

**HEARING OF THE EDUCATION REFORM SUBCOMMITTEE OF THE HOUSE  
EDUCATION AND THE WORKFORCE COMMITTEE**

**SUBJECT: EXAMINING VIEWS ON ENGLISH AS THE OFFICIAL LANGUAGE**

**CHAired BY: REPRESENTATIVE MICHAEL N. CASTLE (R-DE)**

**WITNESSES:**

**MAURO MUJICA, CHAIRMAN OF THE BOARD, U.S. ENGLISH, INC.;**

**PAUL MCKINLEY, STATE SENATOR, IOWA GENERAL ASSEMBLY; RAUL  
GONZALEZ, LEGISLATIVE DIRECTOR, NATIONAL COUNCIL OF LA RAZA;**

**JOHN TRASVINA, INTERIM PRESIDENT AND GENERAL COUNSEL,  
MALDEF; ART ELLISON, ADMINISTRATOR, BUREAU OF ADULT  
EDUCATION, NEW HAMPSHIRE DEPARTMENT OF EDUCATION**

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## **Body**

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REP. MICHAEL N. CASTLE (R-DE): Good afternoon and thank you for joining us. I welcome you here today as part of a series of discussions that the committee and its subcommittees are holding here in Washington and throughout the nation over the next several weeks to discuss the U.S. immigration policy and proposals.

Today's hearing will closely examine the pros and cons of making **English** the official language. It is designed to be a balanced hearing, allowing members to hear view on both sides of the issues and to provide them with an opportunity to ask questions as to whether or not **English** should be the official language of the United States. We are simply here to listen and **learn**.

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The issue of making English the official language of the United States has long been controversial. The last time this committee and the Congress discussed the issue by itself was in the 104th Congress. Now, due to the steady growth of new immigrant populations within U.S. borders whose primary language is other than English, the discussion and issues of language diversity has once again brought attention to the public policy debate.

Further, as you may be aware, the Senate recently revived this issue by including two amendments declaring English as both the national and common and unifying language of the United States as part of its immigration bill. We hope to learn more about the differences of these amendments today so that we can make an informed decision as we move forward with negotiating the House and Senate immigration bills.

It should also be noted that 27 states have enacted laws declaring English as their official language in various forms. However, I think the one thing most of us do agree on is the importance of learning English. Anyone who hopes to achieve the American dream must first know, understand and use English. As such, I hope to also discuss this topic today to learn more about not only the importance of learning English but the importance of providing opportunities to learn English.

Before us today is a balanced, diverse panel of witnesses who are experts and representatives of those on both sides of the issue. I look forward to gathering valuable input from them and allowing members the opportunity to ask the tough questions that need to be asked as we work through this process.

Again, we are here today to just listen and learn about this important issue.

I now yield to Ms. Woolsey for whatever opening statement she wishes to make.

REP. LYNN C. WOOLSEY (D-CA): Thank you, Mr. Chairman.

I have to go on record saying that I believe we're here today because your leadership of the House -- not your leadership of the House but your leadership in the House is really trying to put a real discussion on comprehensive immigration reform as far away as they can, so we're doing hearings like this.

But having said that, I really want to thank you, Mr. Chairman, because your efforts have made this hearing very balanced. The testimony of the two witnesses opposed to English only, or English as the official language policies will persuasively make this case against these policies; but ironically, I also think that the testimony of the two witnesses in favor of such policies also make a case against those policies.

In his written testimony, Mr. Mujica states that no serious person is suggesting that we become an English-only nation. And State Senator McKinley, a supporter of the Iowa official language bill, admits that the reality is that, in Iowa, we already had an official language in practice -- English.

So to me, that shows there is quite a lot of support for what we already know, and that we're going to learn today that English is not under attack; that it is overwhelmingly the language of our government; that immigrants want to learn English; and that, instead of promoting unnecessary divisive policies, we ought to simply make immigrants -- help, not make -- help immigrants to learn English, because we will hear in a few minutes, according to the most recent census, 92 percent of our population speaks English.

And another recent survey found that 90 percent of Latinos believe that it is important for immigrant children to learn English. In fact, Latinos were even more likely than others to say that.

Unfortunately, and not surprisingly, the president and this Congress have been going in the opposite direction. Last month, the House Appropriations Committee approved a bill that provides less funding for the year 2007 to help students learn English than the year 2003 -- backwards. The same bill provides less funding for 2007 to help adults learn English than in the year 2002. And the Government Accountability Office will release a report today that concludes that the U.S. Department of Education needs to do more to help states help students learn English.

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But not only are English-only or English as the official language policies unnecessary and divisive, they truly can be harmful. First, they do nothing to help immigrants learn English. They also jeopardize public safety. Actually, in the case of a natural disaster or a terrorist attack or a health crisis, it is critical that the government be able to communicate quickly and effectively with the entire public. For example, if there is a pandemic flu and non-English speakers cannot understand the government's instructions, everyone will be at risk.

So I look forward to hearing our witnesses.

But again, Mr. Chairman, I believe that the policies we are discussing today are a solution in search of a problem. And I thank you.

REP. CASTLE: Thank you, Ms. Woolsey. We appreciate your opening statement.

And now we will turn to our witnesses. And basically, I will introduce each of you before you speak, and then we'll go back to the beginning -- back to Mr. Mujica who will be introduced first -- who will start the discussion. And you will each have five minutes, which will be on that little monitor in front of you, which is red, four; yellow one -- I'm sorry, green, four; yellow, one; red thereafter. And so as you see the yellow, think about summing up, and hopefully finish up when you hit the red.

But we're all very pleased to have all of you here. And I will now give a little bio on each of you.

Mr. Mauro Mujica has been chairman of the board and CEO of U.S. English since 1993 -- the nation's oldest, largest citizens' action group dedicated to preserving the unifying role of the English language in the United States. Since his election to the position, Mr. Mujica has overseen a renewed drive to pass official English legislation at the state and federal level.

As an immigrant from Chile, who became a naturalized citizen in 1970, he has a first-hand understanding of the obstacles facing non- English speakers. Mr. Mujica holds a bachelor's and master's degree in architecture from Columbia University. He was also a member of the advisory board of the U.S.-U.K. Fulbright Commission from 1995 to 2000, and former chairman of the U.S. Fulbright -- advisory board of the U.S.-U.K. Fulbright Commission from 1997 to 2000.

State Senator Paul McKinley represents the 36th Senate District for the state of Iowa, where he is not serving his second term. He is co-chairman of the Education Committee and also serves on the Commerce, Economic Growth and Ways and Means Committees, as well as on the Education Appropriations Subcommittee.

State Senator McKinley was the co-sponsor of legislation making English the official language of the state of Iowa which, in 2002, became the most recent state to enact an official English language law.

Before hearing to the State Senate, he built his career as a businessman and an entrepreneur. Senator McKinley received his bachelor's degree from the University of Iowa.

Mr. Raul Gonzalez is the legislative director for the National Council of La Raza. The National Council of La Raza is the largest national Hispanic civil rights and advocacy organization in the United States that works to improve opportunities for Hispanic Americans. Focusing on education policy, Mr. Gonzalez works with Congress, the administration, advocacy groups and the council's affiliated community-based organizations to improve educational opportunities for Hispanic Americans.

He is a former legislative assistant to Representative Major Owens, and a former New York City public school teacher, where he taught writing, algebra and special education. Mr. Gonzalez was born in Puerto Rico and was raised in Brooklyn, New York. He graduated from City College of New York with degrees in English and Psychology.

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John Trasvina is the interim president and general counsel of the Los Angeles-based Mexican American Legal Defense and Educational Fund, or MALDEF, located in Los Angeles. MALDEF is the leading non-profit Latino litigation advocacy and educational outreach institution in the United States protecting their civil rights. Mr. Trasvina is the former western regional director for the U.S. Commission on Civil Rights and a former deputy assistant attorney general for legislative affairs at the U.S. Department of Justice. He is also the former general counsel and staff director the Senate Judiciary Committee's Subcommittee on the Constitution.

For the past two decades, he has played a major policy role at the local and federal levels on immigration and civil rights matters affecting immigrants, women and minority communities. He is a graduate of Harvard University and Stanford Law.

Mr. Art Ellison has been the director of the New Hampshire Department of Education's Bureau of Adult Education for over 25 years. He has also worked as a road construction laborer, high school social studies teacher, and a local adult education teacher. In addition, he is the founder, executive producer and actor with the Northern New England Literacy Theater.

Mr. Ellison received his undergraduate degree from Earlham College, his master's degree from Northwestern, and his doctoral degree from the University of Massachusetts. Mr. Ellison is also here today representing the National Council of State Directors of Adult Education.

It's an impressive array of individuals we have here today and we thank all of you very much for being here. Just to go through the format again, you will have five minutes. When all of you are done, we will then open it up to members who are here to ask questions, alternating from one side to the other. So we welcome you. We look forward to a lively, interesting, and hopefully informational discourse today on this important subject.

And Mr. Mujica, we'll start with you, sir.

MR. MAURO MUJICA: Thank you, Mr. Chairman, for the opportunity to testify regarding H.R. 997, legislation that would make English the official language of the United States.

My name is Mauro Mujica and I am the chairman of the board of U.S. English, Inc., a non-profit organization based here in Washington. U.S. English was founded in 1983 by former Senator S.I. Hayakawa and we have since grown to more than 1.8 million members. Our organization focuses on public policy issues that involve language and national identity, particularly official English laws.

As an immigrant and naturalized citizen, the issues we are discussing today are of great personal importance to me. When I came to the United States from Chile in 1965, there was no doubt in my mind that I had a civic duty to learn the common language of this country.

Mr. Chairman, one-third of U.S. English members are either immigrants or the children of immigrants. A Rasmussen poll this June found that 84 percent of Americans favor a law to make English our nation's official language, and a Zogby poll last summer found that support for official English is higher among first and second generation Americans than it is among native-born Americans. In both its motivations and contents, H.R. 997 is a pro-immigrant bill.

While there is certainly a need for government to occasionally operate in other languages, that need must be balanced by a legitimate insistence that immigrants are on the road towards learning English. That balance is embodied in H.R. 997, which requires that routine government operations be in English, while listing a number of exceptions where multilingual operations make sense.

In a country where residents speak 322 languages, multilingual government must be the exception, not the rule. Unfortunately, instead of promoting English learning, government agencies increasingly seek to cater to immigrants in as many languages as possible. The result is that I -- a 42-year resident of the United States -- can

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walk into virtually any government office and demand services in my native language. And I'll receive them, no questions asked.

My frustration is shared by Hispanic columnist, Alicia Colon, who wrote, in the June 28th New York Sun, quote: "What made us different from other immigrants who were forced to conquer the language gap to succeed? Do all Italian-Americans speak Italian?"

If the millions that do not speak English were on their way toward learning English, there would be no reason for concern. Unfortunately, survey data has suggested the state of limited English proficiency is often terminal. Last March, the Pew Hispanic Center surveyed Mexican migrants regarding English proficiency. Pew found that among those residing in the United States for six to 10 years, 45 percent spoke English not well or not at all. Pew also found that among those residing in the U.S. for 15 or more years, 45 percent spoke English not well or not at all. The implication is contrary to prevailing opinion.

If English learning is not stressed to immigrants upon arrival, many never learn it at all.

I highly recommend the recent Time magazine essay by Quebec-born commentator, Charles Krauthammer, who argues that America is at risk of facing Canadian-style linguistic divisions unless we change our assimilation norms. And he says, "making English the official language is the first step to establishing those norms."

Mr. Chairman, I am proud to be fluent in four languages, including my native Spanish. H.R. 997 is not in conflict with our national goal of personal multilingualism or with President Bush's recently-announced foreign language initiative. Furthermore, I fully agree that we still are, as S.I. Hayakawa told the Senate 25 years ago, very backwards in our study of foreign languages in the United States.

But we have also been negligent in our promotion of English as the unifying language of our nation. We have never been -- and no serious person is suggesting that we become -- an English-only nation. But the American people decidedly do not want us to become an English- optional nation.

As your former colleague, Lindsey Graham, noted in last month's Senate floor debate on a similar measure, quote, "from a national perspective, we need to promote assimilation in our society," end of quote. H.R. 997 is consistent with this policy goal and with the values of the American people, and I respectfully urge this committee to pass this legislation.

REP. CASTLE: Thank you, Mr. Mujica. We'll obviously be getting back to you soon.

MR. PAUL MCKINLEY: Chairman Castle, Ranking Member Woolsey, thank you for inviting my views on English as our official language.

I am serving my second term in the Iowa Senate as co-chairman of the Iowa Senate Committee on Education. In 2001, I was co-sponsor of Senate File 165 -- the Iowa English Language Reaffirmation Act -- a bill authored by then-Senator now-Congressman Steve King. The Iowa English Language Reaffirmation Act added a new section to the Iowa Code declaring English the official language of the state. It requires all state and local official government business to be conducted in English with some exceptions.

Those exceptions are: teaching languages; the Individuals With Disabilities Education Act; trade, tourism or commerce; actions to promote the public health and safety; any census; actions that protect the rights of crime victims or criminal defendants; the use of proper names; terms of art or phrases in languages other than English; any language usage required by or necessary to secure the rights guaranteed by state or federal constitution; and communication, examination or publication for drivers' licenses if public safety is jeopardized. The Act also does not prohibit state officials from communicating in a language other than English if it is necessary to perform official business.

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Senate File 165 -- the Iowa Official English law -- was signed by Governor Vilsack, a Democrat, on March 1, 2002. Prior to its passage, those who did not want English as our official state language raised a few objections. The opposition to English came primarily from liberal activist groups and certain newspapers. Dire consequences were predicted, but none materialized.

Their main objection was that making English our official language would somehow be seen as an act not welcoming legal immigrants. This is absolutely false. The best way to welcome legal immigrants and help them through their naturalization process is to help them learn English. Common language is the glue that binds a society and an economy.

Some opponents of English also argued that it was racist to have an official language. Nothing could be further from the truth. The reality is that in Iowa we already had an official language in practice -- it was English. There is nothing new about a person's racial background that makes it harder or easier to learn English.

In Iowa, we have a proud tradition of assimilating immigrants in our Midwestern melting pot. Iowa is a very welcoming state and is grateful for the vast contributions of its citizens from assorted backgrounds. A few opponents of English claimed that fewer non- English speaking immigrants would come to Iowa if we made English our official language. They were wrong. In fact, I believe the level of immigration in Iowa has increased after passage of our official law.

In my home town of Chariton, we have seen a large number of Ukrainians settle and start businesses in markets where we had urgent need. They have improved local neighborhoods by fixing up broken-down houses. Their children go to our local schools. And all of them have readily mastered the English language.

In my experience, the opposition to Iowa's official English law, before it became law, was political, not based on policy or practical concerns. An excellent illustration of this observation can be found in the Iowa House hearings that were held prior to passage.

During those hearings, Ngu Alons testified to her support for English as our official language. I urge you to read her story. She immigrated to the United States as a Cambodian refugee with no English skills. She learned English quickly and this mastery of English enabled her to testify before the Iowa House in support of English as the official language. At that hearing, English opponents, urged by political activists, booed her during her presentation and did not give her the respect she deserved. These same activists who argued that English was discriminatory had no qualms about discriminating against her that day.

In my role in the Iowa Senate, I have had the opportunity to monitor the implementation of the law. The problems raised by opponents of the measure never materialized. The law remains in tact. And I can tell you without reservation, it is working.

In fact, last fall the Iowa legislature conducted hearings around Iowa on the immigration issue -- Des Moines, Spirit Lake, Ottumwa and Davenport. No immigrant objected to English as Iowa's official language. The only individual who objected was a political activist.

Finally, I would like to remind the committee that the Iowa English law is very similar to English Language Unity Act House Resolution 997 introduced by Congressman King, the 161 co-sponsors -- and I believe that the Iowa and federal situation have a great deal in common. You will hear a lot of political objections to making it the official language, but if it becomes law, I think those will dissipate, just as they did in Iowa.

Thank you.

REP. CASTLE: Thank you, Senator McKinley.

Mr. Gonzalez.

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MR. RAUL GONZALEZ: Thank you, Chairman Castle, Ranking Member Woolsey and members of the subcommittee.

Again, my name is Raul Gonzalez. I am the legislative director at the National Council of La Raza here in Washington. I have been working in the field of education for 15 years as a public school teacher, congressional aid, and in the non-profit sector. So it is a pleasure to appear before this subcommittee, which was worked effectively and in a bipartisan manner to approve legislation important to Latinos and English learner students, including Head Start, which we hope will some day pass the full Congress and the (Executive ?).

And so I appreciate the subcommittee's efforts to hold a balanced hearing on this issue of English as the official language of the United States. It is important to remember that this hearing is being held within a specific context, which is the ongoing debate about immigration reform. We hope that this hearing will be productive and will not distract Congress from acting on legislation to fix our broken immigration system this year. And we urge Congress to pass a comprehensive immigration reform bill.

NCLR believes that English is critical to the success in this nation and certainly supports English language acquisition and effective integration of immigrants. In fact, NCLR and its affiliated CBOs, community-based organizations, are in the business of helping people learn English.

About one-fifth -- 150 of our 300 community-based organizations provide some ESL services and more than -- and our network of more than 90 charter schools provide services to a variety of students, including ELLs.

And NCLR has invested a great deal of time in shaping the No Child Left Behind Act to improve the English language acquisition and content acquisition of students who are not English proficient. And English-only laws can only weaken, in our opinion, NCLB. We hope to work with the committee to strengthen NCLB, not to weaken it, for English learner students.

In my testimony today, I want to focus on the (prints ?) of English and the dangers of official language or English-only policies and their potential impact on education. And I would propose a policy agenda to help LEP adults and children learn English.

My written testimony briefly discusses how these policies affect healthcare and safety, as well as the Inhofe and Alexander amendments to the Senate bill, which -- S. 2611, which is the bipartisan compromise legislation passed in May. I'd be happy to answer questions on these issues and amendments during Q&A.

An issue is whether there is a need for an English as the official language policy. By any rational or historical standard, the answer is no. The facts bear this out. Supporters of English-only policies argue that English is under attack. But the fact is, English is already the language of government. GAO reports have consistently shown that about 1 percent of government documents are printed in a language other than English.

Supporters of English-only policies argue that too many people don't speak English. The fact is, almost every American in this country, and possibly some abroad, speak English. Ninety-two percent of Americans, according to the U.S. census, speak English with no difficulty, and 82 percent speak only English.

Supporters of English-only policies argue that immigrants don't want to learn English. The fact is, today's immigrants learn English as quickly as previous groups. A study by the Lewis Mumford Center at Albany found that second-generation immigrants are largely bilingual and 92 percent of Hispanic immigrants speak English well, as do 96 percent of Asian immigrants.

This is remarkable, given that there has been insufficient investment in English language acquisition programs. Since fiscal year 2004, funding for adult education programs in Title III, which is the ELL section of NCLB, has decreased by more than \$22 million, and the Even Start family literacy program has been decimated with funding cuts of nearly \$148 million.

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It is fair to expect immigrants to integrate into American society, and English language acquisition is a big part of that. But we need to adopt policies that will make that happen. And Congress hasn't done enough so far to help people learn English.

And most relevant to this committee -- English-only policies weaken the No Child Left Behind Act, which is intended to hold schools accountable for helping English learner students learn English and meet the same reading and math requirements as other children. And they also weaken the parental involvement provisions of that law which is critical.

Given the facts, English as the official language policies can only be viewed as counterproductive and extremist. First, as noted above, translation of documents is not a burden on our government. Second, the English language is not under attack. Third, recent immigrants are learning English and those who do not are seeking the opportunity to learn English. Fourth, English-only policies fail an important test of what makes good policy. In this case, they don't result in a single person learning English.

Congress can do better. Rather than pursue these policies, Congress should take affirmative steps to help people learn English. Congress should increase funding for adult education programs and approve the Workforce Investment Act. Congress should undertake a major new investment in ESL to help people learn English and for immigrant integration. Congress should increase funding for Even Start, the nation's premier family literacy program. And Congress should strengthen, not weaken, the No Child Left Behind Act. That's a critical part of this effort, and we hope to work with the Congress do that.

And I'd be happy to answer questions on any of these issues. Thank you.

REP. CASTLE: Thank you, Mr. Gonzalez.

Mr. Trasvina.

MR. JOHN TRASVINA: Chairman Castle, Congresswomen Woolsey, thank you for the opportunity to present MALDEF's views against English-only laws and policies.

No one, particularly a newcomer to America, needs a law or constitutional amendment to know that learning English is vital to participating in, contributing to and succeeding in American society. English-only laws do nothing constructive to advance the important goal of English proficiency.

Historically, we as a nation and as the people were correct to reject English only, without at all minimizing the importance of education in English. English-only laws jeopardize the health, safety and well-being not only of English language learners but of American communities as a whole. Laws that interfere with the government's ability to communicate are simply bad public policy. Such laws fuel divisiveness and leave all of us more vulnerable to danger and yield no discernible benefit. They do not promote English as our official language so much as they make discrimination our official language.

English only is founded upon the myth that the English language is somehow under threat. As Congresswoman Woolsey already noted, an overwhelming majority -- 92 percent -- of Latinos believe that teaching English to the children of immigrants is very important -- a percentage far higher than other respondents. Indeed, Latino immigrants are learning English and doing so as quickly or more quickly than previous generations of immigrants.

As is typical of immigrant populations in the U.S., by the third generation, most Latinos tend to speak only English. Latino immigrants, then, do not need official English or English-only legislation to coerce them into learning English. That desire and determination already runs deep in the Latino community. They do, however, require the means and the opportunity.



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And I would note, as I heard Senator McKinley describe the Iowa legislation, legislators do not need an English-only law to give them the impetus to provide classes for adult English. That is something that no legislator needs if it's not being done. And that is one of the failings of these English-only laws.

For ELL students in grades K to 12, two-thirds of whom are native-born U.S. citizens, poor instruction denies them the tools to gain the language skills necessary to participate fully in the American economy and society. Since 1975, at least 24 successful education discrimination cases have been brought on behalf of ELL students in 15 states.

With limited opportunities to learn English, these students face particularly poor outcomes. It is critical that we improve programs for these students to help them learn English, not penalize them for the poor quality of instruction that denies them the opportunity to learn the language well.

Adults who seek English as a second language classes also face an acute shortage of such classes. A June 2006 study by NALEO Educational Fund found tremendous unmet need and waiting periods of up to three years. Providing real opportunities to learn English is the most efficient and effective means of fostering English language proficiency.

By contrast, official English laws, including the Inhofe amendment to the Senate immigration bill, do nothing to help them achieve fluency. Instead, such proposals compromise the health, safety and well-being not only of English language learners but of communities in which they live. These laws undermine the federal government's ability to communicate with the public in situations where communication is urgently needed, leaving all U.S. residents more vulnerable to danger.

And now I've heard about all the exceptions of the English-only laws. What you're left with after all these exceptions is there is very little that the law actually covers. What -- and again, what it does not cover is more resources and opportunities for learning English.

When Dade County, Florida, enacted an anti-bilingual ordinance in the 1980s -- something that U.S. English supported at the time -- its implementation underscored the silliness, divisiveness and danger of English-only laws. The first thing that went were the species signs at the zoo, because they were not in English. Then the county clerk stopped allowing translations of marriage ceremonies. Perhaps most significantly to health and safety, Jackson Memorial Hospital ended prenatal classes in Spanish and patient billing information.

At the federal level, there is no exemption on its Form 1040 for people who do not speak English. They, too, are taxpayers. Indeed, the IRS has some of the best language services, because they promote compliance and revenue. During wartime, the Treasury Department regularly promoted the selling of war bonds in many languages. Patriotism after all comes in all languages.

The push for English-only policies today and the hostile climate in which they have arisen are hardly unique in America's history. Fuelled by anti-German sentiment during and after World War I, many states, including Iowa, passed English-only laws that sought to restrict the use of foreign languages in public. Hamburgers became Salisbury steaks. I understand the city of Berlin, Iowa became Lincoln, Iowa. And the Iowa governor ordered telephone operators to interfere with conversations in German.

But it took the Supreme Court in 1923 to address the English-only laws in Nebraska and in Iowa to state that the protection of the Constitution extends to all, to those who speak other languages, as well as to those born with English on the tongue. And perhaps it would be highly advantageous if all had ready understanding of our ordinary speech, but that cannot be coerced with methods which conflict with the Constitution. A desirable end cannot be promoted by prohibited means.

We must do more to provide the availability and quality of English acquisition programs.

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In closing, I want to thank the bipartisan majority of the House, including Chairman Castle, Ranking Member Woolsey and a bipartisan members of this subcommittee who voted two weeks ago to defeat the King amendment to the Voting Rights Act. The Kind amendment would have denied millions of U.S. citizens the language assistance that need to vote in an informed manner. The bipartisan defeat of the King amendment, like this U.S. Supreme Court's ruling in 1923, reaffirmed the inclusiveness of our U.S. government and society and was a victory for true lovers of both English and the Constitution.

Thank you for the consideration of our views.

REP. CASTLE: Thank you, Mr. Trasvina. And I'm a little worries about your Iowa comments because Senator McKinley is going to demand time to rebut here in a moment. But we go on from to it from here.

Mr. Ellison.

MR. ART ELLISON: Chairman Castle, Congresswoman Woolsey and members of the subcommittee, my name is Art Ellison and I represent the National Council of State Director of Adult Education. I want to thank you for allowing the Council to submit testimony regarding the need for all citizens to be proficient in the English language, especially new immigrants for whom a command of the English language is the key to their success and that of their children.

In our view, Mr. Chairman, the key element in this discussion is assuring that all citizens have access to the adult education English language services that will ensure their success. The adult education state directors -- the managers of adult education and English literacy programs in the state -- keenly understand the need for English literacy. We provide adult education services for 3 million adults a year. Even though limited-English-proficient adults comprise only 15 percent of our potential students, almost half of our enrolment is comprised of English literacy students.

We are proud of the quality educational services that our adult education teachers and tutors provide, both for English-speaking adult learners in need of basic literacy skills or a high school credential, as well as the significant part of their work in English literacy civics and citizenship services for limited-English-proficient adults. These services are supported by federal funds from the Adult Education and Family Literacy Act, Title II of the Workforce Investment Act of 1998. For every federal dollar appropriated for these services, the state and local partners contribute \$3.00. Thus, three-fourths of the financial support come from non-federal resources. States provide these services through local school districts, community colleges, state-based and community-based organizations.

There are at least three areas of everyday life in which English skills are essential. That would be in one's work, interactions with one's family, and interactions in the community. The adult education state directors agree that our nation's immigrants need English language skills that enable them to fulfill their responsibilities as well as enjoy the benefits of working, raising a family and contributing to communities throughout America.

Every day, hundred of thousands of adults learn to speak and write the English language, appreciate our history, respect our flag, and assimilate into our society through participation in adult education and family literacy programs. Every day, hundreds of thousands of newcomers move along the path from low-paying jobs to a diploma, a career and a home of their own through participation in adult education and family literacy programs. And every day, millions cannot access adult education programs because classes are not available.

English literacy skills are critical for anyone to take part in all that is America. Even though we serve 1.4 million limited- English-proficient adults a year, we have waiting lists in programs in many states across the country, including Arizona, California, Colorado, Illinois, Indiana, Louisiana, Michigan, Nebraska, New Jersey, New York, Ohio, Pennsylvania and Wisconsin.

In order to help our nation's immigrants succeed, the adult education state directors encourage you to support increased funding for adult education programs to allow increased access to English as a second language

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classes to the millions who cannot participate in those services today because the classes are not available. As the main provider of these education services, we hope that any expansion of ESOL education by the federal government will build upon and not duplicate the system that has worked so well in the past.

Our workforce, our families and our communities need for those millions of limited-English-proficient adult to have the opportunity to achieve their full potential and to achieve the American dream.

Thank you.

REP. CASTLE: Thank you, Mr. Ellison.

We'll now turn to the members here and, again, there will be the same clock, with five minutes for the questions and the answers. So when somebody asks a question of the whole panel, just remember that all of you have to get your statements in in five minutes and be relatively brief.

But I'm at this point going to yield to start the questioning to the chairman of the full Education and Workforce Committee, Mr. McKeon, of California.

REP. HOWARD P. MCKEON (R-CA): Thank you. And I thank the gentleman for yield.

You know there's -- I just feel there is somewhat of a disconnect here because, in the testimony of a couple of you, you say that there is no need to do anything in this area of official language or make any changes because everybody is learning to speak English, and then you go on to say but we need more help helping people learn English. And I guess there's some logic to that.

But one of the concerns I have -- and I happen to speak a little Spanish.

I served as a missionary for our church years ago in a Latino community in Texas, New Mexico, and I remember in those days the people in New Mexico, for the most part, didn't even want their children to learn Spanish, because they felt then they'd have an accent and it'd be harder for them to get jobs. Things have changed a little bit, but that's where it was there. In Texas it was a little different. More of the people were still learning and speaking Spanish. And I hate for people to not be able to speak both, you know, if they come from that culture.

And where you speak four languages, you're to be commended. I think as a country we do a pretty poor job of teaching languages.

But the concern I have is I see a little different from what I'm hearing. We just had a -- moved into a new home, and I watched the construction that was being built. And just about everybody working on the construction site spoke Spanish. And I see it in other parts of the community. I come from California. There are parts, when you get into San Fernando or parts there in the Valley -- all the signs are in Spanish, all the language is in Spanish. I saw a movie that showed a lady that moved from Mexico to San Fernando and she felt like she hadn't even left Mexico. And until she was forced to do another job and to get out of the community, she never would have learned English. There was no reason for her to.

But that causes a segmented society. It causes a segregated society -- by English, by choice -- because you're more familiar, you're more comfortable, you know, where you can communicate rather than forcing yourself out of a comfort zone to learn another language. It makes it a little tougher on people.

But one of the reasons for these hearings is to show the difference on immigration between the House-passed bill and the Reid- Kennedy bill over in the Senate. They had two amendments there on language that, to me, look liked they're at cross purposes, and they both passed.

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I'm wondering what your opinion would be if that became law. What would be the effect of those, as I see it, competing amendments? How would that be carried into law? How would that be translated? Could I hear from you on that?

MR. MUJICA: I don't see them as sort of competing amendments. They both say pretty much the same thing. Regarding what you were just saying about segmenting people, all of us who have studied a foreign language know that the best way of learning a foreign language is by exposure to the foreign language. If we have new immigrants and people living in this country completely isolated from the new language of their new country, they're never going to learn it. They get up in the morning. They hear Spanish news and Spanish T.V. They go to work. They work with other Spanish speakers. When are they going to learn English? And that is the problem.

We all know that they all want to learn English, but frankly they do not get the opportunity to learn English. A good example is what Israel does. They have a system called ulpanim. An ulpan is a school where an immigrant goes and does not need to work for six months or so. They are given money by the government to exist. They can go full time. They will learn what it is to be an Israeli. They will learn Hebrew. They will learn how to function in the new country. And therefore they will be helped to assimilate.

Right now, there is no help. Someone gets to this country by any means and they are on their own. They have to sink or swim. And many of them just sink. They work at a very low level. They make very little money. And they stay there for life unless they can assimilate and learn English.

REP. MCKEON: Well, you point out a good contrast. We -- they don't have a big problem in Israel with illegal immigration -- very hard to get into that country illegally. We have that problem, and it's one of the things that's forcing this debate. And what happens is, as you point out, that people come here and they associate with the people that they are comfortable with because they can communicate with them, so there is no reason for them to expand and learn English. And so they are never going to advance without learning English. So that's why the real emphasis is on this whole process.

My first campaign manager, when I first ran for Congress, was from Cuba. And he was the oldest of three sons. He went to school, learnt English, taught all of his family, and the family has done very well. But the mother, who never had to leave home, it's hard for her to speak English. She's just much more comfortable in Spanish. The boys can all speak both languages. The father, because of work -- you know, pushing himself out into the work environment -- learnt English better. But if you don't have to, if you stay in the home or stay in a work environment, you're never going to learn that other language, and you're always going to be hampered in advancement in this country.

MR. TRASVINA: Mr. McKeon, if I could address the notion that immigrants are somehow in a comfort zone -- they are in the most difficult and dangerous jobs in America. They come here with aspirations, and the notion that they're somehow unwilling or not needing to learn English completely ignores the spirit in which they come for advancement for themselves and for their children. There is the desire to learn English.

There are three years of waiting lists in Boston; 18 months in Phoenix. Examples go around the country of waiting lists of people who are working, working at night. And in Los Angeles, we would have 24-hour English classes. People get off work from restaurants and buildings at night and then go into English classes. There are long waiting lists for those classes.

In addressing your question about the Inhofe amendment and the other amendments that have come up, they do have serious impacts upon the ability of the government to communicate, the ability of judges or legislators who are acting to address the civic concerns addressing language access and addressing the government's ability to communicate and serve taxpayers and serve residents. So we have strong concerns with the notion that we need either the official language, national language, common language legislation.

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What we need are the resources and programs for English language training. Typically, people come to this country and they take the time to learn English, and then they get off of the programs and they are into the English language society. What you may see in some pockets of the country, where there is a persistence of Spanish language signs or other types of services, is it's not the same people using them for generations. It is people coming in and graduating from them and going into the mainstream. And that's what we promote, and that's what providing more English classes promotes. And that is what the English-only approach does nothing to advance.

MR. GONZALES: Mr. Chairman, just to respond to a couple of the points which were important points.

REP. MCKEON: My time is gone. Would the --

REP. CASTLE: (Off mike.)

MR. GONZALEZ: Sure, thank you.

REP. CASTLE: Why don't you go ahead and make your response and we'll wrap it up after that. Thank you.

MR. GONZALEZ: Sure. First of all, we are talking about a small number of people who are recent immigrants, and those are the people that we're talking about transitioning into English.

REP. MCKEON: A small number would be?

MR. GONZALEZ: Who are -- it would be the 8 percent who do not respond to the U.S. census, saying that --

REP. MCKEON: But how many people would that --

MR. GONZALEZ: -- they -- (inaudible).

REP. MCKEON: But how many people would that be?

MR. GONZALEZ: Well, 8 percent of about 280 million people would be --

REP. MCKEON: Eight million.

MR. GONZALEZ: Yeah.

REP. MCKEON: That would be 8 percent of 100 million.

MR. GONZALEZ: No, well, it would be 8 percent -- the remaining 8 percent who do not respond to the census request -- census data showing that they speak English very well. So that would be 8 percent of the U.S. census population.

The second point, which is of these so-called enclaves -- a lot of the second languages you hear in these communities are by business owners who are trying to market to people. It's not that they are trying to retard their ability to learn English. It's just that it's smart marketing for them to communicate in an effective language. And so that's why you're going to hear that.

And as far as Inhofe and Salazar, I mean, taken together or pulled apart separately, what they have in common is that neither one of those will help a single person learn English.

REP. MCKEON: Thank you, Mr. Chairman.

REP. CASTLE: Thank you, Mr. Chairman.

Ms. Woolsey is recognized for five minutes.

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REP. WOOLSEY: Thank you, Mr. Chairman.

First of all, I want to go on record saying that, personally, if I had to go to a foreign country where people didn't speak English and I had to live and work, I would be like a fish out of water. I couldn't do it. So we have a country where 88 percent of our population speak only English. That should be our embarrassment. We don't teach languages in school these days -- shame on us. Therefore, maybe that's why we're so afraid of anybody speaking a foreign language or having to accommodate them.

Senator McKinley, if 92 percent of our population speaks English, what's the need for having a symbol like -- or is it just symbolic to you that we just have a title of what we speak in this country?

MR. MCKINLEY: One of the things we've seen in Iowa is that the immigrants definitely know that it's important for them to learn English if they are going to participate in the communities.

To address the issue that was raised earlier, I just recently came from San Francisco and I was in Chinatown. And we talk about the enclaves -- on my way to the airport, I rode with a Russian immigrant who spoke probably as good a English as I, though with an accent. And I asked him about Chinatown, and he said they don't speak English there. You can't live there unless you are Chinese. And then walking in the streets I heard all the young Chinese students speaking Chinese. And that may work in San Francisco, but that would not work in Iowa. In order to participate in the community, you must speak English.

REP. WOOLSEY: Well, let me just interrupt you a minute. I represent the district halfway across the Golden Gate Bridge, north of San Francisco, so I can speak with authority when I tell you 99 percent of those Chinese-speaking individuals speak English. They are the best students we have in our schools in the Bay area, so they are speaking two languages.

So your list of where there Iowa Reaffirmation Act does not apply, that list seems totally inclusive. What's left off of that list? Where would something else apply?

MR. MCKINLEY: Well, I think in large part, what we're doing is setting a standard. With an increasing number of immigrants coming to Iowa, we want to make it very, very clear that it's important they speak the language. In testimony we had across the state, we are hearing from schools, law enforcement centers, jails, and increasingly from women's domestic centers, that there is a real problem serving these people who need services who don't speak English. Oftentimes, those are emergency services --

REP. WOOLSEY: Right.

MR. MCKINLEY: -- that they need to be able to speak English. I think it's absolutely critical. And in Iowa, enactment of the law was a non-event.

REP. WOOLSEY: Well, Mr. Trasvina, in your opinion, what is the best way to promote English language -- by labeling our country English only, or are there other ways to support teaching new immigrants English?

MR. TRASVINA: There are a wide variety of ways of teaching people English. The last way to do it is to tell someone who needs domestic violence services, gee, you should be learning English. That is the problem with this approach. We are either going to take the approach where we advance English through the public schools and adult English classes, or we take the approach that the Supreme Court rejected, which is saying you don't limit people's rights because of their ability or lack of ability to speak English.

And Senator McKinley mentioned San Francisco. Like you, I'm a San Franciscan. And U.S. Supreme Court recognized in the Lau decision in 1960 that there was educational discrimination, and the very reason why there was so much Chinese-only speaking at that time was because the classes that the Chinese-American students got at some of the elementary schools there were totally inappropriate to their language abilities. And the reason we

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have a Chinatown in San Francisco is because of the housing discrimination right after the 1906 earthquake. So we have to look at this in an historic context where immigrants were not always widely accepted.

And the way to do that -- the way to incorporate people into society -- is to provide for English classes, not to put up a sign and say, well, you really should speak English and the services are closed to you.

REP. WOOLSEY: Thank you.

Mr. Mujica, just -- what does making English our official language mean to you? And what are the norms that you suggest?

MR. MUJICA: Well, first of all I would like to say that we're not trying to make this country an English-only country. Most countries have an official language. Why don't we say something about Mexico? Mexico has an official language -- Spanish. Is it a problem that it's a Spanish-only country like Chile, Argentina and every country in Latin America, and 50 or 80 other countries around the world?

REP. WOOLSEY: Well, we're coming to an end of my time, but do they have -- do they use their government officials -- people elected -- to do the really heaving lifting in their country, having hearings, talking about whether their official language is Mexican or Spanish?

MR. MUJICA: No, they --

REP. WOOLSEY: Well, there you go.

MR. MUJICA: -- didn't have to.

REP. WOOLSEY: That's right.

MR. MUJICA: They knew that their country was Spanish, which incidentally is the language of the white European conquerors. It's not the language -- the original language of Mexico.

REP. WOOLSEY: Right. But I mean, my point is, we're wasting -- this is silly what we're doing today. Thank you.

REP. CASTLE: Thank you, Ms. Woolsey.

And I'll yield to myself for five minutes. And let me just start by a comment if I may.

And as Mr. Ellison and a couple of others mentioned too, but I agree with you with respect to the adult education and the need to expand these programs. To me, education is a key component of it. And I agree with the other comments some of you made about Even Start and the various other programs, which we have to get started.

And I'm going to ask -- I'm going to ask some broader questions, and I truly don't know the answer to these things. So I'm not asking in any kind of pejorative sense. I'm curious about true opinions about this. But I try to think a lot about this particular issue, and I have no great opinion about English as the official language.

But I worry about the problem of assimilation and, you know, how we're doing it in this country with helping people with assimilation as well.

And it seems to me -- and maybe I'm not right about this, but it seems to me -- that there are effects here which are different in previous immigration populations, not including the English-speaking populations, but those that were not English coming from Europe. First, it's just that -- proximity. Because of proximity, Mexico obviously but also Latin America and the island country, which have easier access than getting from Europe to America in the 17th century or the 18th century or whatever by boat -- and people tend to go back and forth as a factor.

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And then they also -- the other factor I have is that of illegal immigration in the United States, that is, those people who for whatever reasons are not here legally at this point. They may have overstayed a work permit or education or something of that nature, or may be here entirely illegally. We obviously have some border issues as far as Mexico is concerned, which is not just Mexicans as we all know. It can be a variety of people.

But do these things -- and then those who are sort of in a limited legal situation, that is, there are here because they're migrant workers or whatever but they've got to go back to wherever they're from, which they could do, which you might not have done if you were from Italy or Russia or some other country where you came here permanently.

So my question is, is this impacting the desire for individuals to become a part of the culture to learn the English language, et cetera? Is it different than it might have been for other immigrants who came before from different circumstances?

And I'm not trying to make a point with that question. I'm just curious about the information with respect to that. And I don't know the exact statistics. I can't argue how many illegal immigrants are here and how many are Latino or anything else. But clearly, you know, we have some fairly substantial numbers in that area. And I'd like to hear from Mr. Trasvina, Mr. Gonzalez and Mr. Mujica on that subject. I know it's sort of broad, but I'm curious as to your thoughts on that.

MR. TRASVINA: Yes, Mr. Chairman, you've asked a broad question. And we are in a 21st century world where we do have different patterns. And the need for language and literacy are greater than they were at the turn of the previous century, where people would come to this country from Europe and go through the Ellis Island and eventually they would learn English.

The needs for English are tremendously important. As a global society, we do have a lot more people going back and forth, and we do have a very large Spanish-speaking region to the south of us. Now, there may be some policy decisions and discussions about going back to where we were prior to 1975, where we treated Mexican immigration different than other countries, taking out of the per-country ceiling. But that's a separate issue on immigration.

In terms of language, it's all the more important to provide the resources for people to learn English. And as I said earlier, the spirit with which people come to improve themselves -- they are not satisfied in the most dangerous and difficult jobs, and they know that, for the most part, people who come here legally or otherwise are coming on a one-way trip. They may go back home. They may have remittances. But they do want to be here. And they are here. And they're going to be staying permanently.

That being said, it is all the more reason why we need to invest at the lower years in their education, because these children are going to be the taxpaying and social security paying individuals that we're all going to be relying upon in the future.

REP. CASTLE: Thank you.

Mr. Gonzalez, the other thing I'd like to hear about is if there are a higher number of illegal immigrants because of the ease of getting here versus the old way of getting here in previous years. Are they more reluctant to get into the various systems, because they're not here legally? I mean, I'd be concerned. If I was in another country and I wasn't legally there, I'd be very concerned about even registering for a class or whatever it may be. So I'd like for you to add that element to the question as well.

MR. GONZALEZ: Certainly. Just -- I think one of the things we should consider is looking at this in an historical context. One hundred years ago when immigrants -- or even longer than that, when immigrants came to this country and they may have been in enclaves and they may have had limited opportunities to learn English, we didn't know about that. If you were English speaking and native born, you did not know. You did not shop, you did not go to restaurants with people who were just coming into the country, so you do not see and hear other people speaking another language.



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We've made so much progress in this country in breaking down these social barriers that now we see people who are newcomers shopping the same places we shop and eating in the same restaurants. And that raises some concerns, understandably. But I think we need to keep that historical context.

You did raise an important question about the chilling effect of some policies or other barriers that people who are undocumented may have that would preclude them from pursuing ESL classes or K through 12 education or other services that would help people learn English. And we hear constantly from people around the country who are trying to register their kids in school that we were denied -- I could not register my child for school because they told me that I had to present proof of citizenship, which is illegal but it's happening.

And that type of behavior at the local level -- but also the --

REP. CASTLE: It's illegal that the school would demand it, you're saying?

MR. GONZALEZ: It's illegal for the school to demand that type of information before registering someone for school. It's the 1982 Supreme Court case (inaudible) versus (inaudible). But having these debates at the national level where we talk about English as the official language, without providing resources for people; when we talk about immigrants self-segregating in enclaves -- immigrants refusing to learn English -- that has a chilling effect as well on people wanting to be thinking about, wait a minute, if they're talking about these things at the national level, then maybe as an undocumented immigrant I don't have access to these programs. I think that's where one of the negative impacts of this debate can really play (themselves ?) out in a way that results in fewer people learning English.

REP. CASTLE: Thank you.

Mr. Mujica.

MR. MUJICA: What is the question? The same?

REP. CASTLE: I'm sorry. Yeah, I'm sorry. It's just the same question or discussion if you will.

MR. MUJICA: Yeah. I think there is a change of attitude. The last 50 years or so, we've had this sickness called political correctness show up in this country and then other countries. It used to be that you came to this country to be part of this country. I'm a genealogist by hobby and I have studied many, many families, and I've heard testimony, and they came to be Americans. They arrived here and they kissed the ground and the said, we are in the new land. We are in our new home. And unfortunately they even forbade their kids to speak the native language because they wanted to assimilate so quickly to be paid of the new world.

Today, we have huge numbers of similar people coming through a border that doesn't exist. Mexico has a 2,000 mile border with the United States or longer, and we have a lot of people -- legal or illegal -- who are getting here and then they are being told by their self-elected leaders -- people MALDEF and La Raza -- that they have rights. They have rights to their language. They have rights to their culture. They're coming to the land that the gringos stole from them anyway, so they're coming to their own land. (Inaudible) is still alive -- you know, the old land comprised in half of the United States and Mexico.

So the attitude is quite different.

We have a lot of people coming to this country and segregating themselves and not really wanting to be part of the country. And it's a shame. It's not the case of every immigrant, but you will never hear a European saying they don't want to be part of this country or they do not want to learn the language.

There is nothing magic about English. English, meanwhile, for the last 50, 100 years became the global language. So there was no need for Americans -- or at least Americans thought they had no need -- to learn other languages, because their language was widely spoken everywhere. I, as an architect, go to about 40 countries

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every year. And although I speak other languages, and I am studying Russian right now, I always end up speaking English, because they speak English everywhere, and very well.

So we're not trying to protect English from disappearing. Quite the contrary -- English is prevalent all over the place. But also, we're not trying to make this nation a multilingual nation. That would be going backwards. We have functioned in English and that has been the glue that held this country together for hundreds of years. People coming -- all of over the world are able to talk to each other in a common language which, as I said, became the global language. And we're trying just to keep it.

I have heard testimony here where they blame official English laws with everything under the sun. They left out global warming. I think they should also blame it on official English.

But we're just trying to recognize the obvious. And we're recognizing that we have people from other countries right now that need help. And that's what we should be worried about. Let's get it over with. Let's declare English the official language of this country, which is the obvious. And let's find the money to help all these new immigrants learn the language and succeed.

REP. CASTLE: Thank you.

And I thank all of you for your (question ?).

Mr. Grijalva is recognized. Oh, no, I'm sorry. Mr. Hinojosa was next. I apologize.

REP. RUBEN HINOJOSA (D-TX): Thank you very much, Chairman Castle.

Before I ask my questions, I would like to make a statement for the record.

I must express my deep disappointment in these proceedings. First, this hearing is part of a concerted effort by the House majority to derail comprehensive immigration reform and fan the flames of anti-immigrant sentiment before the general election in November of this year. No matter how many hearings we hold, the public will not be fooled. The majority is at the helm of all of our branches of government -- all three. It seems to me that failure to fix our broken immigration system is the majority's failure to govern.

Secondly, while I do not question the chairman's intention to have a balanced hearing, let's be clear. We can no more have a balanced hearing on English as the official language than we can have one on states' rights or separate but equal. English as the official language has been a code for official discrimination. I understand the personal effects of such policies and sentiments. In my own home state of Texas, children would be punished and beaten for speaking Spanish in school. For those who think this is past history, sadly it is not. I experienced it myself. I went to -- I went to segregated elementary school and I was part of those who were spanked. Not too long ago, a high school student in Kansas was suspended from school for speaking Spanish to his friend in the hallway. Surely, these are not the practices we want to sanction with a policy of English as the official language.

Finally, instead of focusing on an issue that divides us, the subcommittee should be looking at how we help our children learn English. The Government Accountability Office has just released a report on the implementation of the accountability provisions in No Child Left Behind and limited-English-proficient students.

I ask unanimous consent, Mr. Chairman, that this report that was just released be entered into the record.

REP. CASTLE: Without objection, so ordered.

REP. HINOJOSA: Thank you.

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The record finds that we are a long way off from including "left" children in our accountability systems in a valid and reliable manner; that the Department of Education has not provided the guidance, the technical assistance or the enforcement necessary to ensure that states are meeting the requirements of the law.

Furthermore, Mr. Chairman, I ask unanimous consent that a letter from the Congressional Hispanic Caucus addressed to you as chairman of this subcommittee and to the ranking members, Woolsey, also be entered into the record.

REP. CASTLE: Also without objection, so ordered.

REP. HINOJOSA: Now, Mr. Chairman, I wish to ask the panelists some questions.

The first question is to Mr. John Trasvina. The 1994 Improving America's Schools Act required states to include limited-English-proficient children in their Title I accountability system. It required that "left" students be assessed in a language and form most likely to yield results. It required that assessment results for "left" students be valid and reliable. No Child Left Behind continued all of those requirements. However, the GAO report I referred to shows that we are nowhere near compliance with these requirements.

My question to you is, what do you recommend that we do as we approach the reauthorization to ensure that the law is implemented as Congress intended?

MR. TRASVINA: Let me say, and also with regard to the No Child Left Behind Act, it has not been effective for English language learners because of flaws in implementation. And what we really need for the 5 (million) or 6 million English language learning students in this country is to get greater attention on these assessment programs. Without effective assessments, we're not going to be able to begin to determine in why particular districts the particular needs of the students are.

So the lack of assessments, as the GAO report to be released today describes -- it really confirm what we have been saying all along. And it is the first barrier to overcome in order to provide the prescriptive suggestions for curriculum for these students.

REP. HINOJOSA: Thank you.

Mr. Chairman, can I ask one question of the State Senator?

REP. CASTLE: Certainly.

REP. HINOJOSA: Thank you.

Senator McKinley, what legislation have you passed to increase opportunities for limited-English-proficient residents of Iowa to learn English?

MR. MCKINLEY: We have passed legislation which established new immigrant centers to help new immigrants assimilate. We expanded that again this year. Plus, we have consistently funded community colleges across the state who offer these offerings. We have expanded English ELL legislation. So we've addressed this in a number of manners.

REP. HINOJOSA: In the 10 years that I have been here in Congress, I have been amazed at how we have to fight to get the federal appropriation for adults' continuing education and these English programs, because they're usually reduced or eliminated. And so we have to fight to get those funds. And I can tell you that right there in south Texas -- I was there on Saturday morning, and I went to visit the student who are learning English so that they could try to pass their test for the citizenship that they were applying for -- American citizenship -- and their complaint was that there were very few students there -- there were 25 -- but that they just didn't have the money for the professors so that they could have larger classes.

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So if you have all the money that you need in Iowa for these programs, you are very unusual because, in the state of Texas, we do not have enough money. And I blame myself and my Congress for not really putting the money forward to make that possible.

I yield back, Mr. Chairman.

REP. CASTLE: Thank you, Mr. Hinojosa.

And Mr. Souder is recognized for five minutes.

REP. MARK E. SOUDER (R-IN): I have to say that anybody who is watching this -- and if the whole country watched it -- you wouldn't see 85 percent for English as the official language, you'd see 90 percent because, in fact, you've given no compelling reasons not to do it, and in fact, the world hasn't collapsed in Iowa.

One of the things -- I can't conceive of moving to another country and not learning their language before I move there. I mean, it's one thing to visit for a couple of weeks, or even to study there as a student most people try to learn another language. It baffles me.

We're watching huge immigration trends. A lot of people think everybody in their area, including in my area, are illegal. They aren't. We have many refugees coming in. We have people with legal status who are there who are going through transition. But if we don't have an organized official language, we're going to descend into chaos.

I have one high school in my district -- it's not San Francisco, but it's getting close, at least, in the aspect of language -- that has 83 languages and dialects. Fort Wayne, Indiana is not a coast. It is -- but all across America this is a huge challenge.

We have the largest population of dissident Burmese have come into my area. There are -- they are people of Burma. Everybody calls them Burmese, but they're not. The Mon and the Shon, for example, were killed by the Burmese. But they're people from Burma, and they don't even speak their own language. If they don't have English as a common denominator -- we had -- I was at one meeting with leaders from the African community in Fort Wayne -- 23 different African nations in Fort Wayne with different languages. That you get into -- you're just going to have chaos.

The fire department doesn't know how to handle it. We can't go -- we have 1,800 Bosnians that have come in through refugee organizations. And that -- there is no way to do this if we don't have a certain amount of order. And anybody who thinks we're going to do work permits without English fluency -- I don't know how you think that that could possibly pass Congress without English fluency and some kind of standard on work permits.

In trying to resolve the tremendous crisis we have of all of the illegals in the United States, I mean, I'm -- I didn't vote for making it a felony and deporting everybody. But there's got to be some kind of a standard here of commonality, of commitment to be here -- at least enough commitment to be here that you're going to learn our language.

And I want to ask Mr. Mujica -- I mean, it's astounding. I mean, in my district I hear this all the time. Mexico has an official language. There are hundreds of thousands of Americans who live in Mexico, but they still have an official language. Twenty-seven nations, I believe, have English as their official language, in Africa and the Caribbean particularly.

Is there a big problem? Is it a huge crisis in those countries where English is an official language? Is it a crisis for the American citizens who are living in Mexico that have Spanish as their official language?

MR. MUJICA: It's no problem. Most countries have an official language. Some countries have two or three, and they have problems. It costs plenty of money. The European Union right now, I think, has something like 21

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languages and they are speaking seriously about just making English the official language so they could translate sayings in zero languages -- let's just do it all in English instead of translating in, I believe -- in nine languages.

REP. SOUDER: And you alluded to the commonality. It's not just -- it's not -- English isn't just because of America. It's because of the remnants of the British empire in many places; the commonality for trade, because India and China are the two biggest countries -- that's where the immigration (real ?) tide is going to come from, and they're very difficult languages with many dialects.

MR. MUJICA: Right.

REP. SOUDER: And when they travel around the world, as you see tourism -- that the only way to deal with this is English. And it just flabbergasts me with these kind of criteria that -- Iowa's one. I think it's a fair question to say, what exactly isn't -- is covered under English as an official language. But to not say that at least this is where we're headed just amazes me, because you see this huge trend nationally.

I mean, I come from -- and I know and I've said over and over -- two of the four newspapers in Fort Wayne, Indiana were in German prior to Hitler taking rise in Germany. I understand people are going to do multiple languages. But I just don't understand this resistance to saying, look, this is our official language.

Come here, we're going to work out how we do this -- but come here. If you want to be a citizen, for sure you're going to be fluent. If you want a work permit, for sure you're going to be fluent. If you're going to come to America, then learn our language. It's just such a basic question and fundamental thing to say it's our official language. And the opposition just astounds me.

Like to comment?

MR. TRASVINA: I guess, even in English, we have difficulty being understood, because I am astounded that you hear from this panel any resistance to English or any resistance to opening up the opportunities for English.

REP. SOUDER: What's the opposition to it being the official language?

MR. TRASVINA: The opposition to it being the official language and spending a lot of time and resources passing bills is that it takes away from the real core purpose of (an ?) America, which is to promote English opportunities.

REP. SOUDER: I'm sorry. That's --

MR. TRASVINA: English opportunities are there --

REP. SOUDER: It doesn't take a lot of time and money to pass a bill that -- you're spending more on opposing the bill than it takes for -- what is the substantive opposition to passing of English as the official language?

MR. TRASVINA: Well, there are three. One is that it does absolutely nothing to help those people that you mentioned in your district -- the Bosnian refugees, for example. We've cut, over the past 10, 15 years, refugee resettlement.

REP. SOUDER: I'm sorry, reclaiming my time -- that is not a reason. The fact that you think it accomplishes nothing is not a reason to be against it. What harm does it do? Let me phrase it that way.

MR. TRASVINA: The harm that it does is that, while it does nothing to advance the English, what it does do is promote the divisiveness in the society so that -- for example, it strengthens the argument and the vile nature of somebody who complains to a person standing in the front up in the grocery line -- they see a Latino women talking to her child in Spanish saying, oh, why don't you speak English, it's the official language.

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We have seen instances where that has occurred. In Monterey Park when U.S. English went after the Chinese language business signs in the 1980s, or when there was an effort to try to get the FCC to take away licenses of Spanish language broadcasters, because U.S. English said, well, it crowded out the English language stations.

It is that type of divisiveness that is raised in this country without any ability to promote English.

English is something that the U.S. government used to promote treasury bonds being sold in World War II. Languages other than English are used by many, many purposes.

So the concerns you have -- I'm sure there are valid concerns in Fort Wayne and other cities in your district about the fire department not being able to communicate with everyone. The way to get to that is to promote English classes and opportunities for English.

REP. SOUDER: I just find it amazing that you would say that it's divisive. I understand how people can abuse it. Quite frankly, those people are probably already harassing people and not displaying a very Christian attitude. But I just find it amazing that the reason we can't promote what is self-evident in this country -- that English is our official language -- is because it's viewed as divisive.

REP. CASTLE: Thank you, Mr. Souder.

Mr. Grijalva is recognized for five minutes.

REP. RAUL M. GRIJALVA (D-AZ): Thank you very much, Mr. Chairman.

And I also want to echo the comments that my colleagues have made regarding the balance of this panel. It's very much appreciated and, during this series of hearings we've had, very unique. And so I'm very grateful for that.

Many of the questions that I had hoped to ask have been asked. I just want to comment briefly and then a couple of quick questions.

There's a whole insidious part of this whole discussion that we're having here today about official English and English-only, and that is the presumption made by English-only legislation that I think it promotes -- and that's the insidious side -- this racially-tinged myth and false stereotypes that immigrants don't want to learn English. And that gets cemented into people's thinking. They don't want to learn.

And that's contrary to the reality out there. In my district, the waiting list to get into ESL classes under adult education is two years. In New York City, they have to have a lottery to see who can get into the English classes.

We've under-funded Title III and, as a consequence, cannot really assess where children whose primary language is other than English -- how they're doing under No Child Left Behind.

You know -- and the English-only mandates to me will, have not, and will not magically transfer and transition every non-English speaker into English speakers. That's not going to happen. And the real effort to do that is going to require resources and not the kind of political resentments that we hear, not the phobias that are around us all the time on this issue about culture, language, ethnicity.

And so my questions are at two levels. First of all to Mr. Gonzalez and Mr. Trasvina, individually and for the organizations that you represent, there was earlier comment made by another panelist that your organizations are actively promoting the segregation of our society, the linguistic isolation of our society. And if you could comment on that, to get that on the record -- and then the other issue that I would like both of you to comment, briefly if you could, because I have a follow up question to Mr. Mujica about the purity of the English-only movement, and I'll save that one for last -- the commonality of commitment to rights in this country, which -- this also talks to that issue. And if you could, as briefly as you can, deal with those two issues. How you're reclaiming (inaudible) and the commonality of rights.

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MR. GONZALEZ: Sure. Thank you, Congressman.

First of all, the National Council of La Raza, as I mentioned in my statement, is in the business of helping people learn English. We have 300 community-based organizations that are affiliated with our organization. About half of those provide some ESL services. We have 96 charter schools in our network who provide services -- which provide services to a variety of students, including English language learner students. We are in the business of helping people learn English. And you know, I think there is a disconnection that's kind of coming through this hearing. On the one hand, people are talking about how immigrants support official English. They supported it in Iowa and there are those of those folks -- immigrants -- who are part of Mr. Mujica's organization. But then they are also arguing that we need to coerce people to learn English through official English laws.

That's an important disconnection that I think we should explore, because that -- in the case of Iowa, we could have had people learn English without their official English law. Could we have had people without all of the ESL services that the leader provided to help them learn English? So I think that's a critical question as policymakers. What is our goal? Is it our goal to help people learn English, or is it our goal to approve symbolic measures that have no impact on people's lives? So I think those are the things that I think are important to consider.

The other thing -- going to Mr. Souder's question -- I'm sorry I didn't have to answer your question -- but there is a real danger in official English policies -- government policies of official English. We have to realize that we are in a real world here where we have a severe budget deficit. And if we have a government as official language -- government -- English as the official language of government, with limited resources, at some point someone is going to make a decision not to provide translation services. And it becomes, at a point when there is a natural disaster, an avian flu pandemic, or a mass transit accident, and people have limited resources, they're going to choose -- because of that ability not to provide services, they're going to choose not to.

To a real world we're working in, these are considered symbolic measures but they have real-world implications that affect people who are English proficient, people who are non-English proficient, immigrants and non-immigrants. And you know, going back to the issue that this is -- this is a policy that is being attached to an immigration bill that doesn't fix the immigration system but also harms U.S. citizens. And that's I think the bottom line for policymakers in addressing this in the area of immigration.

REP. CASTLE: Thank you, Mr. Grijalva.

Mr. Osborne is recognized for five minutes.

REP. TOM OSBORNE (R-NE): Well, thank you very much.

And thank you all for being here today. We appreciate your attendance.

My daughter is an ESL teacher, so I know some of the problems of which we speak. And I want to try to hit every one of you, so I'd appreciate it if you give me a relatively brief answer. And I'm sorry to be here late, so if some of these things have been discussed before, disregard them. Just say we've already answered that.

But first of all, Mr. Mujica, what do you believe the practical effect of Executive Order 13166 has been? Has it been difficult to execute and enforce? And do you have any thoughts as to why the president has not rescinded the order?

MR. MUJICA: Well, presidents typically do not rescind executive orders signed by another president. We are of the opinion that he should rescind it. We think it's very much of a problem to try to make this country multilingual, to try to provide the translators for every language that one needs. We have 322 languages. How are we going to have, you know, 50 translators in a hospital? How are we going to have 25 translators in a doctor's office or whatever? It's impractical. It sounds pretty good. It sounds like it makes sense. But in practical terms, it's extremely expensive. And if there is something divisive, that is divisive. You're sending the wrong message, saying it doesn't matter what you speak we'll be there; we'll translate for you.

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REP. OSBORNE: Well, thank you for your answer, and thank you for being concise.

Mr. McKinley, has the Iowa law had any overall detrimental impact? Is there any downside to what Iowa has done?

MR. MCKINLEY: We have seen no detrimental impact at all. As a matter of fact, through a series of meetings we held last fall across the state dealing with immigration issues, the English as the official language law was not even brought up but once -- and that wasn't by an immigrant but by a political activist. So it has not been a problem at all.

REP. OSBORNE: Okay. Thank you.

And now I'm going to ask a question of (Mr. ?) La Raza and also Trasvina. I think maybe this is a question that would apply to both of you.

In your testimony, you state that there is no need to enact a law declaring English as the official language because English is already believed to be the common language used in America. If this is true, then why oppose the legislation that just reaffirms this common belief?

MR. TRASVINA: We oppose it for the reasons that German parents in (inaudible) County, Nebraska so vociferously opposed the official English law of Nebraska in 1921. It denied the parents the ability to speak to their children and to teach them their religious lessons, their Lutheran lessons, because of the bar against teaching German at the lower levels and English as the official language in Nebraska. It removes the issue from advancing English into making -- getting rid of English the price tag for admission into this country.

The laws have practical consequences. Now, you can have a Swiss cheese kind of law where everything is listed in the exceptions. There is nothing left to it. But it takes us away from the promoting of English. And that's really the only way to promote English -- to get this country together on the language basis. It is through real efforts on English, not on these -- not on these statutes.

REP. OSBORNE: Well, the only counter I would have to that is that I don't believe that making English the official language would prevent a parent from speaking a native tongue to their children or having them conversant in that tongue. I don't see that being a practical outcome of the law. But apparently you do. I don't see it that way.

Let me move on to my last question to Mr. Ellison. Why do you believe that there are such long waiting lists for ESL programs? What -- has this been a long-term problem or is it just something that you've seen in recent years?

MR. ELLISON: I think the reason for the waiting lists (are ?) the fact that there were not enough resources for the programs. It's been a problem over the years, but it's been growing and growing and growing. I mean -- and there (is ?) a couple of parts to that. The waiting list numbers are huge in some state and what happens when you have a waiting list is you also have people who don't go in to register because you're not going to try to get into a program if you know that program already has a waiting list of a year or two. So there's another unmet need out there that goes even beyond the waiting -- the official numbers who are on the waiting lists.

REP. OSBORNE: All right. Well, I'm a strong proponent of ESL programs and certainly believe in more funding. Also, I might just say that if I were to move to another country and was going to seek citizenship in that country, I would learn that language, and I would not necessarily rely on the government to teach me or the school. I mean, there are ways to learn a language without having some formal program.

And so with that, I yield back, Mr. Chairman. Thank you.

REP. CASTLE: Thank you, Mr. Osborne.

We have reached the end of this hearing. I would just like to thank each of our witnesses for the logistics of getting here and being here and sharing your thoughts with us. I think it's helpful to build in terms of what we may have to



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do some time in the future. But I just wanted to offer my thanks to you and to Ms. Woolsey and to Mr. Osborne who are still here. And with that, we stand adjourned.

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