

June 18, 2013

Dear Senator,

The undersigned organizations are writing to oppose an amendment to the immigration bill (S. 744) now being considered by the Senate. The amendment is number 1225, offered by Sen. Marco Rubio of Florida.

The underlying bill requires legalizing immigrants to learn English before adjusting to permanent status. For those who have difficulty learning the language for a variety of reasons, the legislation provides an option for immigrants to show they are “satisfactorily pursuing a course of study...to achieve an understanding of English and knowledge and understanding of the history and Government of the United States.”

Senator Rubio’s amendment would remove the option for showing good-faith effort and would require full proficiency in English before immigrants transition from provisional to permanent status.

The desire to ensure immigrants learn English is understandable, and the overwhelming majority of undocumented immigrants want to learn English and understand the importance of doing so. We are concerned, however, that this amendment sets a standard that cannot practically be met without substantially increased investment in classes to teach immigrants who would be required to attain the level of proficiency the amendment requires. Yet, Senator Rubio provides no additional resources in his amendment.

Approximately 30 percent of undocumented immigrants age 19 and older are proficient in English. For immigration reform legislation proposed in the last decade containing a similar requirement, one estimate of what it would take to bring legalizing immigrants to the proficiency needed to pass the naturalization test was more than 250 million hours of English instruction nationwide.

This would require substantial investment, given that recent surveys of English service providers show that the demand now is far greater than can be met by available courses: in some cities, waiting lists for classes are several months or even years, while in others demand is so great that service providers don’t even keep waiting lists.

Elimination of the option to show good faith effort toward learning English will delay permanent residence for many. For others, the elimination of this option may make permanent residence unattainable altogether. Those who have the most difficulty learning English will be stuck in provisional status, as will many immigrants who live in areas where there are not enough English classes to meet the demand. The consequences of the Rubio amendment extend beyond the individual applicant—it perpetuates family separation since legalizing immigrants cannot apply for their spouse

or children to join them in the United States until after they have achieved permanent residence.

In total, it is estimated that if unauthorized immigrants are required to take the naturalization test at the point of adjusting to permanent residence, approximately one-third would not be able to meet the English standard. That is precisely why there is an option in the legislation—immigrants can show their willingness to learn English while not being thwarted from permanent residency due to English instruction resource problems beyond their control.

The amendment creates an impractical requirement that potentially millions of immigrants will fail to meet, and we ask that you vote **no** should this amendment come to a vote on the Senate Floor.

Sincerely,

National Association of Latino Elected and Appointed Officials (NALEO) Educational Fund
National Immigration Forum
National Partnership for New Americans

Adhikaar for Human Rights & Social Justice
Alliance San Diego
American Civil Liberties Union
American Immigration Lawyer's Association
Americans for Immigrant Justice, formerly Florida Immigrant Advocacy Center
American Jewish Committee
America's Voice
Anti-Defamation League
Apostle Immigrant Services
Arizona Association for Lifelong Learning
Asian American Justice Center, member of Asian American Center for Advancing Justice
Asian Law Caucus
Asian Pacific American Labor Alliance, AFL-CIO
Asian Pacific American Legal Center, a member of the Asian American Center for Advancing Justice
California Immigrant Policy Center
Campaign for Community Change
Causa of Oregon
Center for Latino Progress – CPRF
Center for Law and Social Policy
Central American Resource Center (CARECEN -- Los Angeles)
Chinese Community Center
Coalition for Asian American Children and Families
Coalition for Humane Immigrant Rights of Los Angeles

Colorado Immigrant Rights Coalition
Connecticut Students for a DREAM
Dominican Sisters of Houston
El Comite de Longmont
Florida Consumer Action Network
Florida Immigrant Coalition
Gamaliel
HIAS Chicago
HIAS Pennsylvania
Illinois Coalition for Immigrant and Refugee Rights
Immigrant Legal Resource Center
Immigration Counseling Center (Houston, Texas)
Fair Immigration Reform Movement (FIRM)
First Focus
Georgia Association of Latino Elected Officials (GALEO)
HANAC (New York, New York)
The Greater Hispanic Business Association of Norristown
Hispanic Federation, Washington
Houston International University
Jacob A. Riis Settlement House
Korean Americans for Political Advancement (KAPA)
Korean Resource Center
LAC, (Charlotte, North Carolina)
LatinoJustice PRLDEF (New York, New York)
LEAD (Houston, Texas)
Legal Aid Society - Employment Law Center (San Francisco, California)
Let's "MOVE" Michiana
Literacy Volunteers of Greater Syracuse
Local Union 32BJ Hartford, Connecticut
Lutheran Immigration and Refugee Service
Massachusetts Immigrant and Refugee Advocacy Coalition
Mexican American Legal Defense and Educational Fund
Mi Familia Vota
NAFSA: Association of International Educators
National Coalition for Literacy
National Council of Jewish Women
National Council of Jewish Women South Florida Sections
National Council of La Raza (NCLR)
National Immigrant Justice Center
National Immigration Law Center
New Jersey Association for Lifelong Learning
New York Immigration Coalition
North Central Indiana AFL-CIO
Northern Manhattan Coalition for Immigrant Rights
Northwest Immigrant Rights Project
NYC Coalition for Adult Literacy
OCA-NY

Office of Immigration Issues, Presbyterian Church (U.S.A.)
OneAmerica
Philadelphia JACL
Philadelphia Storytelling Project
Pro Bono Net
Queens Community House
Rockland Immigration Coalition (New City, New York)
Sojourners
South Asian Americans Leading Together (SAALT)
South Florida Interfaith Worker Justice
Tacoma Community House
Unitarian Universalist Pennsylvania Legislative Advocacy Network
University Settlement Adult Literacy Program
UUPLAN (Philadelphia, Pennsylvania)
We Belong Together: Women For Common-Sense Immigration Reform
YWCA of Queens