programs of bilingual education to limited-English proficient (LEP) students. Its purpose is development of full proficiency in English while building achievement in all curricular areas.

The Improving of America's School Act of 1994 reauthorizes Title VII in a new configuration. The reauthorized Title VII strengthens the comprehensive approach of funded programs; streamlines program definitions to enhance flexibility; strengthens the State administrative role; improves research and evaluation; and emphasizes professional development. The new Title VII:

- Establishes four functional discretionary grant categories aligned with the Department's comprehensive educational reform efforts. The restructured programs are (1) three-year development and implementation grants to initiate new programs; (2) two-year enhancement grants to improve existing programs; (3) five-year comprehensive school grants to develop projects integrated with the overall school program; and (4) five-year systemwide improvement grants for district-wide projects that serve all or most LEP students.
- Improves local program evaluations and promotes the use of appropriate assessments linked to instructional practices that build upon the strengths of linguistically and culturally diverse students to help them achieve to high standards. It supports field-initiated research, enhanced national dissemination efforts, and growth in Academic Excellence programs.
- Strengthens the State role by requiring SEAs to review Title VII applications within the context of their State reform plans. The new Title VII promotes partnerships between SEAs, LEAs and other entities for purposes of improving program design, assessment of student performance, and capacity building to meet the educational services of linguistically and culturally diverse students.
- Redesigns and strengthens professional development programs and ensures their integration with broader school curricula and reforms to improve the knowledge base and practices of educational personnel serving linguistically and culturally diverse students.
- Authorizes the Foreign Language Assistance Program as a discretionary grant program to help local educational agencies establish and improve foreign language instruction in elementary and secondary schools. This program aims to develop the foreign language proficiency of our students to face the challenges, as a Nation, of the increasingly competitive global economy.
- Incorporates the Emergency Immigrant Education Act which provides funds to assist in supporting educational services in local educational agencies that experience large increases in their student enrollment due to immigration.
- Incorporates the Uniform Provisions section of Title XIV to provide for the participation of eligible children attending private schools, including timely and meaningful consultation procedures.

Funding Title VII - Bilingual Education

(dollars in thousands)

Bilingual Education Program	FY 1994	FY 1995	Post Rescission FY 1995	FY 1996	
				FY 1996 President's Request	House Appropriations Mark-up
Instructional Services	152,728	155,690	117,190	155,690	53,000
(Grants to local education agencies)					
<i>Estimated students served</i>	300,000	600,000	425,000	700,000	200,000
Support Services	10,218	14,330	14,330	15,330	0
(Clearinghouse, Research, Academic Excellence, excl. T.A. centers)					
Professional Development	24,867	25,180	25,180	28,980	0
(Grants to local education agencies, higher ed. Institutions for teacher prep. and training)					
Grand Total	187,813	195,200	156,700	200,000	53,000

LEVEL 1 - 16 OF 22 STORIES

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The Houston Chronicle

June 4, 1994, Saturday, 2 STAR Edition

SECTION: A; Pg. 16

LENGTH: 826 words

HEADLINE: English-only rule: legal tongue twister;
Administration wants Supreme Court to settle flap over language policies

BYLINE: AARON EPSTEIN; Knight-Ridder Tribune News

DATELINE: WASHINGTON

BODY:

WASHINGTON -- On the production line of a South San Francisco meat-packing plant, employees hurled insults in Spanish at co-workers who spoke only English, saying things like *vieja bruja* (old witch) and worse.

When the boss, eager to curb hostilities, decreed in 1990 that "'only English will be spoken in connection with work,'" two bilingual workers got mad and filed a civil rights suit.

"'I am American, but Hispanic is in my blood,'" one of the workers, Priscilla Garcia, explained in English. "'I want to win so we can talk what we want to talk. '"

In a New York City hospital in 1991, Juanita McNeil, a English-speaking clerk, complained of feeling isolated and harassed by co-workers who spoke Tagalog, a Philippine language, and filed suit demanding the very English-only policy that Garcia had denounced.

These two events a continent apart underscore the legal and practical difficulties of coping with tension and conflict in increasingly multi-ethnic, multilingual workforces.

This week, the Clinton administration urged the Supreme Court to hear Garcia's lawsuit and settle a festering dispute over the legality of the growing number of English-only policies in the workplace. It is "'an issue of great importance to national origin minorities,'" the Justice Department declared.

The Civil Rights Act of 1964 forbids discrimination based on someone's national origin. At the heart of the Garcia case is a 1980 Equal Employment Opportunity Commission guideline intended to enforce that prohibition.

The guideline, which the Clinton administration is asking the



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high court to uphold, generally forbids English-only rules on the grounds that they "create an atmosphere of inferiority, isolation and intimidation. "

However, a federal appeals court in California has overturned the federal guideline and said English-only job rules are permissible and represent a minor inconvenience to bilingual employees.

A large and growing segment of the nation's population would be affected if the Supreme Court agrees to review the Garcia case in its 1994-95 term.

Census figures show that the number of U.S. residents who speak a foreign language at home is increasing. From 1980 to 1990, the number who speak Spanish grew by 56 percent; the number of Chinese speakers increased 109 percent.

At the EEOC, which enforces anti-discrimination laws, complaints about English-only rules are up.

American Civil Liberties Union lawyer Edward M. Chen of San Francisco attributed the growing numbers of complaints to "substantial concentrations of people whose first language is not English" and "resentment against foreigners . . . the same basic fear we've had in other nativist periods of our history. " When may private employers impose English-only rules without running afoul of the law? That's a question the Supreme Court may answer in the case of Priscilla Garcia and Maricella Buitrago against the Spun Steak Co. (recently renamed Pan Ready Foods).

Spanish is the primary language of the company's 33 workers.

Most speak at least some English, and many, including Garcia and Buitrago, are bilingual.

According to sworn statements, two minority workers -- Al Cowlah, who is black, and Benedict Ching, who is of Chinese descent -- were targets of offensive remarks made in Spanish.

Ching said he often asked Buitrago and Garcia to stop speaking Spanish "because it bothers me since I don't know what they're saying. " But they wouldn't stop, he said.

Spun Steak President Kenneth Bertelsen said the ethnic discord led him to instruct all employees in 1990 to speak only English at work. They were allowed to talk in Spanish during breaks, lunch or on their own time.

Garcia, Buitrago and their union filed a suit alleging that Spun Steak's English-only rule violated the EEOC guideline.

The guideline allows such rules only if employers can prove them justified by some business necessity.



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The Houston Chronicle, June 4, 1994

To U.S. Senior Judge Robert Schnacke, Spun Steak's English-only rule was so unnecessarily broad that it was like "hitting a flea with a sledge hammer. ' ' It was unfair to tell Hispanics "that they cannot make little jokes in their own language when you don't tell English-speaking people that they can't do it in their own language," he said.

But a California-based federal appeals panel backed Spun Steak.

Spun Steak's English-only policy "was enacted to prevent the employees from intentionally using their fluency in Spanish to isolate and to intimidate members of other ethnic groups," the panel said.

The language dispute has divided lower courts. In Texas, a court ruled against Hector Garcia, a bilingual, native-born American of Mexican descent, who objected to the English-only policy of a Brownsville lumber supply firm.

But judges in California ruled in favor of bilingual court clerks in Los Angeles who protested an English-only rule.

LANGUAGE: ENGLISH

LOAD-DATE: July 15, 1994



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FOCUS - 10 OF 80 STORIES

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September 6, 1995 Wednesday, NORTH SPORTS FINAL EDITION

SECTION: NEWS; Pg. 6; ZONE: N

LENGTH: 448 words

HEADLINE: CLINTON GIVES KIDS A VIEW OF WORLD, HAILS EDUCATION

BYLINE: By William Neikirk, Tribune Staff Writer.

DATELINE: SELMA, Calif.

BODY:

On their first day of school Tuesday, 8th graders at Abraham Lincoln Middle School had a substitute teacher: President Clinton.

He sat on a desk in front of the classroom, gave his own review of U.S. history and fielded questions. They weren't exactly the kind of hard-hitting queries usually thrown at him by the White House press corps, but Clinton treated them with equal, if not more, respect.

His theme was simple: Education is the key to America's economic future in the 21st Century. It just so happens that this is also a key theme for his 1996 re-election effort, but the students didn't seem to feel they were being used as campaign props.

Clinton urged them to be tolerant of other races and ethnic groups, adding that if all Americans did so, it would give the U.S. a huge economic advantage over countries that "find it impossible to bury the hatchet."

He said his hardest decisions were the 1994 deficit-reduction bill, which he pushed through with no GOP support, and Bosnia.

The decision to allow U.S. forces to participate in attacks on Serbian targets in Bosnia was tough because "it's hard for us when we're the strongest country in the world, when other countries don't do what we think they should do. And we have no way to make them do it because we didn't have the soldiers there."

Clinton added, "When our soldiers were killed in Somalia, it was the darkest day of my presidency for me."

Some decisions turn out bad, some good, he said, and urged the students to "keep going. You have to believe in yourself."

One student wanted to know if he ever thought about being president when he was young. "I did," Clinton said. "I guess when I met President Kennedy I thought about it, but it wasn't that I really thought it would happen."



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He met Kennedy as a high school student on a trip for Boys Nation in the summer of 1963. "It was an incredible experience," he said, adding that he was able to shake Kennedy's hand partly because of his size. "I could sort of elbow my way to the front of the line."

Asked about his most important accomplishment, Clinton listed one atop all: "I think the most important thing I've done in office is to basically make the presidency a place where problems are dealt with again."

Presidential press secretary Michael McCurry said later that Clinton's appearance was partly an answer to Sen. Bob Dole's call to end bilingual education, which the Kansas Republican proposed in a speech Monday.

McCurry noted that the class taught by the president was ethnically diverse. In many such classes, he said, many students can learn math and other subjects better when taught in their own languages.

LANGUAGE: ENGLISH

LOAD-DATE: September 6, 1995



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UNITED STATES DEPARTMENT OF EDUCATION

OFFICE OF BILINGUAL EDUCATION AND
MINORITY LANGUAGES AFFAIRS

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THURSDAY, SEPTEMBER 7, 1995 USA TODAY

THE

"USA TODAY hopes to serve as a forum for better understanding and unity to help make the USA truly one nation."

—Allen H. Neuharth
Founder, Sept. 15, 1982



David Mazzarella

Editor

Karen Jurgensen

Editor of the

Editorial Page

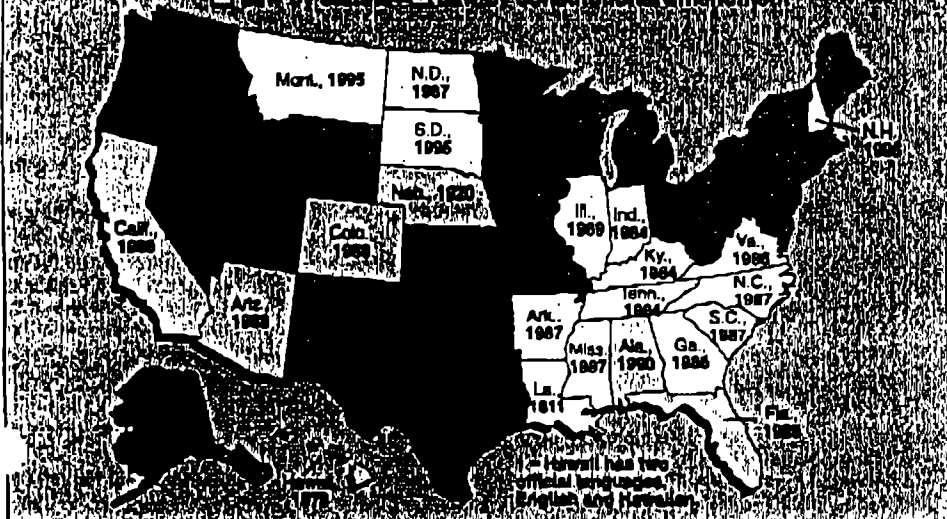
Thomas Curley

President and Publisher

Where English is official

Twenty-two states have declared English their official language.

□ Law by statute □ Law by constitutional amendment



Source: English First

By Genevieve Lynn, USA TODAY

Today's debate: OFFICIAL ENGLISH

Phony solution in search of an imaginary problem

OUR VIEW Politicians are using official English to pander to public fear of immigrants.

Senate Majority Leader and presidential candidate Bob Dole obviously recognizes a popular slogan when he sees one. Monday, he became the latest advocate for making English the nation's "official language."

Official-English bills have been kicking around in Congress for years, and laws or constitutional amendments have been adopted in 22 states, including New Hampshire, Montana and South Dakota this year. The idea is simple and easy to sell. Unfortunately, it's also a feel-good answer to a largely imaginary problem — that American culture is threatened by non-English speakers. Dole, for instance, said

funding of publications, forms and ceremonies in other languages and call on government to "preserve and enhance the role of English." A hearing is scheduled Oct. 18.

Two other bills would require all government communications to be in English, terminate support for bilingual education and end the Voting Rights Act requirement that election ballots be available in other languages where there are heavy concentrations of minority-language speakers.

A fourth would write an official-English provision into the Constitution.

State and local experience suggests none of them would achieve anything of value. Even backers are hard pressed to cite positive results, for government is in fact overwhelmingly conducted in English already.

Meanwhile, anecdotal evidence suggests official English invites unexpected trouble. Hundreds of complaints have been filed

to a largely imaginary problem — that American culture is threatened by non-English speakers. Dole, for instance, said "ethnic separatism" threatens the nation.

Hardly. While 32 million U.S. residents speak a foreign language at home, the vast majority speak English as well. Only 0.8% of the population, hardly enough to be a menace, can't speak English.

Census data show that nearly 90% of Latinos ages 5 and older speak English at home. And 98% of Latinos surveyed said they feel it is "essential" that their children learn to read and write English "perfectly."

In fact, the vast majority of today's Asian and Latino immigrants are acquiring English proficiency and assimilating as fast as did earlier generations of Italians, Russians and Germans. More than 95% of first-generation Mexican-Americans are English proficient, and more than 50% of second-generation Mexican-Americans have lost their native tongue altogether.

What would making English official mean? Dole didn't say. He hasn't endorsed any of the proposals pending in Congress.

But others have. The most widely supported, with 180 co-sponsors in the House and 17 in the Senate, would bar taxpayer

money from any state that suggests official English invites unexpected trouble. Hundreds of complaints have been filed against employers, shopkeepers, even bus drivers who cited official-English laws — wrongly — as grounds for firing workers or denying service.

A federal law would do no better.

The notion of barring native-language voting help to elderly immigrant-citizens, whom it was designed to help, is downright mean-spirited.

And bilingual education, except for minor financial support, isn't even a federal issue. Done right, it helps children get started in substantive schooling while also learning English. Most youngsters in the programs move into regular classes in less than three years.

Where it's done wrong, the states and school districts that control education — not Congress — will have to find an answer. And official English is not it.

In Georgia and Maryland this year, governors rejected political pandering and vetoed official-English bills. In seven other states, proposals failed in the legislature.

Official English is one more law we're better off without.

LEVEL 1 - 13 OF 22 STORIES

Copyright 1994 Chicago Tribune Company
Chicago Tribune

June 21, 1994 Tuesday, NORTH SPORTS FINAL EDITION

SECTION: BUSINESS; Pg. 1; ZONE: N

LENGTH: 668 words

HEADLINE: POLICY UPHELD: SPEAK ENGLISH ONLY ON THE JOB

BYLINE: Associated Press.

DATELINE: WASHINGTON

BODY:

Turning aside Clinton administration objections, the Supreme Court said Monday a California company may continue to require employees to speak English on the job.

The justices, by a 7-2 vote, refused to hear arguments that the company discriminated illegally against Spanish-speaking employees by imposing the English-only rule. Both workers involved in the case are bilingual.

In another widely watched ruling, the court said states may continue taxing multinational corporations in a way that has sparked other countries to threaten retaliation against U.S. businesses.

The 7-2 decision means that California will not have to refund to multinational corporations an estimated \$4 billion in taxes they paid under a so-called "unitary" tax formula.

A unitary tax treats a corporation and its subsidiaries as one entity. A state calculates the corporation's in-state business as a percentage of its worldwide business to come up with the company's tax liability to the state.

In the case involving Spanish-speaking employees, the court's order was not a decision and set no legal precedent, but it did leave intact a federal appeals court ruling that remains binding law in nine Western states.

They are California, Alaska, Arizona, Hawaii, Idaho, Montana, Nevada, Oregon and Washington.

English-only rules are increasingly common nationwide, and it's likely the issue will return to the high court some day.

Asked for its views, the Clinton administration had urged the court to use the California case to make it harder for employers to impose such rules.

Only Justices Harry A. Blackmun and Sandra Day O'Connor voted to hear arguments in the California case. Four votes are needed to grant review.



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Chicago Tribune, June 21, 1994

Priscilla Garcia and Marciela Buitrago, together with their labor union, sued Spun Steak Co. in South San Francisco in 1991, alleging that its English-only rule violated a federal law barring on-the-job bias based on national origin.

Spun Steak runs a meat-processing plant where the two women worked on a production line. The company employs just more than 30 people. Most of them, like Garcia and Buitrago, are Hispanic and bilingual.

The company's English-only rule was not imposed until late 1990, after Garcia and Buitrago were accused of making derogatory, racist remarks in Spanish and English about two co-workers.

An appeals court decision in the case said the English-only rule might be illegal, had it been imposed against employees who speak little or no English.

The women's appeal said disputes over English-only rules are bound to increase. It cited 1990 census figures showing that about 32 million U.S. residents over the age of 5 speak a foreign language at home.

In the tax ruling, the court noted that Congress has never banned states from using the controversial "unitary" taxing methods, adding that courts need not step in.

Advocates say unitary taxes prevent corporations from moving their profits to other areas to avoid taxes. Opponents say they leave multinational corporations vulnerable to double taxation.

The ruling affirmed a California appeals court decision that upheld that state's tax.

The tax was challenged by the New York-based Colgate-Palmolive Co. and the British-owned Barclays Bank of California and Barclays Bank International. The companies sought refunds on state tax bills dating to the 1970s.

California lawmakers voted last year to make the state's unitary tax optional starting with the 1994 tax year. However, billions of dollars in potential tax refunds still were at stake in the case.

In still another decision, the Supreme Court said airline and rail employees who say they were wrongfully fired for reporting safety violations can sue in state court instead of submitting to arbitration.

Ruling unanimously in a Hawaii case, the court said federal law does not require such wrongful-discharge claims to be handled through arbitration, which offers a more limited remedy than a damages lawsuit.

LANGUAGE: ENGLISH

LOAD-DATE: June 21, 1994



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LEVEL 1 - 3 OF 17 STORIES

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St. Louis Post-Dispatch

October 19, 1995, Thursday, FIVE STAR LIFT Edition

SECTION: NEWS; Pg. 3A

LENGTH: 659 words

HEADLINE: AT HEARING, LAWMAKERS DEBATE ENGLISH AS OFFICIAL LANGUAGE

BYLINE: Tim Poor Post-Dispatch Washington Bureau

DATELINE: WASHINGTON

BODY:

House members sparred Wednesday over what is becoming the latest hot-button issue on Capitol Hill: Whether lawmakers should designate English as the official language of the United States.

Proposals have been simmering for years, but the controversy emerged for real Wednesday when a House Education subcommittee held the first hearings on several proposals.

Rep. Bill Emerson, R-Mo., a longtime advocate of official English, is sponsoring one of the bills. His proposal, which he says has more than 200 cosponsors, would require that the U.S. government "conduct its official business in English." Exceptions include foreign policy, health communications and translations for defendants in criminal trials.

Emerson said the law would encourage people, especially immigrants, to learn English so they could fully benefit socially and economically.

"This is an opportunity for us to open doors for people in this country, not to close them," he told the subcommittee.

'Linguistic Ghettos'

Emerson said the government had been establishing "genuinely dangerous precedents" by holding citizenship ceremonies in a foreign language and printing multilingual tax forms. He said he feared the creation of "a number of linguistic ghettos around the country."

Emerson also cited a General Accounting Office report he had requested that said the U.S. government had produced "hundreds" of documents in foreign languages, including one in Ukrainian on the Ukrainian Famine of 1932-33, and one in Portuguese on "the reproductive behavior of youths in Sao Paulo."

The study identified 265 foreign-language documents over five years out of 400,000 publications.

Reaction from legislators who attended the hearing ranged from mild support



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to outright hostility.

Rep. Dale Kildee, D-Mich., said that economic and social forces already provided adequate impetus for people to learn the language and that 95 percent of Americans spoke it.

Kildee, who once taught foreign languages, said that if a linguistic crisis existed in America, it was that Americans did not speak enough languages.

He called the United States "one of the most monolingual countries in the world."

Emerson's bill does not address the question of bilingual education, but other bills do and many of the witnesses wanted to talk about it. Students in some ethnic neighborhoods are taught in two languages, both to learn English and so as not to fall behind in other subjects.

Rep. Toby Roth, R-Wis., is the sponsor of one bill to abolish federal aid to bilingual education and a provision of the Voting Rights Act providing for bilingual ballots.

Roth said language was the main common bond in our diverse society. "Today, we are losing that bond," he said. "We don't want to set up a linguistic apartheid in America."

Opponents Cite Politics

Education Secretary Richard W. Riley said he opposed attempts to eliminate bilingual education because it would deny many children the chance to learn English.

"These efforts to make English the 'official' language. . . are more about politics than improving education," he said.

Critics said none of the proposals was needed.

"There is no problem," said Rep. Jose Serrano, D-N.Y. "We accept that English is the language of our country."

Rep. Patsy Mink, D-Hawaii, said federal aid for bilingual education stemmed from state requests for help after a Supreme Court decision requiring equal educational opportunity for non-English speaking children.

She said it was "stretching" to assert that language created either division or bonds between Americans.

"I speak English as well as anyone, but I don't feel a 'bond' with someone else just because they speak English," she said. "It's a question of whether you share the same values."

Rep. Eliot L. Engel, D-N.Y., said the push to make English the official language was "shameful immigrant bashing. . . What evidence is there that English is threatened?"

GRAPHIC: PHOTO; Photo headshot of (Bill) Emerson



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St. Louis Post-Dispatch, October 19, 1995

LANGUAGE: English

LOAD-DATE: October 19, 1995



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FOCUS - 1 OF 80 STORIES

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October 19, 1995, Thursday, ALL EDITIONS

SECTION: LIFESTYLE, Pg. 1E, RAY RECCHI Commentary

LENGTH: 577 words

HEADLINE: TRIVIAL NON-ISSUE DISTRACTS ATTENTION

BYLINE: RAY RECCHI

BODY:

During the 1988 presidential campaign, the red herring was the Pledge of Allegiance controversy. Four years later, the Character Issue pushed serious concerns off center stage.

In every election, it seems, an emotional but comparatively trivial issue conveniently takes the spotlight, luring our attention away from more serious concerns.

What will be the traditional Bogus Issue of the next election? With a year to go, I think we've identified it.

The Distraction of '96, it seems, will be whether to make English the official language of the United States. Sen. Bob Dole laid down the gauntlet in a Labor Day speech, saying "English must be recognized as America's official language."

True to form, President Clinton has not yet said whether he agrees with that, although he defends bilingual education.

Candidates Phil Gramm and Lamar Alexander are against it. Pat Buchanan and Dick Lugar are in favor of it. Like Clinton, Arlen Specter and Steve Forbes have not yet taken a clear position. Let's fry bigger fish

As Bogus Issues go, this one is a doozy. Obviously, English already is the language of the United States. Making it "official" would be merely a formality.

Ask people around the world what language is spoken in the United States and they will say, "English," (although they might say it in another language). Ask school children the same question and you will get the same answer.

Whereas other languages are offered in our schools, English is required in all grades and by all colleges. TV and radio broadcasts are in English, with the exception of a minuscule percentage of foreign-language stations.

The same is true for newspapers and magazines. During my 27 years in the newspaper business, I have written more stories and columns than I care to count _ all of them, like this one, in English. Although I have been an avid reader since I learned how, I have never read anything not written in English.



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I'm not particularly proud of that. I'm sure my perception of the world would be different and my understanding greater if I could speak, read and write in another language. Still, I've been able to get along quite nicely for nearly 48 years without that ability. Watch the bouncing ball

So what's the big deal? Why do politicians have to take such a non-issue and give it so much credibility by even addressing it, much less making it a focal point of a campaign?

The obvious answer is that the Bogus Issue has proven to be an effective campaign technique. By voting with our hearts instead of our heads, Americans have shown time and again that our attention can be lured from serious issues by such trivial debates.

Do we really want to elect a president based on his or her stance on the Pledge of Allegiance, marital fidelity or an official language? If not, then why do they spend so much time talking on those topics?

That is not to say we won't hear about issues such as Medicare, crime, foreign policy, welfare and the deficit during the next year. Of course we will. But in between, we're sure to have our emotional chains pulled by candidates debating the pros and cons of making English our official language.

As usual, the language used by the candidates _ and the vast majority of voters _ in those debates will be English.

Which should be proof enough that the discussions are unnecessary.

Lifestyle Columnist Ray Recchi's column appears Sunday, Tuesday and Thursday.

LOAD-DATE: October 19, 1995



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have changed America for the better.

Thank you very much.

NOTE: The President spoke at 5:40 p.m. at the
National Guard Memorial. In his remarks, he re-
ferred to Governor Frank Keating of Oklahoma,
and his wife, Cathy; Mayor Ronald Norick of
Oklahoma City, OK, and his wife, Carolyn; Ed-
ward L. Stinnette, chief, Fairfax County Urban
Search and Rescue Task Force; Tom Carr, chief,
Montgomery County Urban Search and Rescue
Task Force; and Miss America Shawntel Smith.

Remarks to the Congressional Hispanic Caucus Institute

September 27, 1995

Thank you all. Please be seated. It is won-
derful to be here, wonderful to be back. I
thank Congressman and Mrs. Pastor for com-
ing out here with me. And I thank Ed for
that fine introduction. To your mistress of
ceremonies, Giselle Fernandez; members of
the Congressional Hispanic Caucus; the In-
stitute Board; your executive director, Rita
Elizondo; and Secretary Cisneros and Mary
Alice; Secretary Peña and Ellen; Secretary
Riley and Tunkie; Attorney General Reno;
and all your honored guests: I thank you for
inviting me to come again this year.

For 18 years you have held this event, and
it's become a part of our Nation's important
Hispanic Heritage Month. I have been here
for 3 years running, and during these 3 years
my daughter has been studying Spanish. So
I hope you'll keep inviting me back; it's get-
ting a little better each year. How's this? *Y
me gusta hablar Español*. Is that okay? [Ap-
plause]

I was thinking tonight coming over here—
it's not in my prepared remarks, but I was
thinking of two connected events that shape
what I wish to say to you tonight. The first
was the honor I had to be a part of the pre-
miere here a few months ago of that wonder-
ful movie, "Mi Familia." And the second was
the experience I had just today to be with
the Governor of the State of Oklahoma and
Mrs. Keating, and the Mayor of the city of—
Oklahoma City, and Mrs. Norick; and a
group from Oklahoma as they came here on
their national tour, thanking all the volunteer

workers who went to Oklahoma City in the
aftermath of the horrible bombing of the
Federal building. And what I thought and
said there was that, in that moment, we all
became a family, the whole country.

In Florida last week, Governor Lawton
Chiles said that the central question of our
time was whether we were going to be a com-
munity or a crowd. The Hispanic community
in America has always been a community,
always tried to live by family values, not just
talk about them. Now, a crowd is a group
that occupies the same piece of land but real-
ly has no particular connection to one an-
other. And so they elbow and shove and go
to and fro until the strongest win and others
are left behind. A community is a group of
people who occupy the same piece of land
and recognize their obligations to one an-
other, people who believe they're going up
or down together, people who believe they
should help protect children and do honor
to the elderly and help people make the most
of their own lives, people who believe in free-
dom and responsibility, people who believe
that we have an obligation to find common
ground and sometimes to do the right thing
because it's right, even if it's unpopular in
the short run.

And in this period of change, as we move
out of an industrial to an information society,
out of the cold war into the global economy,
that is what we need more than ever before,
the values of your family and your commu-
nity and your work.

The work of the Hispanic Caucus has
never been more important than it is today,
because you have stood for the values that
are the very heart of the Latino culture and
the very best of America. Some seek to divide
us by spreading fear and laying blame. But
the Hispanic Caucus has always sought to
unite us all in America. I have counted on
your support, literally from everything from
A to Z, from affirmative action to zero toler-
ance gun policies in our schools.

The Hispanic Caucus has been my partner
in 3 years of hard-won progress. When I be-
came President, we had a stagnant and suf-
fering economy. When I proposed a remedy
to, drive down this terrible deficit and in-
crease investment in our people and in our
economy and in our future, the naysayers

who turned away said it would wreck the economy. But with the help of the Hispanic Caucus we passed an economic policy, and after 3 years, they were wrong and we were right.

We have 7.3 million new jobs, 2½ million new homeowners. Secretary Cisneros has a plan that will take homeownership above two-thirds of the American people by the year 2000 for the first time in American history. We have the largest number of new small businesses incorporated in any 2½-year period in American history, about 2 million. We have the largest number of new self-made millionaires in any 2½-year period in American history, and we have the lowest combined rate of unemployment and inflation in nearly three decades.

The Hispanic Caucus helped this administration to tackle the problem of crime. When I showed up here, for 6 years Washington rhetoric had paralyzed the crime bill while everybody made speeches about it. We broke through that rhetoric and the partisan discord and passed a crime bill at a time when most Americans believed that nothing, nothing, could really be done about the crime problem. Our crime bill put more police officers on our street. It did punish serious criminals more, but it also gave our young people something to say yes to. And in every State in the country now, in virtually every urban area, the crime rate is down, the murder rate is down.

I was in Jacksonville, Florida, last week, and I saw that for the first time, people really believed that crime could go down in their neighborhoods, as they saw these police officers that we have put on the street. Again, we did it in the face of intense partisan opposition, but you were right, and I thank you. And America is a safer place tonight because of the leadership of the Hispanic Caucus.

Last year at the Summit of the Americas, we saw what a vital role Hispanic-Americans can play as we expand trade with all of Latin America, through NAFTA and the free trade area we agreed on by the year 2005. When Mexico got in trouble, so many of you stood by my side in what had the least popular support of anything I think I've done since I've been President.

But think what would have happened if we had not gone to Mexico's aid. Look what was happening in Mexico. Look what was happening in Argentina. Look what was happening in Brazil. Look what would have happened in terms of illegal immigration, in terms of political discord, in terms of economic dislocation. Maybe those of you who stood with me were part of only 15 percent approval of the policy at the time, but when the President of Mexico gets here in the next week or in the next couple of weeks for his State visit, we will see a Mexico coming back in the right direction, moving toward constructive partnership with the United States, with a future that we can be hopeful about, instead of one we can rue, because of you and your leadership. And I thank you for that.

I also thank you for your support for our policies designed to improve the security and prosperity and advance the values of the American people around the world. It is no longer possible in this global society to talk about domestic and foreign policy; they're all blurred. And I thank you for your support in policies that have led us to the point where I can say that for the first time since the dawn of the nuclear age there are now no foreign missiles pointed at the people of the United States of America.

I thank you for our efforts to make peace in Haiti and Northern Ireland and for the celebration we will have tomorrow on the next step on the road to peace in the Middle East. I thank you for the work we have done to bring a genuine peace in Bosnia. And one of your number, of course, I must thank specifically, because through his combination of energy and imagination, heart, and diplomacy, he has helped time and time again to make the world a safer place, Congressman Bill Richardson. Thank you.

On Friday, I will have the honor of acknowledging the work of another great American, when I present the family of Willie Velasquez with the Presidential Medal of Freedom, the highest civilian honor in the land. I wish he could be here tonight to see how much he has helped citizenship to bloom among Hispanic-Americans throughout this country.

I also want to say a special word of thanks to the Hispanic-Americans who have helped

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to enrich the work of our administration. Beginning with Henry Cisneros and Federico Peña and the Latinos who have been appointed to the Federal District and Circuit Court of Appeals, those who occupy senior levels in Government in both categories, considerably more than any previous administration. You have proved, as I said in my speech on affirmative action, that excellence and diversity can go hand in hand; they must go hand in hand. And if they do, that is our ticket to a very, very bright future.

I thank those from my administration who are here tonight, including Gil Casellas, Norma Caniu, Maria Echaveste, Nelson Diaz, George Muñoz, Aida Alvarez, Fernando Torres-Gil, Katherine Archuleta, Jack Otero; the people from the White House who have been wonderful to be part of my family, Janet Murguia, Suzanna Valdez, Carolyn Curiel, Ray Martinez, Alfred Ramirez, Liz Montoya and Grace Garcia, my advance person who got me in here tonight. I couldn't get around without her anymore. I thank her. I also want to thank someone who recently left the White House, Isabelle Rodriguez Tapia, who was the Deputy Assistant to the President and Director of Advance for both the First Lady and for me. All of these people and so many others are a part of what America is in its Government. And this is terribly important.

As we look at this balanced budget, I ask you to think about the people, the values, the vision you have for the future. It's really about values. Should we balance the budget? Of course, we should. Of course, we should. We never had a permanent deficit, never, until the 12 years before I come to Washington. We never had one before. And lest anyone blame any one party or the other, I would remind you that in 11 of those 12 years, the Congress appropriated less money, not more, than the President asked for. This was not a partisan thing, but Presidents have a responsibility to lead. And thanks to the efforts of many of you here, we reduced our Government deficit from \$290 billion to \$160 billion, a 40 percent reduction in 3 years, the first time since President Truman that had been done.

So, should we balance the budget? Of course, we should. Otherwise we will spend

more and more of your money on paying interest on the debt, and we'll have less to spend on the things that make us strong and good and give us a better future. Otherwise we will take too much money at interest rates that are too high away from the business community in America that needs to borrow that money to generate jobs in the private sector, which is where we're trying to grow our future.

But the question is, how should we do this, and don't we have to do it in a way that is consistent with our most fundamental values, with work and family, with responsibility, with our obligations to the elderly and to our children, with our obligations to help those who cannot help themselves through no fault of their own, and perhaps to stop helping those who can help themselves just as well without it? What are we going to do? How are we going to do this?

Let me just offer a few observations. I don't think it is consistent with our values to balance the budget by reducing the number of college scholarships and more affordable college loans or by depriving hundreds of thousands of little children who happen to be poor the chance to get off to a good start in school or by depriving schools of the chance to have smaller classes and computers in the classroom and meet the higher standards that we're holding out for them, just because the districts happen to be poor.

Why are we trying to balance the budget to strengthen America's future? We cannot strengthen America's future in a global economy, where what we earn depends on what we can learn, by weakening our commitment to education at the moment we should be strengthening that commitment to education. And let me say this as an aside: neither should we use the balanced budget as an excuse just to go after things that we do not like and cannot find a more open way to deal with.

And I want to just say a word in that context about bilingual education. Of course, English is the language of the United States. Of course, it is. That is not the issue. The issue is whether children who come here, while they are learning English, should also be able to learn other things. The issue is whether American citizens who work hard

and pay taxes and are older and haven't mastered English yet should be able to vote like other citizens. The issue, in short, is not whether English is our language, it is. The issue is whether or not we're going to value the culture, the traditions of everybody and also recognize that we have a solemn obligation every day in every way to let these children live up to the fullest of their God-given capacities. That's what this is about.

Look at the balanced budget on the tax issue. Can we afford to reduce taxes and balance the budget? I believe we can. But we should do it consistent with our values. We should not cut taxes more than we can afford to do and provide our other obligations and meet them. And we should focus tax relief on the most important and most stressed things in our society, the need that middle class families have to get help with raising their children and to get help with financing the cost of education after high school. That's what we ought to do.

And the last thing we ought to do—the last thing we ought to do is what is now proposed, unbelievably, by the congressional majority. They want to raise the family tax credit by \$40 billion. One of the most important things we did in 1993 with our economic proposal was to give over 14 million working families who lived on modest incomes a reduction in their income taxes to send out two very important messages: Number one, this country should never favor welfare over work. And number two, if someone is working 40 hours a week and they have children in their home, they should not live in poverty because of a tax system. We must not reverse that. How in the world—how in the world anyone could justify cutting the taxes of someone in my income group and raising the taxes on working mothers with children who have an income of \$11,500 a year is beyond me. It is wrong, and we must stop it. We must not permit it to be done.

And let me say this: There's a lot of budget balancing to be done in the name of welfare reform. This administration has given 35 States the right to get out from under various Federal rules and regulations, to do more to move people from welfare to work. But what is our objective with welfare reform? It is to see people who are poor, who may have

made some mistakes in their lives have the chance to live good, strong, pro-work, pro-family lives. Our objective is to look at the reality of America where most parents work and most parents have to work and to say what we want is for everybody who can work to work, but we also want people to succeed as parents, for that is still our most important job.

And we must do both those things with welfare reform. Therefore, I say to you, it's all right to be very tough in child support enforcement. The Congress has adopted my provisions because there aren't any that are tougher. It is all right to be strong in saying you must, if you can, be in school or be in a training program or take a job when it is offered. And it is good that the Congress seems to be willing now to give some funds for child support so that you don't have to neglect your children if you go to work and you're poor. But it is wrong to use this as an excuse to punish people just because they're poor or they made a mistake or they happen to be children who, through no fault of their own, are in the family they're in.

Democratic, Republican Governors, the Catholic Church, they've all helped us to try to take some of these extreme provisions out of the welfare reform debate. And I say we have to keep them out. And let's remember, what we want is for people to be able to work and raise their children with dignity in this country. That is the purpose of welfare reform.

Finally, let me just give you one last example. There's a lot of talk about Medicare and Medicaid. We have to slow the rate of inflation in those programs. If we don't, they will soon be taking virtually all the discretionary money of the Government. We won't have money to invest in education or Secretary Peña's infrastructure programs that can put people back to work and rebuild communities. So we do have to do that.

It is true that the Medicare Trust Fund needs help. But the trustees that are so often cited by the congressional majority say that it costs \$90 billion to fix the Medicare Trust Fund for more than a decade. That money comes from slowing the reimbursement rates to medical providers. Their proposal to double the premiums, double the deductibles,

their lives have the strong, pro-work, positive is to look at the most parents work to work and to say anybody who can work let people to succeed all our most important

th those things with ore, I say to you, it's gh in child support ress has adopted my e aren't any that are be strong in saying e in school or be in take a job when it is l that the Congress to give some funds t you don't have to you go to work and wrong to use this as people just because de a mistake or they ho, through no fault mily they're in.

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dicare Trust Fund es that are so often al majority say that the Medicare Trust ecade. That money reimbursement rates eir proposal to dou- ble the deductibles,

stop giving Medicare to anybody under 67 years old, to raise 3 times as much as it takes to bail out the Trust Fund has nothing to do with saving Medicare; it has everything to do with funding their budget priorities.

My priorities say, we owe it to the elderly not to do that to them. Most of them have very limited incomes. The average senior lady in the country—a woman over 65 living alone is living on less than \$9,000 a year average. In many States, 75 percent of those folks are living on less than \$7,500 a year. They cannot afford to have their premiums and deductibles doubled. It is wrong. It is not necessary. And we should not do it.

And finally, let me say just a word about the Medicaid program. It's not popular to stand up for poor children anymore, but the Medicaid program, two-thirds of that money in Medicaid goes to the elderly and the disabled Americans of this country. It pays for their nursing home care, for in-home care to avoid the costs of going to nursing homes, and for hospital care. About a third of the money goes to the poor children of America to pay for their medical bills. And a lot of that money goes to hospitals in big cities and isolated rural areas.

And if you take a third of that money away over the next 7 years, 3 times as much as I have recommended in my balanced budget plan, there is no way you will not do grievous harm to the elderly, the disabled, and the poorest, most vulnerable children in America. And to all those who say, "Well, I'd rather have mine now; I don't care about them," just remember, those children will be—will be—the adults of the future. And we—those in my age group—will be depending on those kids to take care of us when we are retired. We are a family. We better act like a family. We cannot afford to do these things that violate our family values.

Lastly, let me say how very proud I am that the Hispanic Caucus mirrors these values every day in their work. And let me encourage all of you who may be discouraged by what I have just said, and I left a lot of things out. They also have proposed, for example, that if an elderly couple has one of—the husband or the wife needs to go into the nursing home, they've proposed letting States require the one that's not in a nursing

home to have to sell their house, their car, and clean out their bank accounts before the one who's in the nursing home can get any kind of help. I don't think that's right, either.

My idea of the America of the 21st century is a high-opportunity country where everybody has a chance to live up to the fullest of their ability. I do not want my child to get ahead by driving elderly people into poverty. That is not my idea of family values. That is not the right thing to do.

Now, I want to ask all of you, without regard to your political party or where you live or what your income is, in these next few weeks to urge the Congress to live by the values of Hispanic America, to decide by the values of Hispanic America, to lift up work and family, to work for more freedom and responsibility, to remember our obligations to our children and to our parents, and to remember, the future belongs to the United States if we can just remember that we're a community, not a crowd.

Look at America and imagine what the world's going to be like in 20 or 25 years, the global economy, people moving around, technology, ideas, information moving around. There is no country in this world as well-suited to seize the 21st century as the United States, if we will just remember how we got to where we are: by being a community, not a crowd.

Thank you, and God bless you all.

NOTE: The President spoke at 7:50 p.m. at the Washington Hilton Hotel. In his remarks, he referred to NBC News correspondent Giselle Fernandez.

Executive Order 12973— Amendment to Executive Order No. 12901

September 27, 1995

By the authority vested in me as President by the Constitution and the laws of the United States of America, including sections 141 and 301–310 of the Trade Act of 1974, as amended (19 U.S.C. 2171, 2411–2420), and to ensure that the trade policies of the United States advance, to the greatest extent possible, the export of the products and services of the United States and that trade policy

LEVEL 1 - 6 OF 22 STORIES

Copyright 1994 The Times Mirror Company
Los Angeles Times

June 21, 1994, Tuesday, Home Edition

SECTION: Part A; Page 1; Column 4; National Desk

LENGTH: 1177 words

HEADLINE: HIGH COURT LETS ENGLISH-ONLY JOB RULES STAND

BYLINE: By DAVID G. SAVAGE, TIMES STAFF WRITER

DATELINE: WASHINGTON

BODY:

The Supreme Court cleared the way Monday for employers to enforce English-only rules for their bilingual workers.

By a 7-2 vote, the justices refused to hear an appeal of a ruling in a San Francisco case that said requiring workers to speak English on the job does not violate federal anti-discrimination laws.

Two weeks ago, lawyers for the Clinton Administration had urged the high court to reverse that decision, calling it "an issue of great national importance to national origin minorities."

Since 1970, the U.S. Equal Employment Opportunity Commission has told companies that they may not enforce English-only rules, except in the rare case where it was judged to be a "business necessity."

But last year, the U.S. 9th Circuit Court of Appeals threw out that guideline. It concluded that where workers can speak both English and Spanish, requiring them to converse only in English at work may be an "inconvenience for some" but it "does not impose a burden significant enough to amount to the denial of equal opportunity."

The appeals court referred only to bilingual workers. It would amount to discrimination, the court indicated, to impose an English-only requirement on employees who could not speak English.

Meanwhile, the Supreme Court agreed to decide whether states can impose term limits on their members of Congress.

In the past, the court has allowed states to set term limits for the members of state legislatures. But some lower courts have ruled that the Constitution does not allow for such limits on members of the U.S. Senate and House of Representatives.

Increasing numbers of employers have sought to enforce rules requiring their workers to speak English, partly to improve communication on the job but also to reduce friction among workers. The owner of the San Francisco meat-processing



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plant whose case reached the high court said that he imposed the English-only rule after other workers complained that two Latino employees were insulting them in Spanish.

After the high court's action Monday, English-only workplace rules are legal as a matter of federal law in California and in the eight other West Coast states. The law is less clear elsewhere. Since the court did not issue a formal ruling, its decision is not binding outside the region of the 9th Circuit.

EEOC attorney Jennifer S. Goldstein said, however, that her agency will continue to adhere to its guideline that frowns on English-only requirements.

"We think (the guideline) is still correct. We view this as a matter of discrimination," she said.

The commission said it has 120 cases before it in which the agency is fighting English-only rules. If EEOC lawyers can win a ruling in another appeals court that rejects an employer's English-only policy, the high court may be called on to revisit the issue later.

The legal dispute arises from an interpretation of the Civil Rights Act of 1964. That law makes it illegal for employers "to discriminate against any individual with respect to his compensation, terms, conditions or privileges of employment because of such individual's race, color, religion, sex or national origin."

In its 1970 guideline, the EEOC said that an English-only rule discriminated against "national origin minority employees" because it took away a "condition or privilege of employment enjoyed by other employees: the right to converse in a familiar language with which they are most comfortable."

Administration lawyers noted that this legal interpretation has been followed consistently since then in the lower courts and has won the implicit endorsement of Congress.

But recently, the Supreme Court and some conservative lower courts have rejected longstanding liberal interpretations of federal civil rights laws. In its 2-1 ruling last year, the 9th Circuit Court judges said that "nothing in the plain language of the (1964) law supports EEOC's English-only rule."

The case that reached the high court began in 1990 at a small meat-packing plant in South San Francisco. Kenneth Bertelson, the company president, had received complaints from a black and an Asian who said they had overheard racist insults spoken in Spanish by two Latino workers.

In response, Bertelson issued a new rule: "Only English will be spoken in connection with work. During lunch, breaks and employees' own time, they are obviously free to speak Spanish if they wish."

Priscilla Garcia, who had worked on the assembly line for 19 years, filed a suit contending that the new rule violated federal civil rights laws. Initially, a federal judge in San Francisco declared the rule illegal. However, last July, the 9th Circuit Court not only upheld the company's rule but threw out the longstanding EEOC policy.



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The justices' vote left intact the decision in the case (Garcia vs. Spun Steak Co., 93-1222). Dissenting were Justices Harry A. Blackmun and Sandra Day O'Connor.

The term-limits case tests a popular reform that has swept through 15 states, including California, since 1990. But there has remained considerable doubt whether the Constitution allows the states to impose new restrictions on who can be elected to the House and Senate.

A new Arkansas law would limit U.S. senators to two six-year terms, while members of the House would be limited to three two-year terms. But earlier this year, the Arkansas Supreme Court declared those limits unconstitutional.

The high court will hear the case (U.S. Term Limits vs. Thornton, 93-1456), during the fall and issue a ruling next year.

In other actions, the court:

* Made it harder for some coal miners and longshoremen or their heirs to collect benefits for their disability or deaths. In deciding claims involving these workers where the evidence is equally balanced, the Labor Department has tilted toward the workers. But in a 6-3 vote (Director of OWCP vs. Greenwich Collieries, 93-744), the justices rejected this policy as a matter of federal law and said that workers must prove their cases.

* Ruled that the federal law protecting airline and railway workers does not prevent them from suing under state law if they are wrongfully fired. The 9-0 ruling in the case (Hawaiian Airlines vs. Norris, 92-2058), clears the way for a suit filed by an airline mechanic who contended that he was fired for refusing to cover up the fact that a plane was not ready to fly. The company had contended that the case had to go to arbitration.

* Refused to hear an appeal from the first man sentenced to death under the new federal law aimed at drug kingpins (Chandler vs. United States, 93-1033). In 1991, David R. Chandler, who ran a marijuana-selling ring, was convicted of paying \$500 for the murder of a potential informer. He was sentenced to death under a 1988 federal law. Six others have since received federal death sentences. Since 1962, no person has been executed under federal law.

* COURT SAYS NO DICE: Indian casinos lose bid to use a video gaming machine.
A3

* BETTER BUSINESS: Companies find benefits in employing workers who speak two or more languages. D1

LANGUAGE: ENGLISH

LOAD-DATE: June 22, 1994



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LEVEL 1 - 17 OF 17 STORIES

Copyright 1993 The Times Mirror Company
Los Angeles Times

December 11, 1993, Saturday, Home Edition

SECTION: Part A; Page 28; Column 1; National Desk

LENGTH: 563 words

HEADLINE: WHITE HOUSE STUDIES SHIFT OF SCHOOL PROGRAM FUNDS

BYLINE: By ELIZABETH SHOGREN, TIMES STAFF WRITER

DATELINE: WASHINGTON

BODY:

The Clinton Administration is moving to eliminate 33 programs that provide money to local school systems for a variety of special projects, including reading instruction and bilingual vocational courses, Administration officials say.

The money would be given instead to Education Secretary Richard W. Riley for discretionary use, particularly for distribution to poorer school districts suffering severe problems.

The shift, which is still undergoing final review in the White House, is part of a larger effort to direct more federal education funds from middle-class schools to poorer ones and address problems considered most harmful. But it risks inflaming current recipients, many of whom are strapped for funds themselves.

"We want to shift more of the funds towards depressed areas so more goes to the children in greatest need and less of it goes to subsidizing middle-class schools," said Bob Stone, director of the National Performance Review, the Administration's program to curtail government inefficiency and waste.

The Office of Management and Budget estimates that by closing down and phasing out these programs, the Administration can save more than \$500 million between now and 1999 and use that money to support other national education goals.

Congressional aides were skeptical, however, that the Administration will be able to stop funding for many of the programs, which, while small, have ardent supporters in the House or Senate.

One program, for instance, provides funds specifically to educate native Hawaiians and is the pet program of Rep. Patsy T. Mink (D-Hawaii), one of the most vocal members of the House subcommittee on elementary, secondary and vocational education.

Another program, which funds law-related education, is a favorite of Rep. Dale E. Kildee (D-Mich.), chairman of that subcommittee.



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Rep. William H. Natcher (D-Ky.), chairman of the powerful appropriations committee, is a big fan of the Consumer and Homemaking Education grant and of a program that gives money to school systems that have to educate children of people who live or work at federal facilities. Both of those programs are on the list for elimination.

The programs also play a role in congressional give and take, providing a form of political currency that is useful in negotiations over other legislation. "We often gain a senator's wholehearted support for legislation by giving him a small bone," said a Senate staffer.

Congress is also unlikely to agree to give the education secretary complete control of the funds that would be diverted from so many existing programs.

"Is Congress going to provide a pot that large with full discretion by a secretary? I think that is probably very unlikely," said David Evans, staff director of the Senate subcommittee on education.

The number of programs to be cut is not final, Education Department officials stressed.

The National Performance Review has named 55 of the 230 programs run by the department as possible targets. The current draft lists 33 programs, but that may change before legislation is sent to Congress.

The Administration considers these programs expendable because either they duplicate other programs, their purposes have already been achieved or funding can come from elsewhere.

The cuts will probably be included in the President's budget for fiscal 1995, which begins Oct. 1.

LANGUAGE: ENGLISH

LOAD-DATE: December 12, 1993



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FOCUS - 2 OF 80 STORIES

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The Sun (Baltimore)

October 15, 1995, Sunday, FINAL EDITION

SECTION: PERSPECTIVE, Pg. 1F

LENGTH: 1614 words

HEADLINE: More than one lingo?; Move to declare English official language gains

BYLINE: Kerry A. White

BODY:

A CAMPAIGN to declare English the official national language is gaining momentum in the Republican-led Congress and has become a hot political topic for Washington's heavy hitters and 1996 presidential hopefuls.

While the majority of Americans are proficient in English, there has never been a federal law establishing English as the official language of the United States. And yet the language has survived through more than nearly 400 years of immigration.

According to the Census Bureau, the percentage of foreign-born people in the United States has been growing at a record pace. More than 22.6 million people in this country -- 8.7 percent -- are immigrants. From 1990 to 1994, nearly as many immigrants entered the country -- 4.5 million -- as did during all of the 1970s.

Those numbers -- paired with an overall economic uncertainty among Americans -- have pushed the movement outside of political circles into the realm of average Americans.

According to a poll published in September by U.S. News and World Report, 73 percent of Americans think English should be the official language. Polls conducted by USA Today, the Houston Chronicle and the San Francisco Chronicle in recent months have found similar support for an official national language.

"America is no longer a melting pot; it's a tossed salad," says Rep. Toby Roth, a Republican from Wisconsin, who is backing one of the bills on Capitol Hill. "People in this country are breaking off into groups. We're one nation, one people. We need to strengthen the common bond that holds us together, and that's language."

The Republican-led campaign raises complex questions about immigration, the economy and diversity in America. It comes at a time when American attitudes toward immigrants -- legal and illegal -- seem to be souring.

Sen. Bob Dole, the GOP's leading presidential aspirant, spotlighted the issue in a Labor Day speech when he joined fellow Republicans Patrick J. Buchanan, Richard Lugar, Pete Wilson and House Speaker Newt Gingrich in calling for English to become the official government language.



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Speaking to the national convention of the American Legion in Indianapolis, Mr. Dole said: "With all the divisive forces tearing at our country, we need the glue of language to help hold us together. If we want to ensure that all our children have the same opportunities in life, alternative language education should stop and English should be acknowledged once and for all as the official language of the United States."

But opponents argue that the proposals to make English the official national language are punitive and divisive.

Clinton's criticism

President Clinton is one such critic. In a Sept. 28 address to the Congressional Hispanic Caucus, Mr. Clinton rejected proposals to make English the national language and said Americans should embrace multiculturalism.

"Of course English is the official language of the United States," Mr. Clinton told a cheering audience at the Washington Hilton Hotel. "The issue is not whether English is our language. The issue is whether or not we are going to value the culture, the traditions of everybody."

Mr. Clinton has been spending much time this fall defending immigration.

"We should never, ever, ever permit ourselves to get into a position where we forget that almost everybody here came from somewhere else, and that America is a set of ideas and values and convictions that make us strong," he said in a Labor Day speech in California.

In 1987, as governor of Arkansas, Mr. Clinton signed into law a bill declaring English the official language of that state. In 1992, during the presidential campaign, Mr. Clinton was questioned about the bill, and said he "probably shouldn't have signed" it.

"I agreed to sign it only after we changed the law to make it clearer that it would not affect bilingual education, something that I have always strongly supported," he said at a meeting of the National Association of Hispanic Journalists.

Although White House aides insist Mr. Clinton's actions as governor are being "misconstrued," the Arkansas bill is likely to haunt him as the 1996 presidential election nears.

Efforts to make English the official language in Maryland have not been popular with the state's governors. Gov. Parris N. Glendening threatened to veto an official-English measure in May, calling such legislation "punitive" and discouraging to immigrants who want to live and work in Maryland. And last year, Gov. William Donald Schaefer vetoed a version of official-English -- one of his last acts in office.

Opponents of the proposed federal legislation say it fails to acknowledge that many immigrants strongly desire to learn English, but there is a shortage of English instruction.



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"These are short-sighted and counterproductive proposals," says Karen Hanson of the National Council of La Raza (NCLR), a Mexican-American policy group. "Sending children off to attend classes they don't understand and cutting citizens off from the political process is mean-spirited and un-American and does nothing to unite the citizens of this country," she says of proposals to end bilingual education and the use of bilingual ballots.

According to NCLR, there are more than 31 million Americans, or one in eight, who speak a language other than English at home. Spanish speakers make up the majority -- 55 percent -- of other-than-English speakers.

"This movement assumes that immigrants need the additional coercive power of the government to learn the language, when what they really need is education programs and time to learn," Ms. Hanson says.

Bilingual educators worry that abolishing their programs will disenfranchise an already marginal community of immigrants.

"These are essentially immigrant-bashing bills that smack of nativism," says Rick Lopez of the National Association for Bilingual Education.

"Although the genesis of the current anti-immigrant movement might be traced to Pete Wilson's early '90s California, the debate itself reaches back to 1776," Mr. Lopez says. "The Founding Fathers rejected the notion of an official language. They decided people came to this country not because of a common language but because of a common set of beliefs."

With more than 300 languages now spoken in the United States, experts say, the movement to make English the official language addresses the fears many Americans harbor about immigrants' native languages and cultures -- especially Spanish and Latino cultures -- and their potential to supplant the use of English and overwhelm the prevailing American culture.

"The acceptance of foreign language has gone up and down throughout this country's history," says Ralph Fasold, chairman of the linguistics department at Georgetown University. "Times of international conflict [have] affected this in the past. Today, we have people all around us with foreign cultures and different accents and languages, and that may make people uncomfortable."

"We should value the use of these languages in this country. Language is not an either/or, it's a both/and," Dr. Fasold says. "I'm afraid we're throwing away a resource we could have for free."

Although Dr. Fasold insists that the pressure or desire to learn English in America could not be greater, advocates of the English-only legislation argue that the government's accommodation of languages other than English removes an incentive for immigrants to learn the language. Some stress the potential divisiveness of multilingualism and point to the capacity for a national language to unite Americans.

'A common language'

James Boulet, the executive director of English First, a group pushing for



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the elimination of bilingual education and ballots, says:

"We live in a very diverse country, with people bringing languages and cultures from all around the world, and we need a common language to unite us. The government is making states and localities accommodate these languages, keeping immigrants fluent only in their native tongues."

U.S. English, a lobbying group, supports making English the nation's official language, but stops short of calling for an end to bilingual education and ballots.

"We endorse the knowledge and use of a second language," Ms. Hess says. "But the government shouldn't be required to function in these languages. It's inefficient and expensive to taxpayers. Ours is a common-sense measure recognizing that language provides a common bond. As a nation, we need this."

Since 1970, nearly 23 million immigrants, legal and illegal, have come to the United States. Seventy-five percent settle in the urban pockets of just six states.

The current national movement follows legislation enacted by more than 20 states to make English the official state language.

Nebraska started the trend in 1920, with an amendment aimed at immigrants speaking German.

Most other states have passed their legislation over the past 15 years, as concern about the influx of Hispanic and Asian immigrants grew.

Making English the official language of a state stirs the same controversy as the prospect of making it a national language.

Arizona, for instance, passed a law making English its state language in 1988 and prohibiting state and local government workers from conducting business in any language but English. The law, however, has never been enforced because of a series of court challenges.

Last December, the 9th Circuit Court of Appeals ruled the law violates freedom of speech and is "unconstitutional in its entirety."

Kerry A. White is a researcher and contributing writer for the Washington Bureau of The Sun.

GRAPHIC: PHOTO, ASSOCIATED PRESS, Spotlighting the issue: Sen. Bob Dole, speaking on Labor Day in Indianapolis, came out for English as the country's official language.

LOAD-DATE: October 23, 1995



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UNITED STATES DEPARTMENT OF EDUCATION
OFFICE OF THE SECRETARY

FAX TRANSMITTAL

TO: Josie Lehrer for Gaynor McLown

ORGANIZATION: DPC/

PHONE NUMBER: _____

FAX NUMBER: 456-7028/7431

FROM: Kerri MORGAN

PHONE NUMBER: 401-3383

MESSAGE: Please call if you need more.
FYI: There will be an interview on this
topic tonight (8-9pm) LIVE on the
Gil Gross Show - CBS Radio Network.

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7 PAGE(S) TO FOLLOW

**UNITED STATES
DEPARTMENT OF EDUCATION****NEWS**

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FOR RELEASE
October 18, 1995

Contact: Ivette Rodriguez
(202) 401-0262

**STATEMENT BY U.S. SECRETARY OF EDUCATION RICHARD RILEY
regarding Oct. 18 congressional hearing on H.R. 739, the
"Declaration of Official Language Act" and
H.R. 123/S. 356, the "Language of Government Act"**

It would be sheer folly to deny millions of schoolchildren the opportunity to learn English -- at a time when the need is greatest. Unfortunately, these efforts to make English the "official" language and to eliminate programs that teach English are more about politics than improving education.

Repealing programs that teach English as a Second Language and bilingual education is wrong-headed. These programs have two key purposes: To make sure every child learns English; and to make sure that every child masters academic subjects, such as math and science, while continuing to learn English.

Obviously, English is our national language. New immigrants are clamoring to learn it as fast as they can. All over America, people are standing in lines and placing their names on waiting lists to take English and literacy classes.

Passing these bills is saying to children, and those who are struggling to learn English, that we don't care if they fall behind and fail.

The future costs to these children and adults -- and to our nation -- in terms of dropout rates and unemployment or underemployment -- is enormous.

Passing these bills is failing the future and our students.

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September 8, 1995

Additional Information for Questions About
English as the Official Language

I. Policy Implications of English-language Movement

There are a number of proposals currently circulating in Congress to make English the official language. To date, there has not been an official policy on this issue, and as of yet, the Administration has not yet taken a stand.

Although some of the congressional proposals would have little practical effect, others would have far-reaching legal and practical ramifications.

- o a policy statement concerning the importance of English as the primary language may send a signal, but would unlikely have significant consequences.
- o There are other proposals, however, that would have a far reaching effect. These include:
 - requiring that the federal government print materials, signs, ballots, etc., only in English;
 - prohibiting schools receiving federal funds from providing instruction in other languages besides English.
 - prohibiting all official government activities (including state and local activity) to be conducted in languages other than English, although it is not clear how this could withstand constitutional scrutiny.
- o note: when President Clinton was Governor of Arkansas, the state of Arkansas passed what amounted to a policy statement declaring English as the primary language.

II. Statements made by Secretary Riley on English as the Official Language and Bilingual Education:

The Secretary has stated that:

- o We believe that immigrants and other non-English speaking Americans want to learn English. They are lined up across America to get into English classes.
- o We want every child in America to learn English and we believe our educational policies support that position.

- o The intention of Title VII (bilingual education) is for students to learn English as quickly as possible and, simultaneously, to keep students up to speed academically. It is sometimes necessary to provide instruction in the students' native language to keep them up to speed.
- o The Department's Bilingual Education program is a totally discretionary program that awards competitive grants to applicants. But we do not require any state, school district or school to have bilingual education programs.
- o Language policies are basically state and local decisions made in response to the needs of citizens.

III. Overview of Legal standards Governing ED's Policy on the Education of Limited-English Proficient Students

- o OCR does not prescribe (and has never prescribed) a specific intervention strategy or type of program that a school district must adopt to serve language minority students; nor does it require school districts to teach students in their native language.
- o States, districts and schools have the flexibility to decide on the education approach for educating language minority students, as long as these students are provided with an equal educational opportunity in accordance with Title VI of the Civil Rights Act.
- o The widely-accepted standard for determining the adequacy of a district's program for LEP students was enunciated in 1981 by the Fifth Circuit in Castaneda v. Pickard; The education program must be (1) based on sound educational theory; (2) reasonably carried out to implement effectively this educational theory; and (3) after a reasonable period of time, successfully producing results. ED still relies on this standard.
- o This flexible standard reflects the reality that educators have not reached consensus about the most effective way to meet the education needs of LEP students. Many factors affect the types of education programs school districts may offer, such as the number of students and/or the variety of languages involved.

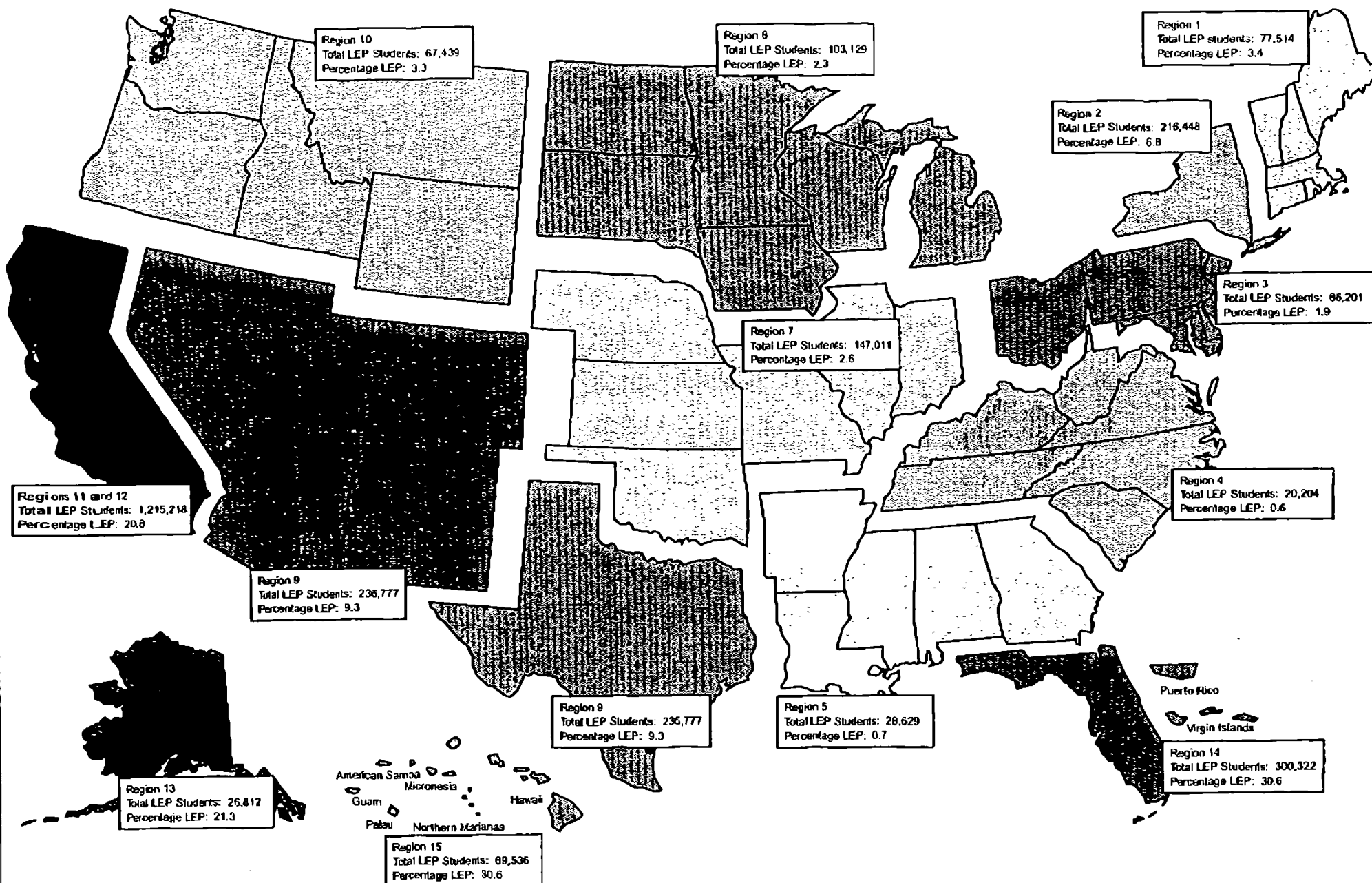
**Brief chronology of the major events shaping ED's policy
regarding language minority students**

- 1964: Congress enacts Title VI of the Civil Rights Act of 1964 prohibiting discrimination on the basis of race or national origin.
- 1970: The former Department of Health, Education and Welfare publishes initial guidance (the May 25 memorandum) on Title VI policy concerning discrimination based on national origin:
- "Where the inability to speak and understand the English language excludes national origin minority group children from effective participation in a [district's] educational program ..., the district must take affirmative steps to rectify the language deficiency in order to open its instructional program to these students."
- 1974: Supreme Court hands down Lau v. Nichols. Lau, which continues to govern OCR reviews today, affirmed the 1970 memorandum and clarified that school districts were not required to use any particular program or teaching method:
- "No specific remedy is urged upon us. Teaching English to the students of Chinese ancestry who do not speak the language is one choice. Giving instruction to this group in Chinese is another. There may be others. Petitioners ask only that the Board of Education be directed to apply its expertise to the problem and rectify the situation"
- 1975: The former DHEW issues a document describing appropriate education steps that would satisfy the Supreme Court's Lau mandate. These "Lau remedies" (and the NPRM developed by ED in 1980 that would have replaced them) were subsequently withdrawn in 1981 on grounds that they were too intrusive and burdensome. ED puts into effect nonprescriptive interim procedures.
- 1981: The Fifth Circuit in Castaneda v Pickard articulates a three-part standard for assessing a district's treatment of its LEP students (soundness of educational approach, proper implementation, program evaluation.) ED still applies this standard today.
- 1985 &
1991: OCR issues two guidance documents: "The Office for Civil Rights Title VI Language Minority Compliance

Procedures" (1985) and "Policy Update on Schools' Obligations Toward National Origin Minority Students with Limited English Proficiency" (1991). Both documents provide more specific guidance to school districts on the procedures to use, in accordance with Castaneda, to ensure effective LEP programs:

- o identifying students who need assistance;
- o developing a program which, in the view of professional educators, has a reasonable chance for success;
- o ensuring the needed staff, curricular materials and facilities; and
- o developing appropriate evaluative standards for measuring the progress of students, including program exit criteria.
- o continued program assessment and modification, where needed.

Limited English Proficient Students in Comprehensive Assistance Center Regions*



* Data are from the 1993-94 SEA Program Survey of States' LEP Persons and Available Education Services. Counts include both public and private school students in grades K-12. The data for Puerto Rico reflect limited Spanish proficient students (n=149,824).