

EXAMPLES OF ENGLISH ONLY LEGISLATION

BILL CATEGORIES AND DESCRIPTIONS	CIVIL RIGHTS IMPLICATIONS
ENGLISH ONLY LEGISLATION	
<p><u>English Language Unity Act of 2007</u> (H.R. 997) To declare English as the official language of the U.S., to establish a uniform English language rule for naturalization, and to avoid misconstructions of the English language texts of the laws of the U.S., pursuant to Congress' powers to provide for the general welfare of the U.S. and to establish a uniform rule of naturalization under article I, section 8, of the Constitution.</p> <p><u>National Language Acts of 2006 and 2007</u> (S.3828 and H.R. 769) To declare English as the official language of the Government</p>	<p>In over 200 years of history the U.S. has never declared English as the official language. The U.S. prides itself in being a nation of immigrants where more than 311 languages are spoken (2000 census). There is no legitimate reason to declare English the official language.</p> <p>The Supreme Court addressed the anti-foreign language movement in 1923 in the seminal case of <i>Meyer v. Nebraska</i>, in which it found that English Only laws unconstitutionally infringed upon liberties protected by the Fourteenth Amendment of the Constitution. The <i>Meyer</i> Court's invalidation of the challenged English-only law was rooted in the Court's recognition of constitutional principles of tolerance and respect for diversity. Contemporary English Only proposals are no less offensive to these ideals and directives.</p>
ENGLISH IN THE WORKPLACE	
<p><u>Common Sense English Act</u> (H.R. 4464) To ensure that an employer may require employees to speak English while engaged in work.</p> <p><u>Protecting English in the Work Place Act</u> (S.2453) To amend Title VII of the Civil Rights Act of 1964 to clarify requirements relating to nondiscrimination on the basis of national origin by allowing employers to establish English Only policies while an employee is engaged in work</p>	<p>A vast percentage of Americans work in industries that predominantly require physical labor, many of which are held by recent immigrants who are still learning the English language. These bills have the effect of deterring skilled workers from pursuing jobs with companies that depend on these workers to thrive economically.</p> <p>In <i>Lau v. Nichols</i>, the United States Supreme Court recognized that language is often used as a proxy for national origin discrimination. The EEOC only litigates against employers with English Only policies where there is no business necessity. Job-relatedness is a foundational principle in U.S. employment law. Employers that institute arbitrary workplace rules have more latitude to institute rules that are facially neutral but in fact discriminate on the basis of race, gender, or national origin.</p>
EEOC ENFORCEMENT AUTHORITY	
<p><u>Senate Amendment to the Budget</u> (SA 4222) To redirect funds that will be used by the EEOC to enforce suits for language discrimination to the Department of Education of English language learning</p> <p><u>House Concurrent Resolution</u> (H.Con.Res.277)</p>	<p>The EEOC does not pursue cases against employers that have legitimate and nondiscriminatory business reasons for basing employment decisions on linguistic characteristics. From FY 2001 to FY 2006, the EEOC has issued an average of 169 charges per year, which equals less than 0.2% of total charges per year (using an average of \$75,000).</p> <p>The EEOC acts to protect U.S. workers only where there is no</p>

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<p>Rejecting and condemning the Equal Employment Opportunity Commission's position that English Only employment rules violate Title VII of the Civil Rights Act of 1964 as unjustified and unsupported by law.</p> <p><u>2008 Appropriations Amendments- Alexander & Stearns</u> House and Senate amendments during the first session of the 110th sought to remove all funds used by the EEOC to enforce language discrimination suits.</p>	<p>legitimate, nondiscriminatory business reason for an English-only rule in the workplace. Were the EEOC not to act against employers who institute arbitrary English Only rules, discrimination in the U.S. workplace would increase.</p>
ELECTIONS	
<p><u>American Elections Act of 2008</u> (H.R. 5971) To require that ballots used in Federal elections be generally printed only in English and to amend the Voting Rights Act of 1965 to modify the requirement that certain jurisdictions provide ballots and other voting materials in languages other than English, and for other purposes.</p> <p><u>King Amendment to Eliminate Bilingual Ballots and Stearns Amendment to Remove Funding for Bilingual Ballots</u> (109th Congress, House Roll Call No. 372 and 340)</p>	<p>These initiatives disenfranchise non-English speaking U.S. citizens who have the fundamental right to vote under the Equal Protection Clause of the 14th Amendment.. Given the challenges faced by voters nationwide, Congress should focus its intention on making the political process more accessible to voters and improving all forms of ballot access, rather than weaken the ability of language minorities to participate in the political process.</p>
EXECUTIVE ORDER NO. 13166	
<p><u>Opposition to Executive Order No. 13166</u> (H.R. 768) To provide that Executive Order 13166 (Improving Access to Services for Persons with Limited English Proficiency) shall have no force or effect, and to prohibit the use of funds for certain purposes.</p>	<p>Executive Order 13166 was enacted by the Clinton Administration and affirmed by The Bush Administration. The Order's intent is to clarify the government's obligations under Title VI of the Civil Rights Act of 1964. It instructs agencies to create internal policies to ensure compliance with the Civil Rights Act of 1964. It does not force any entity or individual to provide translated documents.</p> <p>Removing implementation funds for the Executive Order will weaken the government's ability to respond to natural or man made disasters. Such an amendment would make it more difficult for agencies like FEMA and CDC to respond to a pandemic flu, another Katrina like disaster, or another terrorist attack by hindering their ability to develop and coordinate outreach to language minorities.</p>