

One Year Later: Helping Federal Agencies Overcome Language Barriers

December 8, 2023



U.S. Department of Justice
Civil Rights Division

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Roadmap

Attorney General's Nov. 2022 Memo



Language Access Program Planning



Updated Federal Plans on LEP.gov



Implementation and Next Steps

Executive Order 13166

Each agency must prepare a plan “to improve access to its federally conducted programs and activities by eligible LEP persons.”

Wednesday,
August 16, 2000

Part V

The President

Executive Order 13166—Improving Access
to Services for Persons With Limited
English Proficiency

Department of Justice

Enforcement of Title VI of the Civil
Rights Act of 1964—National Origin
Discrimination Against Persons With
Limited English Proficiency; Notice

Related Executive Orders

- Executive Order 13985, Advancing Racial Equity and Support for Underserved Communities Through the Federal Government, 86 Fed. Reg. 14, 7009 (Jan. 20, 2021);
- Executive Order 14031, Advancing Equity, Justice, and Opportunity for Asian Americans, Native Hawaiians, and Pacific Islanders, 86 Fed. Reg. 105, 29675 (June 3, 2021); or
- Executive Order 14091, Further Advancing Racial Equity and Support for Underserved Communities Through the Federal Government, 88 Fed. Reg. 35, 10825 (Feb. 22, 2023)


The Civil Rights Division will work collaboratively with agencies to help determine:



Office of the Attorney General
Washington, D. C. 20530

November 21, 2022

MEMORANDUM FOR HEADS OF FEDERAL AGENCIES, HEADS OF CIVIL RIGHTS
OFFICES, AND GENERAL COUNSELS

FROM: THE ATTORNEY GENERAL 
SUBJECT: STRENGTHENING THE FEDERAL GOVERNMENT'S
COMMITMENT TO LANGUAGE ACCESS

All people in this country, regardless of the language they speak, deserve meaningful access to programs and activities that are conducted or supported by federal agencies. Executive Order 13166, *Improving Access to Services for Persons with Limited English Proficiency* (Aug. 16, 2000), affirms the federal government's commitment to improve the accessibility of these services and to help ensure full participation by individuals with limited English proficiency. It has been more than a decade since the Justice Department encouraged our partner agencies to help strengthen the federal government's commitment to its language access obligations under Executive Order 13166.¹ Although federal agencies have made significant progress since then, there remains a clear need to further enhance access to multilingual information.

To that end, pursuant to the Justice Department's coordination authority under Executive Orders 12250 and 13166, I am asking the Assistant Attorney General for Civil Rights, with assistance as appropriate from the Justice Department's recently appointed Language Access Coordinator within the Office for Access to Justice, to work with other federal agencies to share best practices and exchange information about language access initiatives and efforts. In particular, the Assistant Attorney General for Civil Rights will work collaboratively with agencies to help determine: (i) whether agencies can further update their language access policies and plans; (ii) whether agencies are effectively reaching individuals with limited English proficiency when disseminating information about federal resources, programs, and services; (iii) whether agencies have considered updates or modifications to guidance to federal financial assistance recipients regarding their obligations to provide meaningful language access under the requirements of Title VI of the Civil Rights Act of 1964 and its implementing regulations; and (iv) whether agencies can adapt their digital communications to welcome individuals with limited English proficiency. The Assistant Attorney General for Civil Rights will also request that each agency provide an updated language access plan within 180 days of this memorandum.

¹ See Memorandum from the Attorney General, *Federal Government's Renewed Commitment to Language Access Obligations Under Executive Order 13166* (Feb. 17, 2011).

- i. whether agencies can further update their language access policies and plans;
- ii. whether agencies are effectively reaching individuals with limited English proficiency when disseminating information about federal resources, programs, and services;
- iii. whether agencies have considered updates or modifications to Title VI LEP guidance for recipients; and
- iv. whether agencies can adapt their digital communications to welcome individuals with limited English proficiency.

Nov. 2022
AG Memo

Topical “Office Hours”

Language
Access Program
Planning
Overview

Office Hour:
Internal and
External Digital
Content for LEP
Communities

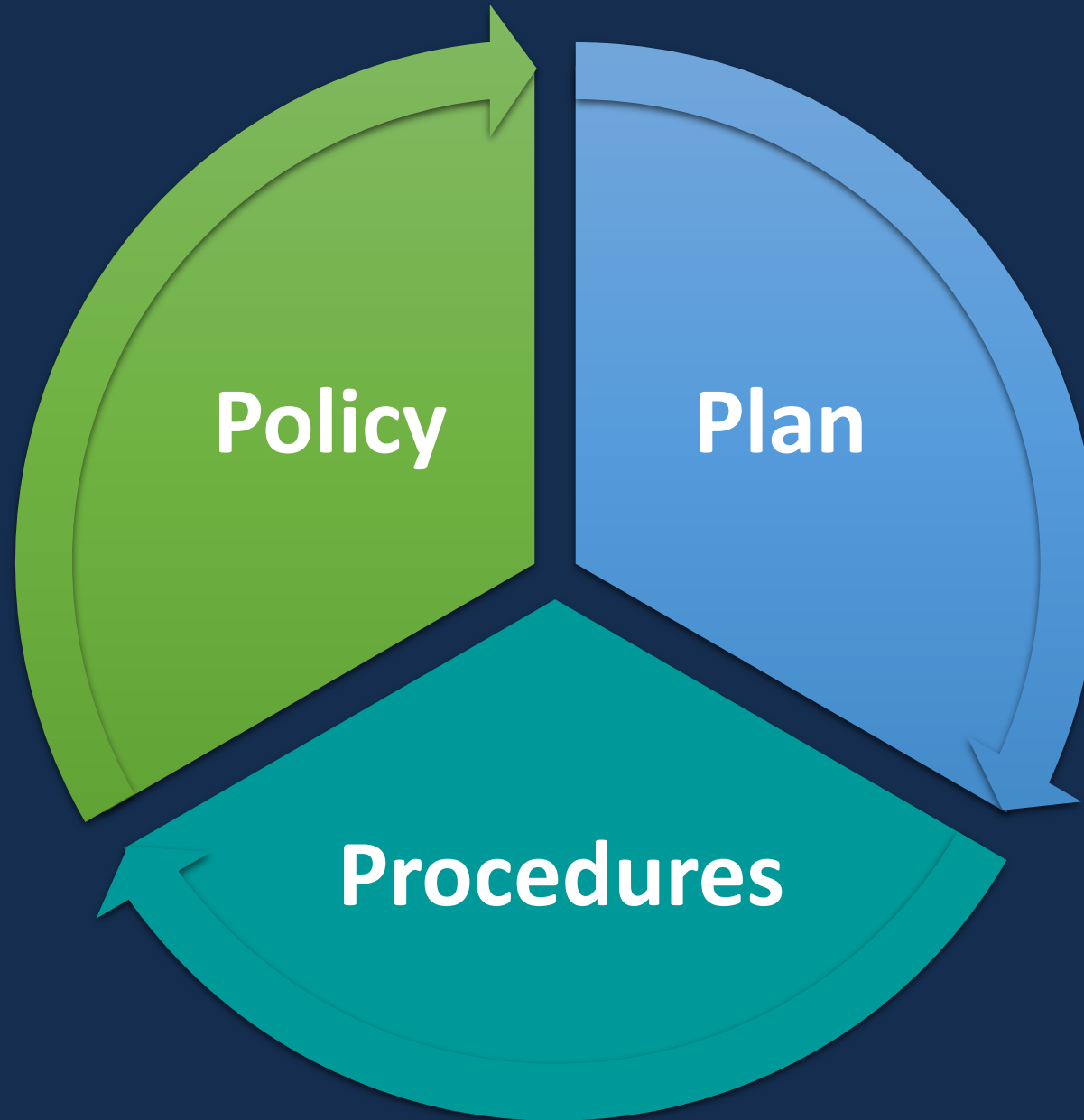
Office Hour:
Oversight and
Accountability

Stakeholder
Listening
Session:
Successful
Multilingual
Engagement

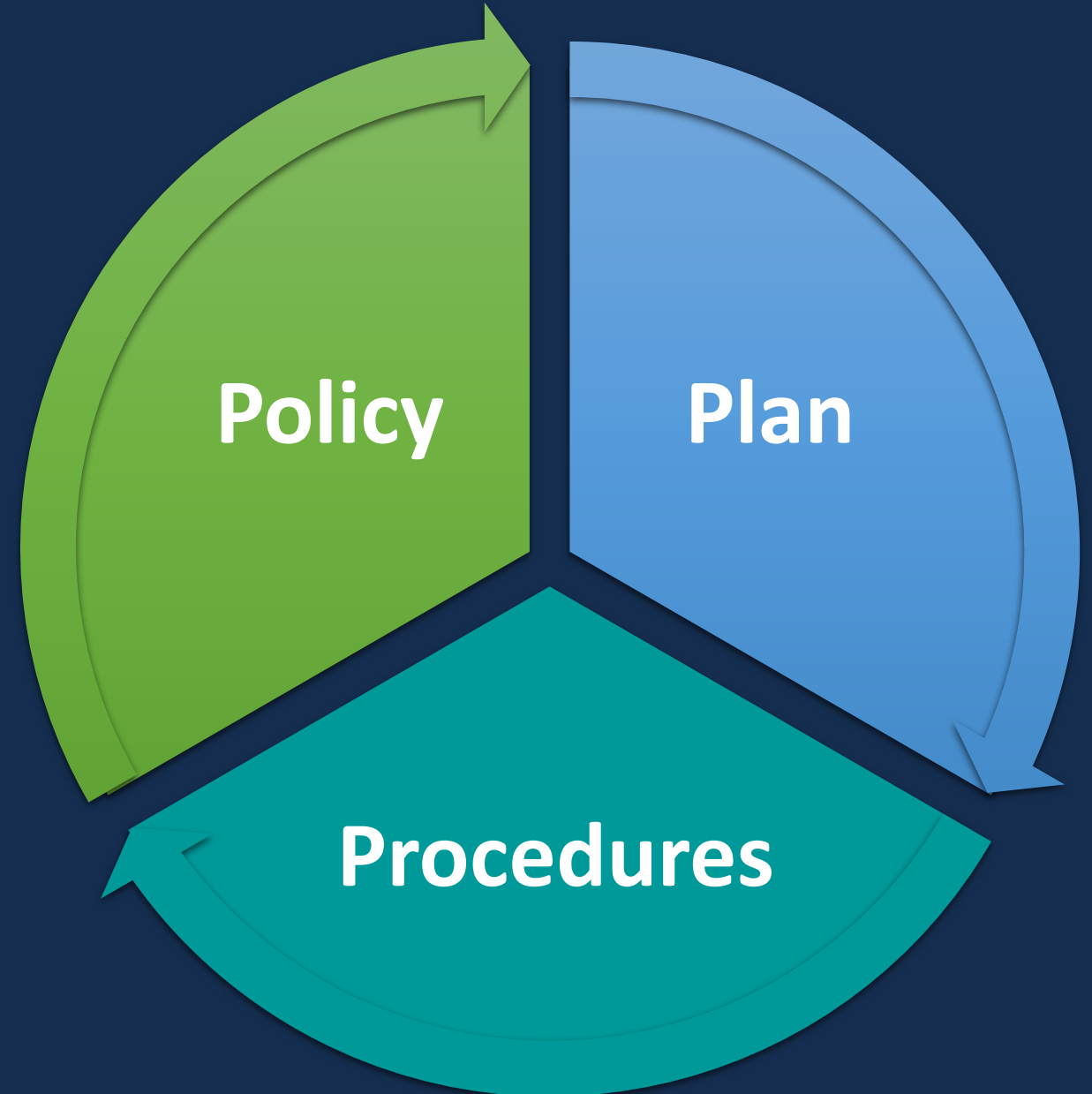
Office Hour: Use
of Bilingual
Personnel &
Language
Access Vendor
Solicitations

Office Hour:
Language
Access and
Disability Rights
& Indigenous
Language Needs

Language Access Program



Best Practices



Best Practices

Self-Assessment

How LEPs
Interact With
the Agency

Identify and
Assess LEP
Communities

Providing
Language
Assistance
Services

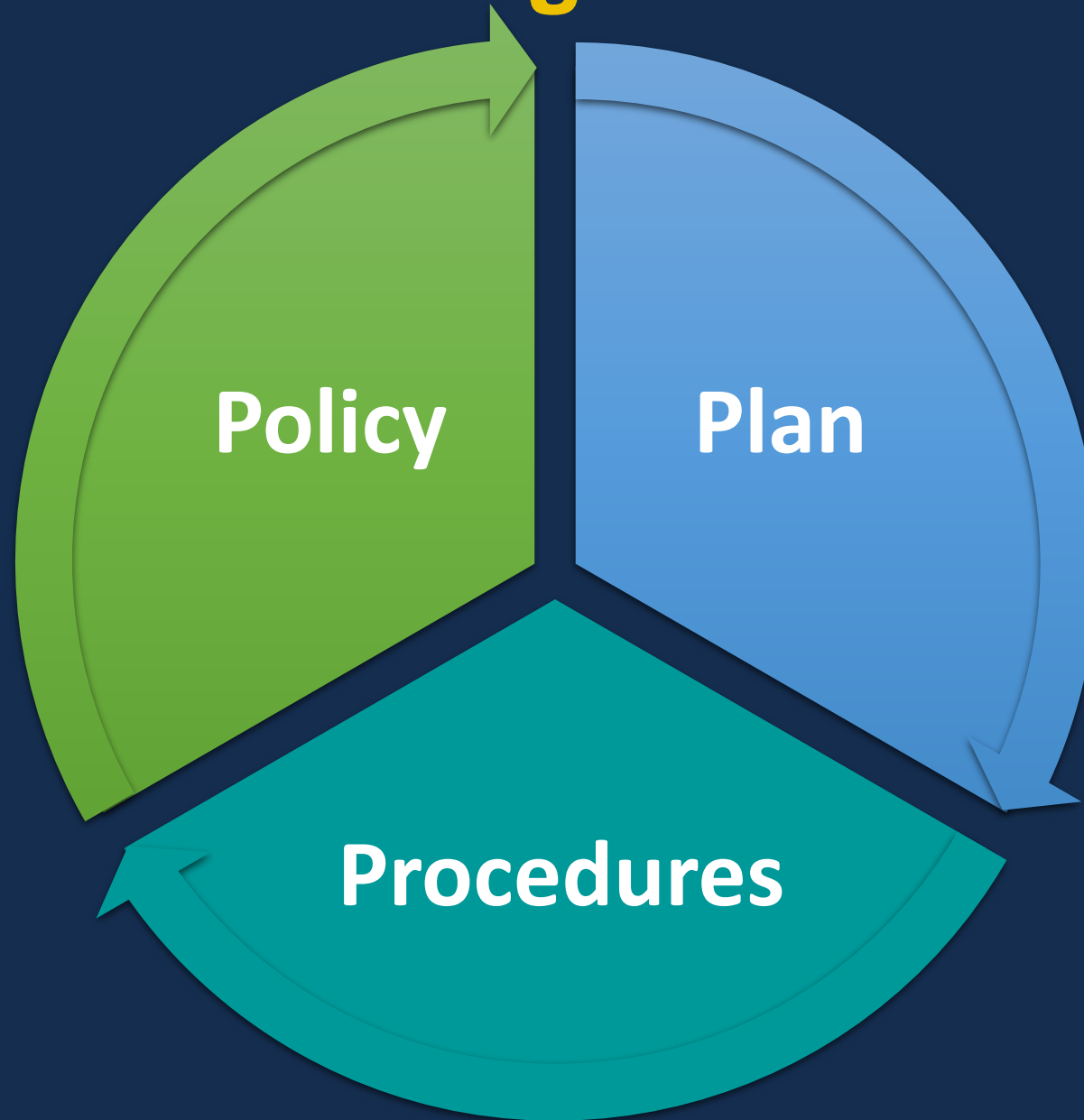
Train Staff on
Policies and
Procedures

Provide Notice
of Language
Services

Monitor,
Evaluate,
Update

DOJ Tool: go.usa.gov/Wcb

Language Access Program



Policy

Purpose and Authority

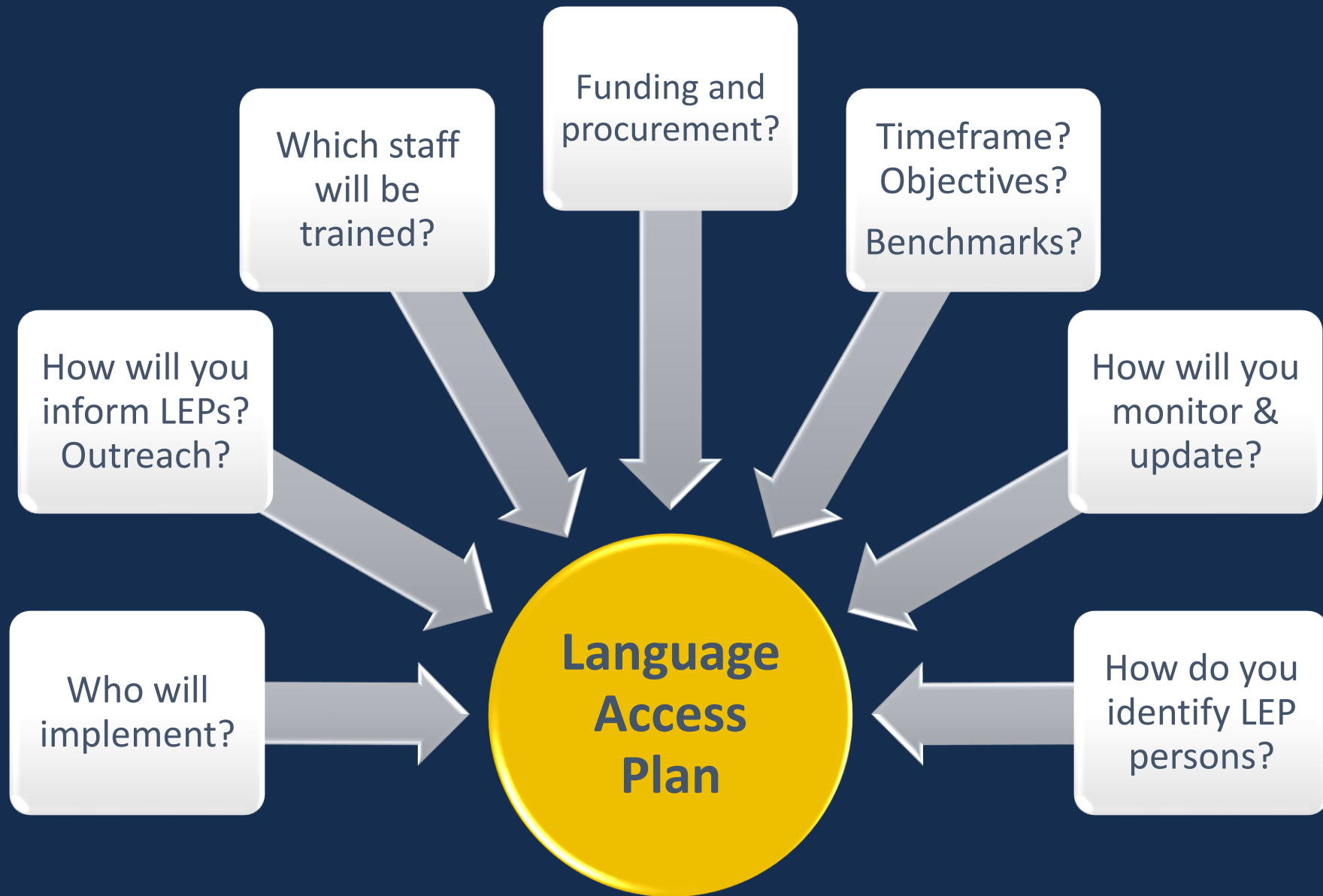
General Policy
Statement

Policy Directive

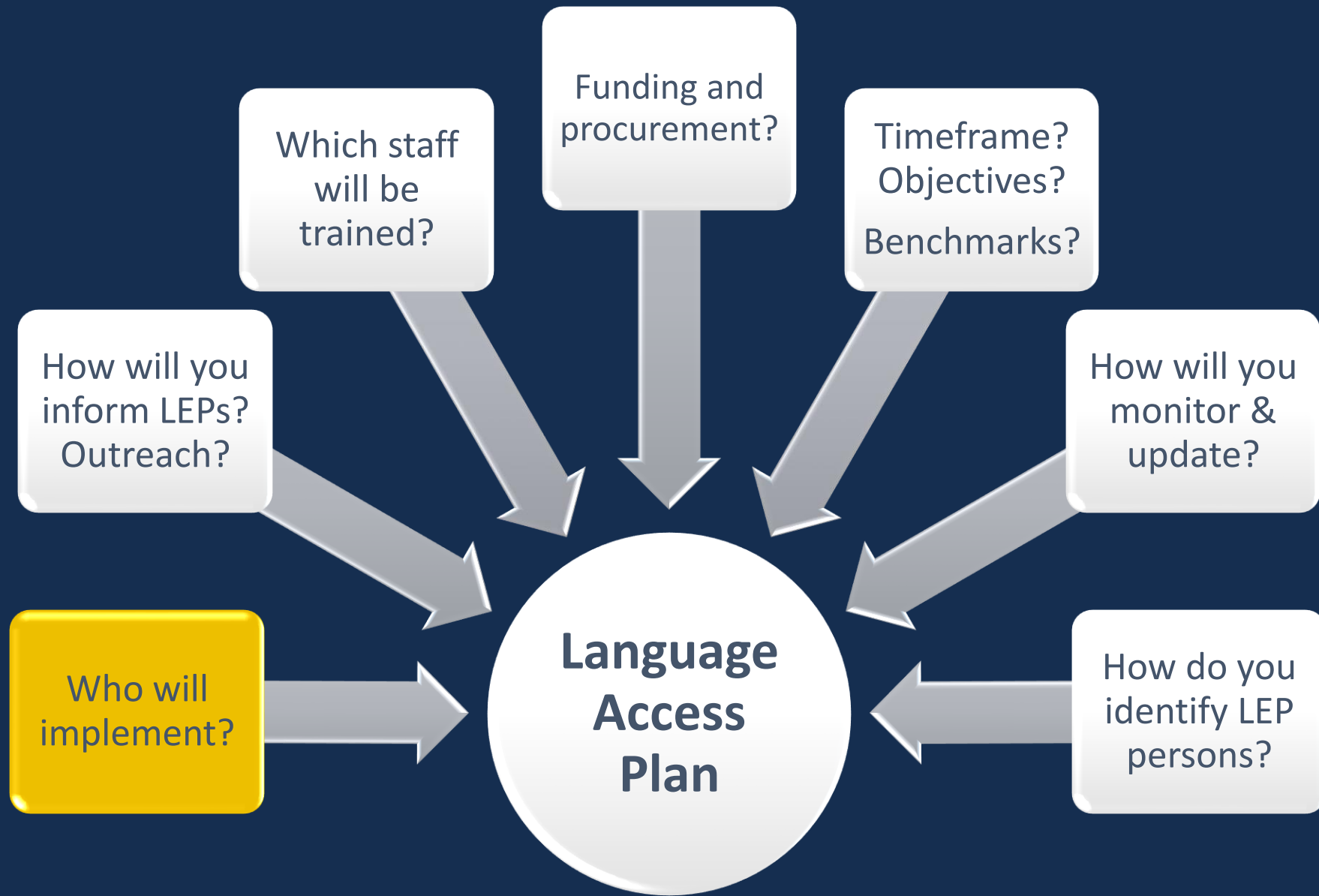
Staff Compliance

Language Assistance
Measures

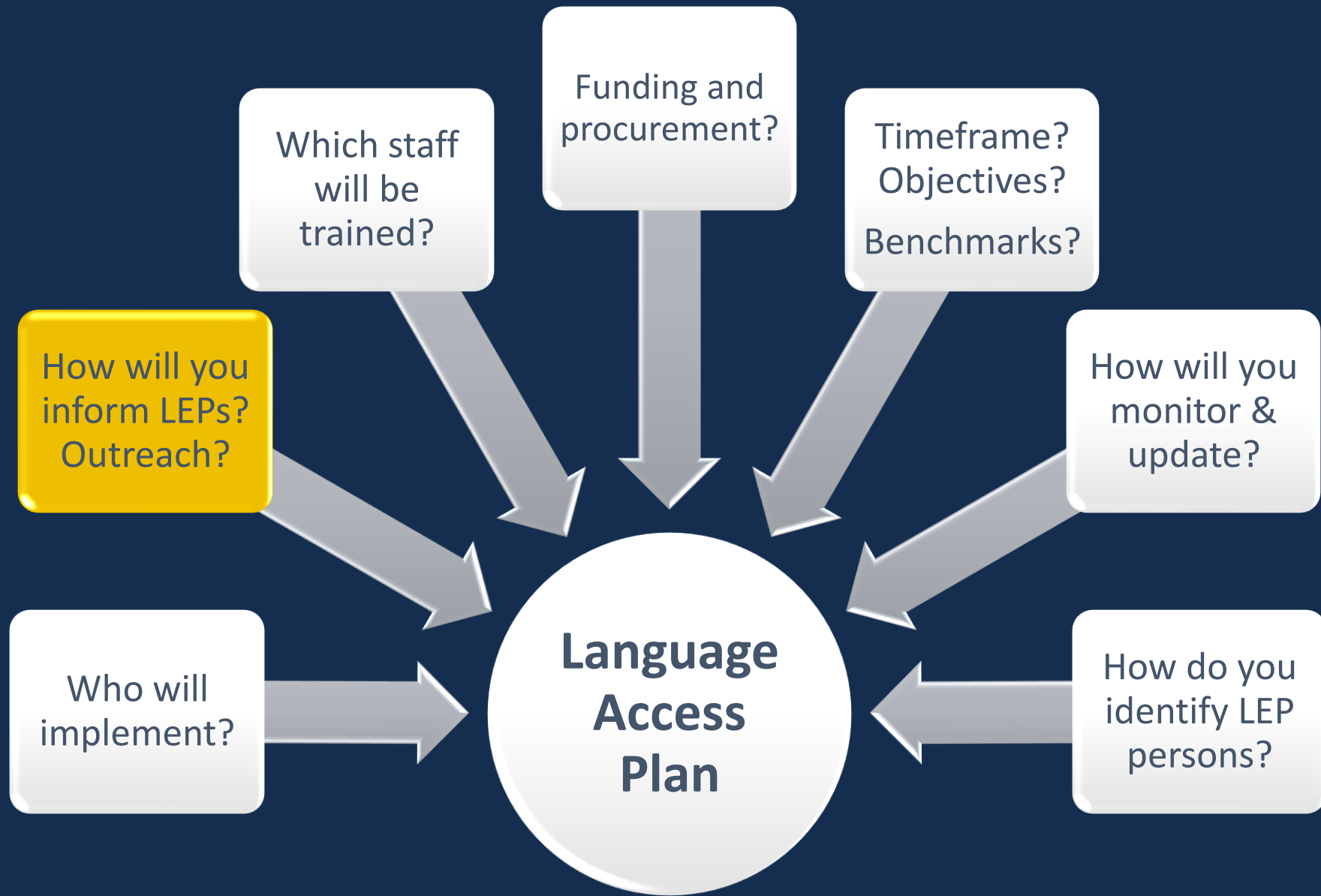
Plan



Plan



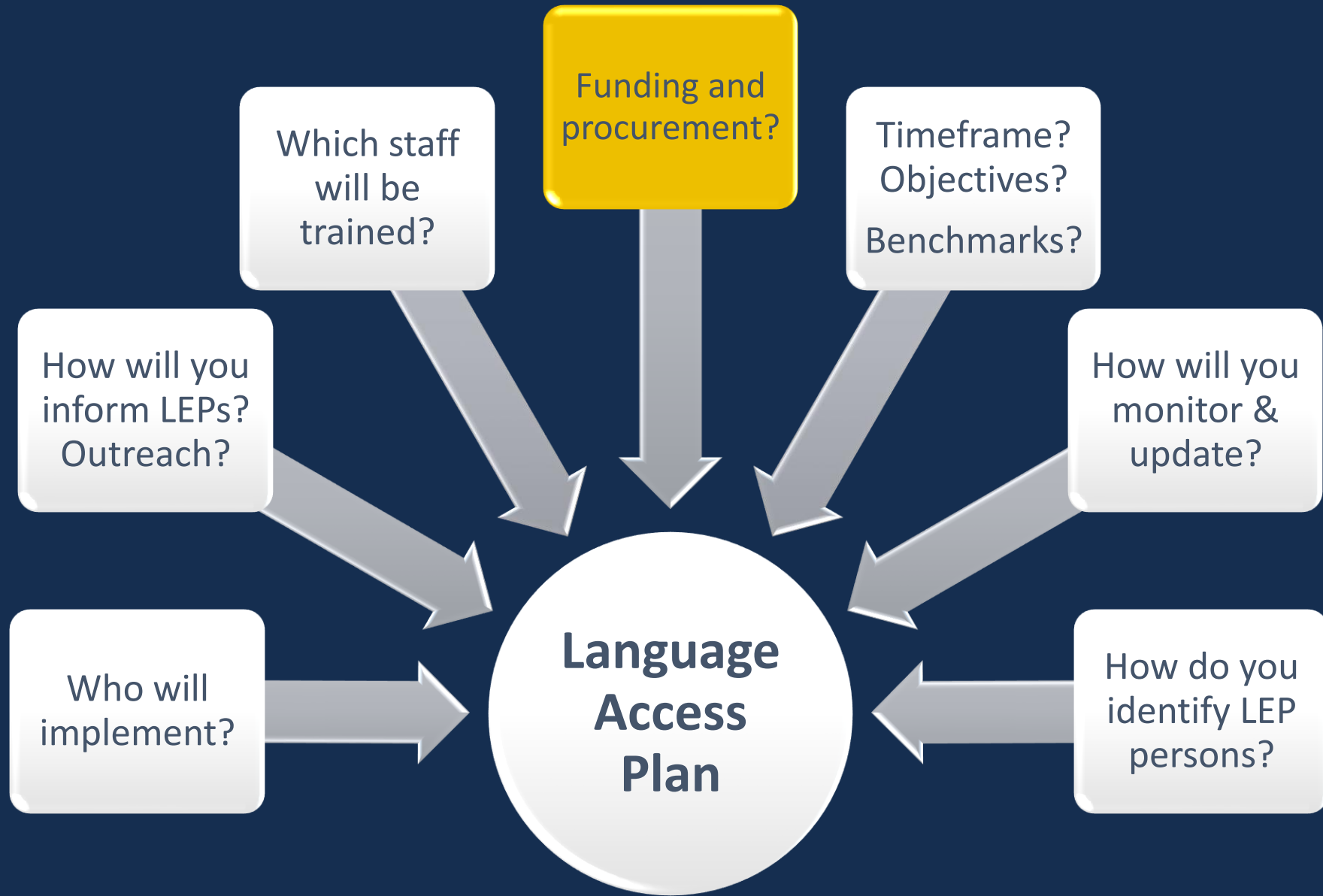
Plan



Plan



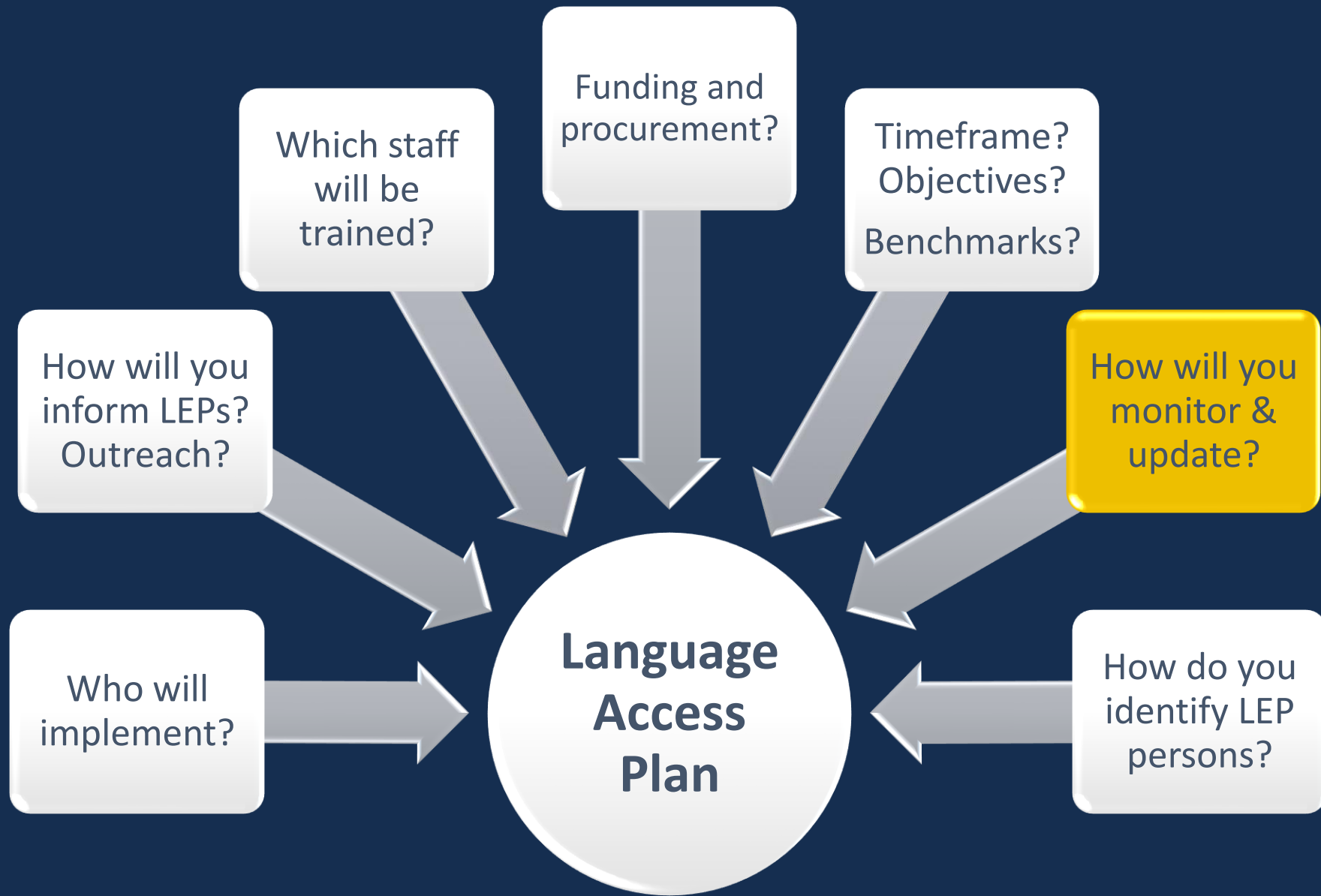
Plan



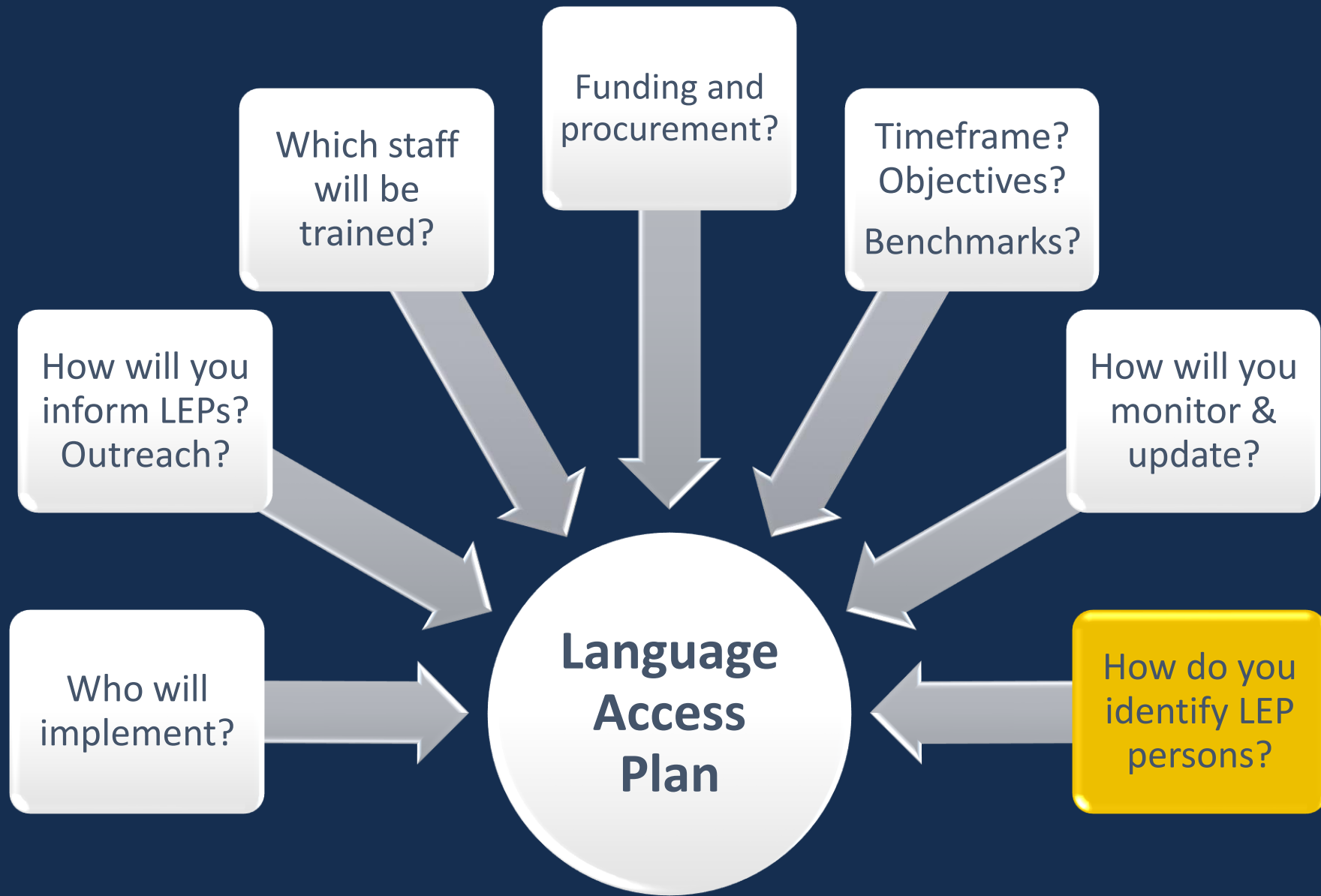
Plan



Plan



Plan



Procedures

Explain How To:

- ▶ Track and record language preference
- ▶ Inform LEP individuals about services
- ▶ Assess language needs
- ▶ Respond to telephone calls
- ▶ Respond to written correspondence
- ▶ Provide interpretation services
- ▶ Request translations
- ▶ Process LEP complaints

Procedural Manual

**Feedback Regarding Agency's
Draft Language Access Policy, Directives or Plan**

Agency:

Review Date:

Resource: Language Access Assessment and Planning Tool

http://www.lep.gov/resources/2011_Language_Access_Assessment_and_Planning_Tool.pdf

Does the Language Access Policy, Directive or Plan...	Yes	Action Items/ Comments
1. Have a general policy statement?	<input type="checkbox"/>	
2. Contain a purpose statement?	<input type="checkbox"/>	
3. Describe any legal authority? (If yes, list in comments)	<input type="checkbox"/>	
4. Describe the scope of policy/who is bound by the policy?	<input type="checkbox"/>	
5. Appropriately describe the type of language assistance services provided?	<input type="checkbox"/>	
6. Have information about quality control?	<input type="checkbox"/>	
7. Have language re: federal financial assistance (FFA) and language assistance services if the agency provides funding?	<input type="checkbox"/>	
8. Have definitions of terms?	<input type="checkbox"/>	
9. Have accurate/useful/clear definitions?	<input type="checkbox"/>	
10. Specify which parts of the language access plan will be publicly available?	<input type="checkbox"/>	
11. Identify and assess communities that are limited English proficient (LEP) and interact with the agency?	<input type="checkbox"/>	

DOJ Tool: go.usa.gov/Wcb

Federal Agency Language Access Plan Review

- 46 Federal Agencies committed to revising or creating a language access plan
- We reviewed 35 Federal agency language access plans based on our 33-point checklist
- 18 Final Federal agency language access plans were released on November 15, 2023



Hmoob

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Language Access Plans

Executive Order 13166 requires each federal agency to create a federally conducted limited English proficiency (LEP) plan. As part of the one-year anniversary of the Attorney General’s November 2022 [memorandum](#) on strengthening the federal government’s commitment to language access, several Federal agencies are releasing updated federal agency language access plans:

Administrative Conference of the United States (updated Nov. 2023)	Consumer Financial Protection Bureau (updated Nov. 2023)
Department of Agriculture (updated Nov. 2023)	Department of Health and Human Services (updated Nov. 2023)

[Administrative Conference of the United States](#) (updated Nov. 2023)

[Department of Agriculture](#) (updated Nov. 2023)

[Department of Homeland Security](#) (updated Nov. 2023)

[Department of Justice](#) (updated Aug. 2023)

[Department of Transportation](#) (updated Nov. 2023)

[Equal Employment Opportunity Commission](#) (updated Nov. 2023)

[Federal Mediation & Conciliation Service](#) (updated Nov. 2023)

[National Council on Disability](#) (updated Nov. 2023)

[National Endowment for the Humanities](#) (updated Nov. 2023)

[Consumer Financial Protection Bureau](#) (updated Nov. 2023)

[Department of Health and Human Services](#) (updated Nov. 2023)

[Department of Housing and Urban Development](#) (updated Nov. 2023)

[Department of Labor](#) (updated Nov. 2023)

[Environmental Protection Agency](#) (updated Nov. 2023)

[Farm Credit Administration](#) (updated Nov. 2023)

[Institute of Museum and Library Services](#) (updated Nov. 2023)

[National Endowment for the Arts](#) (updated Nov. 2023)

[U.S Commission on Civil Rights](#) (updated Nov. 2023)

American Battle Monuments Commission (Jan. 2024)	AmeriCorps (May/June 2024)	Consumer Product Safety Commission (Jan. 2024)
Department of Commerce (Jan. 2024)	Department of Defense (Aug. 2024)	Department of Education (2024)
Department of Energy (March 2024)	Department of State (June 2024)	Department of the Interior (Jan. 2024)
Department of the Treasury (Feb. 2024)	Department of Veterans Affairs (March 2024)	Federal Deposit Insurance Corporation (May 2024)
Federal Housing Finance Agency (March 2024)	Federal Mine Safety and Health Review Commission (Feb. 2024)	General Services Administration (Dec. 2024)
Merit Systems Protection Board (Jan. 2024)	National Aeronautics and Space Administration (March 2024)	National Science Foundation (May 2024)
Nuclear Regulatory Commission (Jan. 2024)	Occupational Safety and Health Review Commission (July 2024)	Peace Corps (March 2024)
Pension Benefit Guaranty Corporation (Feb. 2024)	Railroad Retirement Board (June 2024)	Securities Exchange Commission (May 2024)
Selective Service System (2024)	Small Business Administration (Jan. 2024)	Social Security Administration (Dec. 2024)

Promising Developments

- Federal language access coordinators!
- New language access offices/ departmental working groups
- Language access as part of strategic or equity action plans
- Comprehensive self-assessments
- Commitment to monitor components/ sub-offices
- Considering individuals who speak indigenous languages
- Considering persons with a disability

Common Challenges

- Accountability and governance structure
- Appropriate use of bilingual staff
- Digital accessibility
- Soliciting and incorporating feedback
- Training

Next Steps? Implementation!

- FCS will continue to provide feedback and technical assistance on LAPs
- Establishing the Federal Language Access Working Group (FedLAWG) focused on implementation
- Related efforts:
 - Law Enforcement Language Access Initiative
 - State Courts Initiative

Questions



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Thank you!

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