

LANGUAGE ACCESS PLAN

FDIC
Federal Deposit Insurance Corporation

AGENCY MISSION

The Federal Deposit Insurance Corporation (FDIC or Agency) is an independent agency created by Congress to maintain stability and public confidence in the nation's financial system. To accomplish this mission, the FDIC insures deposits; examines and supervises financial institutions for safety, soundness, and consumer protection; makes large and complex financial institutions resolvable; and manages receiverships. Consistent with this mission, the Agency maintains programs and services that promote the financial well-being of members of the public.

PLAN PURPOSE

The FDIC Language Access Plan (LAP) establishes actions that the FDIC will take to provide and improve access to agency programs and services by members of the public who have a limited ability to read, write, speak, or understand the English language, known as limited English proficiency (LEP).

SCOPE

The LAP applies to FDIC personnel in Divisions and Offices that provide programs and services to individual members of the public.

POLICY

The FDIC will maintain a LAP to provide persons with LEP meaningful access to programs and services consistent with, and without unduly burdening, execution of the FDIC's mission. The FDIC will—

1. Provide to persons with LEP language assistance services that are accurate, timely, and free of charge;
2. Make translations of Vital Documents available to LEP persons; and
3. Give persons with LEP reasonable notice about available language assistance services and translations.

AUTHORITIES AND U.S. ATTORNEY GENERAL MEMORANDUMS

1. [Executive Order 13166, "Improving Access to Services for Persons with Limited English Proficiency"](#) (65 Fed. Reg. 50121, Aug. 16, 2000)
2. Memorandum from the Attorney General, [Federal Government's Renewed Commitment to Language Access Obligations Under Executive Order 13166](#) (Feb. 17, 2011)
3. Memorandum from the Attorney General, [Strengthening the Federal Government's Commitment to Language Access](#) (Nov. 21, 2022)

STANDARDS FOR LANGUAGE ASSISTANCE SERVICES

FDIC personnel who engage with persons with LEP will show them respect, inform them that the FDIC makes language assistance services available free of charge, and efficiently connect them with personnel responsible for language assistance services in the relevant Division or Office.

For language assistance related to—	The relevant Division or Office is the—
American Sign Language interpretation	Office of Minority and Women Inclusion (OMWI)
Closing information for failing bank customers	Division of Resolutions and Receiverships (DRR)
Deposit insurance, consumer protection, or community affairs	Division of Depositor and Consumer Protection (DCP)
Resolution of problems and complaints related to FDIC supervisory and resolution processes in an independent and confidential manner	Office of the Ombudsman (OO)

For all other matters, OMWI will identify the relevant Division or Office and connect persons with LEP with appropriate personnel.

BACKGROUND

Executive Order

On August 11, 2000, the President signed Executive Order (E.O.) 13166, *Improving Access to Services for Persons with Limited English Proficiency*. The purpose of E.O. 13166 is “to improve access to federally conducted programs and activities for persons who, as a result of national origin, are limited in their English proficiency (LEP).”¹ It requires every federal agency to “examine the services it provides and develop and implement a system by which LEP persons can meaningfully access those services consistent with, and without unduly burdening, the fundamental mission of the agency.”² E.O. 13166 provides for the U.S. Department of Justice (DOJ) to serve as the central repository of agencies’ plans.³

The U.S. Attorney General memorandum, entitled *Federal Government’s Renewed Commitment to Language Access Obligations Under Executive Order 13166*, was issued on February 17, 2011 (2011 Memorandum) and echoes the mandate in E.O. 13166 to develop and implement a system to allow for persons with LEP to meaningfully access an agency’s services. The 2011 Memorandum requests that federal agencies recommit to implementing E.O. 13166 and recommends action items for agencies to undertake. These actions include the following: establish a Language Access Working Group, evaluate and update the agency’s response to LEP needs, and update LEP plans and related documents.

¹ 65 Fed. Reg. 50121 (Aug. 16, 2000).

² *Id.*

³ *Id.* DOJ issued a policy guidance document that was published immediately following E.O. 13166. Enforcement of Title VI of the Civil Rights Act of 1964—National Origin Discrimination Against Persons with Limited English Proficiency; Policy Guidance, 65 Fed. Reg. 50123 (Aug. 16, 2000).

On November 21, 2022, the Attorney General issued a memorandum entitled *Strengthening the Federal Government's Commitment to Language Access* (2022 Memorandum). This memorandum requires the Assistant Attorney General for Civil Rights to request that each federal agency provide an updated language access plan within 180 days of the memorandum. In response to the 2022 Memorandum, the FDIC established its most recent Language Access Working Group (LAWG) in January 2023. The LAWG worked to identify opportunities to enhance both longstanding and new initiatives to give persons with LEP access to FDIC programs and services. The LAWG surveyed key Divisions and Offices to conduct a self-assessment and better understand how persons with LEP currently come into contact with the agency.

In addition, the LAWG developed this enhanced LAP in accordance with E.O. 13166, the 2011 Memorandum, and the 2022 Memorandum. Consistent with principles of diversity, equity, inclusion, and accessibility, the LAP will help to increase cultural competency in the agency's workforce.

Factors for Consideration

The Agency is committed to giving persons with LEP meaningful access to its programs and activities. To determine reasonable steps to promote this access, the FDIC will consider and balance the following four flexible and fact-dependent factors:

- A. The number or proportion of persons with LEP who would not receive FDIC services absent efforts to remove language barriers;
- B. The frequency and number of contacts by persons with LEP with FDIC services;
- C. The nature and importance of FDIC programs and services to the financial well-being of persons with LEP; and
- D. The resources available to the FDIC and costs to provide services to persons with LEP.

LANGUAGE ACCESS PLAN

LAWG Responsibilities

- A. **General Responsibilities and Continuing Objectives.** The LAWG has primary responsibility for FDIC language access programming, including the following:
 1. Maintain a LAP consistent with the policy stated above.
 2. Support Divisions and Offices in applying the factors for consideration.
 3. Establish and implement a schedule for consultation with Divisions and Offices to identify and conduct an inventory of languages most frequently encountered and the primary channels of contact (for example, telephone, in-person, correspondence, or web-based).
 4. Establish a schedule to periodically evaluate and update the FDIC LAP, including by applying the above factors to identify opportunities to enhance meaningful access to Vital Documents, at least once every three years.
 5. Provide information about ways FDIC personnel can identify situations when a person has LEP. Appendix C provides examples of ways to identify when an individual is a person with LEP.

6. Assist Divisions and Offices in requesting the allocation of appropriate personnel and financial resources to language access programming.
7. Coordinate with the Division of Finance and the Division of Administration (DOA) to comply with funding and procurement requirements as applicable for language access programming.
8. Consult with Divisions and Offices to identify any concerns about the quality of translations produced by contractors or other parties and develop recommendations for enhancing translation quality control.
9. Monitor and provide guidance about best practices on recruiting, hiring, identifying, assessing, training, and retaining bilingual employees, as applicable.
10. Collaborate with OMWI to maintain and update the FDIC LEP webpages on [FDIC.gov](https://www.fdic.gov).
11. Review FDIC.gov webpages that provide information about language assistance services at FDIC physical locations, as applicable, and on digital platforms for accuracy and completeness.
12. Route external feedback, including complaints, about the absence or accuracy of translated documents or other materials to the Division or Office responsible for the referenced materials.
13. Collaborate with other federal agencies to share resources, improve efficiency, standardize federal terminology, and streamline processes for obtaining community feedback on the accuracy and quality of professional translations of documents, resources, and other materials.
14. Study the feasibility of expanding the language availability of FDIC economic inclusion outreach products.

Identification of and Consultation with LEP Communities

- A. **Nationwide Identification.** Every three years, the LAWG will determine whether there have been changes in the top five languages spoken in the United States by persons with LEP, which DOJ has identified as Spanish, Chinese (including the spoken languages of Mandarin and Cantonese and the written languages of Simplified and Traditional Chinese), Vietnamese, Korean, and Tagalog (including Filipino).
- B. **Localized Identification.** Upon request, the LAWG will help Divisions and Offices identify languages spoken by persons with LEP within the target audience for a particular FDIC program or service. Useful resources include the data and language maps information provided by DOJ, the U.S. Census Bureau, the U.S. Department of Education, and other authorities, currently compiled and available at <https://www.lep.gov/maps>.
- C. **Consultation.** Every three years, the LAWG will coordinate with DCP, DOA, DRR, the Office of Communications, and the OO to identify opportunities to seek input about potential enhancements to the LAP from community members with LEP or other stakeholders.

Funding and Procurement

- A. **Division or Office Requirements.** If a Division or Office has a need to procure language assistance services, the Division or Office will work with the Acquisition Services Branch of DOA (ASB) to ensure compliance with applicable requirements.
- B. **LAWG Assistance.** As needed, a Division or Office may seek assistance from the LAWG in securing a contract for language assistance services. Upon request, the LAWG will advise about appropriate standards for language assistance service providers to facilitate Division and Office engagement with ASB, which may include the following:
 - 1. Qualified and competent translators and interpreters;
 - 2. Mechanisms to ensure confidentiality and avoid conflicts of interest;
 - 3. Ability to meet demands for translation, including the delivery of the translation in editable electronic or other required formats;
 - 4. Reasonable cancellation fees;
 - 5. On-time service delivery;
 - 6. Reasonable scheduling of qualified translators and interpreters;
 - 7. Ability to track and document usage;
 - 8. Ability to establish connection to translators and interpreters via telephone, video, or electronic means; and
 - 9. Effective complaint resolution when translation or interpretation errors occur.
- C. **Best Practices and Quality Control.** In advising Divisions and Offices about securing language assistance services, the LAWG will consider, where applicable, information available from the General Services Administration about best practices related to negotiating and securing high quality language assistance services.

Notice of Language Assistance Services to LEP Communities

- A. **Language Assistance Services.** The FDIC will provide information about language assistance services for Vital Documents through notices posted on the relevant webpages on FDIC.gov. Every three years, the FDIC will review FDIC.gov webpages that provide information about language assistance services at FDIC physical locations and on digital platforms for accuracy and completeness.
- B. **Resources.** The FDIC will provide notice of translated documents, non-English videos, and other resources for persons with LEP through the FDIC LEP webpage or its successor webpage, as applicable.

Training

- A. **Employees Who Regularly Engage With Persons With LEP.** The LAWG will consult with Divisions and Offices to explore the feasibility of training FDIC employees who regularly

engage with persons with LEP. As needed, the LAWG will oversee any LAP training development and will consult with Corporate University (CU) about appropriate training content and methods. Expected training content for employees who engage regularly with persons with LEP includes how to do the following:

1. Identify language needs of persons with LEP;
2. Provide access and language assistance resources to persons with LEP;
3. Work with interpreters;
4. Request document translation;
5. Follow the LAP, associated policies and procedures, and applicable financial and contracting requirements and processes to procure effective communication services for persons with LEP; and
6. Ensure the quality of translation and interpreting services.

B. **Other Employees.** The LAWG will consider options for making language access awareness training or resources available to interested employees. Expected language access awareness content includes how to do the following:

4. Identify persons with LEP in the communities with which an employee interacts;
5. Secure translation and interpretation services;
6. Notify the LAWG of recommendations to expand language assistive services to a particular community of persons with LEP; and
7. Provide effective assistance to persons with LEP.

Monitoring and Updating

A. **Scheduled Updates.** The LAWG will be responsible for monitoring and updating the LAP and will:

1. Develop and implement a schedule for soliciting input and feedback from Divisions and Offices about the LAP;
2. Recommend revisions to the LAP based on the input and feedback received, guidance from DOJ on E.O. 13166 and related issuances, and other appropriate information; and
3. At least once every three years, conduct a comprehensive review of the LAP to identify enhancements to provide meaningful access to Vital Documents.

B. **Best Practices.** Every three years, one or more representatives of the LAWG will identify guidance from DOJ and other agencies' best practices regarding the implementation of LAPs. Actions the representative(s) will take include participating in working groups, communities of practice, and other cross-agency collections of professionals focused on providing services to persons with LEP. The LAWG will consider the information gained through these activities when determining whether it is appropriate to update the LAP.

C. **Surveys.** Every three years, the LAWG will distribute surveys to each Division and Office to monitor the implementation of the LAP and to determine any necessary updates. At a minimum, the surveys will request the following information:

1. Provide an inventory of languages most frequently encountered and the primary channels of contact.
2. Are persons with LEP a significant number or portion of the audience for your Division or Office programs and services?
3. How frequently do persons with LEP contact your Division or Office about its programs or services?
4. What additional resources do you need to improve access to persons with LEP?
5. What webpages does your Division or Office maintain that provide information about language assistance services? Are any updates needed?
6. What training is needed to ensure employees whose duties require them to engage with persons with LEP are aware of their requirements under the LAP?
7. What steps do you take to ensure that persons with LEP are provided meaningful access to new programs, services, and activities?
8. How do you identify persons with LEP who need language assistance?
9. List any new needs of persons with LEP with respect to your programs, services, or activities.
10. How do you obtain feedback from the LEP communities you serve on the effectiveness of the language assistance services you provide?
11. Have you received any complaints that your Division or Office did not provide adequate language assistance services? How did you handle those complaints?

Collaborating with LEP Communities and Other Stakeholders

- A. **Interdivisional Coordination.** The LAWG will coordinate with stakeholder Divisions and Offices every three years to identify opportunities to collaborate with communities of persons with LEP and other stakeholders as discussed in the Identification and Assessment of LEP Communities section of this LAP.
- B. **Outreach By Other Stakeholders.** Divisions and Offices that regularly engage with the public have a key role in enhancing access to FDIC programs and services. They can provide recommendations about ways to effectively reach communities of persons with LEP and provide the LAWG with feedback and insights gained through their outreach initiatives. Upon request, the LAWG will help Divisions and Offices determine ways to integrate language access considerations in outreach activities. Also, the LAWG will solicit post-event feedback and recommendations about language access from stakeholder Divisions and Offices.

APPENDIX A – KEY CONCEPTS AND TERMS

TERM	DEFINITION
Interpretation	The immediate communication of meaning from one language (source language) into another (target language).
Limited English Proficiency	Limited ability to read, write, speak, or understand the English language.
Meaningful access	<p>Language assistance that results in accurate, timely, and effective communication at no cost to a person with LEP.</p> <p>For persons with LEP, meaningful access denotes access that is not significantly restricted or delayed as compared to English proficient individuals.</p>
Translation	The replacement of written text from one language (source language) into an equivalent written text in another language (target language).
Vital Document	Paper or electronic written material that contains information that is critical for the general public or a broad audience to access an FDIC program or activity. Vital documents for the general public or a broad public audience may include public outreach or educational materials, notices of outreach or community meetings or trainings, or notices regarding the availability of language assistance services.

APPENDIX B – CURRENT PROGRAMS AND SERVICES ACCESSIBLE TO PERSONS WITH LEP

Division of Depositor and Consumer Protection

Name	Type	Languages and Large Print
#GetBanked Campaign	Webpages	English and Spanish
Consumer Assistance Resources	Webpages	English and Spanish
Deposit Insurance at a Glance	Brochure	English and Spanish
Deposit Insurance Coverage Overview	Video	English and Spanish
Deposit Insurance Coverage Personal Accounts	Video	English and Spanish
Electronic Deposit Insurance Estimator	Service	English and Spanish
FDIC Consumer News	Webpages/ Subscription	English and Spanish
Know Your Risk. Protect Your Money. Deposit Insurance Campaign	Webpages	English and Spanish
Money Smart Financial Education – Instructor-Led Curriculum	Program	Braille and large print for the visually impaired, Chinese, English, Haitian Creole, Hindi, Hmong, Korean, Russian, Spanish, and Vietnamese
Money Smart News	Webpages/ Subscription	English and Spanish
Money Smart Resources	Webpages	English and Spanish
Prepaid Cards and Deposit Insurance Coverage	Webpages	English and Spanish
Your Insured Deposit	Brochure	Chinese, English, Korean, large print for the visually impaired, Spanish, Tagalog, and Vietnamese

Division of Resolutions and Receiverships

Name	Type	Languages and Large Print
Call centers for stakeholder inquiries	Service	English, Spanish, and other languages as needed
Claims agent unit that works to contact depositors	Service	English, Spanish, and other languages as needed

Name	Type	Languages and Large Print
Customer service center	Service	English, Spanish, and other languages as needed
Deployment of interpreters and translators for closing activities and for informational communication	Service	English, Spanish, and other languages as needed
Failed Bank List information	Website	English, Spanish, and other languages as needed
Information about Resolutions	Website	English, Spanish, and other languages as needed
Loan customer communications	Service	English, Spanish, and other languages as needed
Closing notices, postings, and FAQs	Print and website	English, Spanish, and other languages as needed
When a Bank Fails – Facts for Depositors, Creditors, and Borrowers	Website	English and Spanish

FDIC Information and Support Center

Name	Type	Languages and Large Print
Contact Center	Telephone Assistance	English and Spanish; telephone interpretation for almost 200 other languages
Customer Assistance Form	Online Form	English and Spanish
Deposit Insurance Form	Online Form	English and Spanish
Deposit Insurance Misrepresentation Form	Online Form	English and Spanish
Business Assistance Form	Online Form	English and Spanish

Appendix C – Identifying Persons With LEP

Examples of ways FDIC staff can determine whether a person needs language assistance:

- Voluntary self-identification by the individual with LEP or their companion;
- Affirmative inquiry regarding the primary language of the individual if they have self-identified as needing language assistance services;
- Engagement by a qualified multilingual staff or qualified interpreter to verify an individual's primary language; or
- Use of an "I speak" language identification card or poster.

APPENDIX D – DIVISIONS AND OFFICES REPRESENTED ON THE LAWG

Division of Administration

Division of Complex Institution Supervision and Regulation

Division of Depositor and Consumer Protection

Division of Insurance and Research

Division of Resolutions and Receiverships

Division of Risk Management Supervision

External Affairs

Legal Division

Office of Communications

Office of Minority and Women Inclusion

Office of the Ombudsman