One Year Later: Helping Federal Agencies Overcome Language Barriers

December 8, 2023

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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.”
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

The Civil Rights Division 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 Title VI LEP guidance for recipients; and

iv. whether agencies can adapt their digital communications to welcome individuals with limited English proficiency.
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
Best Practices

Self-Assessment

Policy

Plan

Procedures
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
- Plan
- Procedures
Policy

Purpose and Authority

General Policy Statement

Policy Directive

Staff Compliance

Language Assistance Measures
Plan

Language Access Plan

- Which staff will be trained?
- Funding and procurement?
- Timeframe? Objectives? Benchmarks?
- How will you inform LEPs? Outreach?
- How will you monitor & update?
- How do you identify LEP persons?
- Who will implement?
Plan

Language Access Plan

- Which staff will be trained?
- Funding and procurement?
- Timeframe? Objectives? Benchmarks?
- How will you inform LEPs? Outreach?
- How do you identify LEP persons?
- How will you monitor & update?
- Who will implement?
Plan

Language Access Plan

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Language Access Plan

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Language Access Plan

- Which staff will be trained?
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- How do you identify LEP persons?
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
Feedback Regarding Agency’s
Draft Language Access Policy, Directives or Plan

<table>
<thead>
<tr>
<th>Does the Language Access Policy, Directive or Plan…</th>
<th>Yes</th>
<th>Action Items/Comments</th>
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<tbody>
<tr>
<td>1. Have a general policy statement?</td>
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<td>2. Contain a purpose statement?</td>
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<td>3. Describe any legal authority? (If yes, list in comments)</td>
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<td>4. Describe the scope of policy/who is bound by the policy?</td>
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<td>5. Appropriately describe the type of language assistance services provided?</td>
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<td>6. Have information about quality control?</td>
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<td>7. Have language re: federal financial assistance (FFA) and language assistance services if the agency provides funding?</td>
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<td>8. Have definitions of terms?</td>
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<td>9. Have accurate/useful/clear definitions?</td>
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<td>10. Specify which parts of the language access plan will be publicly available?</td>
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<td>11. Identify and assess communities that are limited proficient in English who interact with the agency</td>
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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
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)
<p>| 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) |
| Department of Homeland Security (updated Nov. 2023) | Department of Housing and Urban Development (updated Nov. 2023) |
| Department of Justice (updated Aug. 2023) | Department of Labor (updated Nov. 2023) |
| Department of Transportation (updated Nov. 2023) | Environmental Protection Agency (updated Nov. 2023) |
| Equal Employment Opportunity Commission (updated Nov. 2023) | Farm Credit Administration (updated Nov. 2023) |
| Federal Mediation &amp; Conciliation Service (updated Nov. 2023) | Institute of Museum and Library Services (updated Nov. 2023) |
| National Council on Disability (updated Nov. 2023) | National Endowment for the Arts (updated Nov. 2023) |
| National Endowment for the Humanities (updated Nov. 2023) | U.S Commission on Civil Rights (updated Nov. 2023) |</p>
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<thead>
<tr>
<th>Agency / Commission</th>
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<tr>
<td>American Battle Monuments Commission</td>
<td>Jan. 2024</td>
<td>AmeriCorps</td>
<td>May/June 2024</td>
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<td>Department of Commerce</td>
<td>Jan. 2024</td>
<td>Department of Defense</td>
<td>Aug. 2024</td>
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<td>Department of Energy (March 2024)</td>
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<td>Department of State (June 2024)</td>
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<td><strong>Department of the Treasury</strong> (Feb. 2024)</td>
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<td>Department of Veterans Affairs (March 2024)</td>
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<td>Federal Housing Finance Agency (March 2024)</td>
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<td>Federal Mine Safety and Health Review Commission</td>
<td>Feb. 2024</td>
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<td>Merit Systems Protection Board (Jan. 2024)</td>
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<td>National Aeronautics and Space Administration</td>
<td>March 2024</td>
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<td>Pension Benefit Guaranty Corporation (Feb. 2024)</td>
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<td>Railroad Retirement Board (June 2024)</td>
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<td>Selective Service System (2024)</td>
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<td>Small Business Administration (Jan. 2024)</td>
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<td>Consumer Product Safety Commission (Jan. 2024)</td>
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<td>Department of Education (2024)</td>
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<td>Department of the Interior (Jan. 2024)</td>
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<td>Federal Deposit Insurance Corporation (May 2024)</td>
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<td>General Services Administration (Dec. 2024)</td>
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<td>National Science Foundation (May 2024)</td>
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<td>Peace Corps (March 2024)</td>
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<td>Securities Exchange Commission (May 2024)</td>
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<td>Social Security Administration (Dec. 2024)</td>
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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
Thank you!

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